

Are you affected by anti-social behaviour?

A guide for tenants and leaseholders

Anti-social behaviour (ASB) covers a wide range of selfish and unacceptable activity that can blight the lives of residents and communities.

Anyone can be a victim of ASB regardless of age race or gender.

Anti-social behaviour can include serious criminal incidents:

- Drug dealing
- Violence and threats of violence and intimidation
- Racial and homophobic harassment and abuse
- Criminal damage to property
- Alcohol related nuisance
- Verbal abuse to neighbours or council staff and contractors

Anti-social behaviour is causing or likely to cause harassment, alarm or distress to more than one person not of the same household – Crime & Disorder Act 1998.

Some activities cause annoyance - often because neighbours do not understand how their behaviour affects other residents.

- Groups of youths being noisy
- Fly tipping
- Graffiti
- Loud music, arguing and shouting
- Repairing cars and revving up engines
- Leaving rubbish in communal areas
- Pet noise and dog fouling

As a council tenant, you must make sure that you, your household and visitors do not cause a nuisance or annoyance to your neighbours. Your tenancy agreement and your tenant handbook explain your responsibilities as a tenant.

You should never retaliate or fight back if your neighbour causes you nuisance.

What should I do when the problems start?

Many incidents that are not so serious can be quickly resolved by discussing the effects of the incidents between neighbours.

- if your neighbour is playing very loud music with the windows open you could agree a volume level and to keep the windows shut
- you could politely explain to a neighbour that their dog barks when they are not at home as they may be unaware that this is causing you annoyance
- Be tolerant that children need to play outdoors at reasonable hours so long as they respect other people's property

- Try to agree with other car users on parking considerately to benefit all drivers
- Ask your neighbour politely not to feed seagulls or pigeons near homes or block of flats as they can cause health issues and damage to property

A good neighbour should be reasonably tolerant and understanding of the differences in lifestyle and culture of others.

How do I report anti-social behaviour?

If the problem continues, report it to your housing office. You may be offered mediation services who will work with both sides to come to an agreement.

We can refer low level disputes between neighbours to mediation to resolve.

You will be asked to keep a diary of incidents.

Any criminal behaviour should be reported to Sussex Police. Ask for a serial or crime number and enter that on your diary sheet.

Why must I keep a diary sheet?

Diary sheets are important records made at the time the incident happened and should include the start and end times and as much detail as possible including the names of those involved and what was said (especially the bad language and threats if any) and who else witnessed the incident. They are very useful evidence for a court if matters go that far- an because we ask that they are written at the time of the incident, they will be strong evidence of what happened.

Hand you diary sheet to the housing office. You can ask for a photocopy for your own records.

Keep your diary sheet & pen handy so that you can easily record details of an incident - do it at one or as soon as possible after the event.

What will the council do to stop the anti-social behaviour?

We will treat all reports of anti-social behaviour seriously and will use the appropriate action to resolve it sensitively. We will do our best to keep you informed of the action that we are taking however we cannot reveal confidential information to you. Our actions may include warnings and visits to the neighbour. We will offer support to help them to keep to the terms of their tenancy agreement and that may also include a voluntary written agreement. These actions are often all that is needed to stop the problems. We will not reveal the details of where the information has come from without your permission.

We will try to stop the nuisance and keep people in their homes,

The anti-social behaviour has not stopped so what happens how?

If the problem continues we will consider legal action against your neighbour. This may mean an ASB injunction to prevent your neighbour from causing further nuisance or by taking possession action if the offender is a council tenant. We will ask you and other witnesses to be prepared to stand in court and give evidence based on the incidents recorded in their diary sheets. A court will need to be satisfied that it is 'reasonable and proportional' to make a court order on a person's home. The court may make a Demotion

Order that will take away the security of a tenant's home or a Possession Order that could lead to eviction if the perpetrator continues to cause a nuisance.

Be realistic about possession action. We will do our best to keep you informed at all stages.

What can I do about very loud music and other noise?

Report the noise problems to Environmental Health on 01273 292929. The weekend noise patrol operates on a Friday and Saturday night between 10pm-3am on 01273 293541.

Environmental Health can investigate complaints of loud music, parties, domestic noise like DIY and barking dogs. They can take the following actions:

- An abatement or warning notice can be served on the offender requiring the noise to be stopped
- Prosecute the offender
- Take action to seize the audio equipment

We will also take tenancy action against any tenant who is served with a Noise Abatement Notice.

What happens if I am a victim of very serious or hate crime?

We will work with Sussex Police and may offer you temporary accommodation if the police advise that it is unsafe for you to stay in your home. We may seek an emergency injunction against the offender to protect you and your family.

If you want to stay in your home we will offer to check the security of your home eg that your windows can be locked, mortice locks and chains or bolts can be fitted to your external doors and we can provide you with a personal alarm.

We will arrange for a community warden to keep in regular contact with you and will put you in touch with your local Police Community Support Officer.

Be brave and be a witness. See our 'Witness and Victim Support' leaflet.

What about Anti-Social Behaviour Orders?

Anti-Social Behaviour Orders (ASBOs) are sought if an individual over the age of 10 (with no upper age limit) persistently commits anti social behaviour that affects the community. We will work with Sussex Police to apply for an ASBO if that is the only and most appropriate way to resolve the problems. We will also work with Sussex Police to apply for an ASBO on conviction in a criminal prosecution that is affecting the community, for example criminal damage in the neighbourhood. Those who break the terms of their ASBOs could get a prison sentence.

Can you close down properties where drugs are being sold or there is serious anti-social behaviour?

The police have powers to shut down premises for three months or for a maximum of six months where there is sufficient evidence that the property is being used for illegal drug purposes. Similarly the council can apply to close down premises from which there is significant and persistent nuisance and disorder.

Who can I talk to about the anti-social behaviour in my area?

Housing Customer Services can put you in touch with your tenancy officer and a neighbourhood officer. You can also contact your local Police Community Support Officer can also help if there is a criminal aspect to the ASB (www.sussex.police.uk). You can also talk to your Local Action Team or a committee member of your tenant or resident association, and if you live in a sheltered scheme you can talk to your scheme manager.

I have an introductory tenancy, what does that mean?

You will be offered an introductory or probationary tenancy for the first 12 months if you are a new tenant. If you cause break the terms of your tenancy agreement by causing a nuisance or annoyance to your neighbours or not paying your rent during that time your tenancy can be ended.

What can you do about my neighbour's children who are causing ASB?

Tenants are responsible for the behaviour of their children and other visiting children. Our parenting team can offer parenting classes and one to one help. The Integrated Team for Families project have specialists who will work with all members of the family to change their behaviour.

Parents who refuse to control the behaviour of their children who cause ASB in the community are putting their tenancies at risk.

Useful contacts

Housing Customer Services	01273 293030
Sussex Police	Emergencies 999. Non-emergencies call 101 and ask for a serial number to put on your diary sheet
Crimestoppers	0800 555 111 or www.crimestoppers-uk.org to report criminal activity anonymously
Racial or homophobic	Contact housing customer services or the Community Safety Team 01273 292735
Domestic violence	Rise 01273 622822
Noise nuisance	01273 292929. Weekend patrol 01273 293541
Brighton & Hove Mediation Service	01273 700812