

What action can the Council take in dealing with Anti-Social behaviour.

If there has been Anti-Social behaviour the tenant will be asked to comply with their tenancy agreement.

If the Anti-Social behaviour continues the Council may take one or more of the following actions:

Formal Warnings

If Anti-Social behaviour is proven, the Council will issue the tenant with a formal warning.

Acceptable Behaviour Contracts

Acceptable Behaviour Contracts (ABC's) may be used at any time during the Council's action against nuisance. An ABC is an agreed contract signed by the tenant to act in a reasonable manner and may contain a number of specific conditions with which the tenant agrees to comply.

Noise Abatement Notice

In cases of excessive or persistent noise, the Council may seek to issue a Noise Abatement Notice under the Environmental Protection Act 1990. If the notice is served because of excessively loud music but the problem continues, the Council may also seize all the sound equipment that is causing the problem.

Anti-Social Behaviour Orders

Where formal warnings and ABC's fail to resolve the issues, the Council may apply to the courts for an Anti-Social Behaviour Order. The Order will contain conditions with which the recipient is required to comply.

Injunction

This is a Court order made by a Judge in a County Court or in the High Court which orders someone to stop doing something, for example causing nuisance. It may also be granted to prevent someone from entering a property, even if it is their home.

Eviction

The Council can seek to evict a resident of accommodation who has engaged in Anti-Social behaviour by serving a Notice to Quit. Once the notice period has ended the Council can apply to the Court for a possession order.

Who should I contact?

If you are subject to Anti-Social behaviour you should contact the Housing Advice Section of the Council. If you think the Anti-Social behaviour is of a criminal nature then you should contact the police.

Acomodations Team

01803 861234
housing.advice@southhams.gov.uk

Devon and Cornwall Constabulary

08452 777 444
Emergencies 999

Environmental Health

01803 861234
environmental.health@southhams.gov.uk

Street Scene

01803 861234
carparks.team@southhams.gov.uk

Out of Hours

01803 861234
Main switchboard where you will be given details of the emergency number to call

Data protection and information sharing

Any information collected in relation to Anti-Social behaviour will be treated in accordance with the Council's Data Protection Policies and the Data Protection Act 1998 and its relevant subordinate legislation.

In the course of dealing with Anti-Social behaviour, it may be necessary to provide details of any complaints. This will only normally be done with the permission of the complainant



To get this leaflet in another format or language, tel. 01803 861234

Dealing With Anti-Social Behaviour



A Guide for Residents

reporting Anti-Social behaviour by tenants of Council owned or managed accommodation



South Hams District Council

South Hams District Council aims to secure a better quality of life for all residents of the district. This includes encouraging good behaviour and taking action against Anti-Social behaviour. We will demonstrate by our actions that we will not tolerate Anti-Social behaviour in any of the accommodation owned or managed by the Council.

Preventing Anti-Social Behaviour

The Council places a huge emphasis on preventing Anti-Social behaviour from occurring. All new residents are advised of the Council's policy and of the consequences of Anti-Social behaviour.

The Council will also aim to help the perpetrators of Anti-Social behaviour, particularly if they are suffering from drug or alcohol abuse, have a disability or mental health issues or are juveniles. Attempts at resolving the issue will be made prior to taking legal action against a tenant. However, the Council will take a robust stance in requiring compliance of its tenancy agreements by the tenant and any user of the property.

Providing support and tackling the cause of their behaviour will often resolve the issue and will help prevent the person from homelessness in the future.

What may be considered to be Anti-Social behaviour?

Anti-Social behaviour is anything that makes other people's lives uncomfortable and prevents them having the peaceful enjoyment of their home and community.

Examples of nuisance and Anti-Social behaviour include;

- Acting in a way that causes alarm or distress to at least one person living in another household. (This included shouting and swearing or saying something that makes you or others feel uneasy)

- Harassment
- Drinking or drug use which leads to people being rowdy and causing trouble
- Selling illegal drugs
- Rubbish dumping
- Vandalism
- Racial harassment
- Using or threatening to use violence (including domestic abuse)

This is only a guide and not a complete list of behaviour that could be considered to be Anti-Social behaviour.

What should I do if I am subjected to Anti-Social Behaviour from tenants accommodated by the Council

If possible, and you feel your safety is not in question, try to solve the problem yourself.

Often people don't realise they are causing a nuisance and a friendly word can sort things out. Be prepared to discuss the problem calmly and to compromise if possible. This may prevent a small disagreement turning into a major row.

If you feel it is not something you can deal with or it would threaten your safety, you should do either, any or all of the following, depending on the nature of the nuisance:

- Contact the Accommodations Team at the Council personally. In addition to discussing the problem, always put your complaint in writing so we can record it.
- Contact the Police if you suspect that the nuisance is criminal in nature.
- Contact South Hams District Council Environmental Health if the issue is the result of excessive noise.
- Contact South Hams Street Scene for littering or abandoned vehicles.

What evidence should I collect?

Please remember that action can only be successful if there is proof of nuisance or Anti-Social behaviour. It is important that you keep a record or diary of everything that happens. The Accommodations Team can supply you with advice and forms for this.

You should be prepared to give evidence in court if necessary. You should where possible, photograph, tape record or video any incidents that occur. This should only be done if it is safe to do so. In the event of a serious incident, the police should be informed and you should keep a note of the incident number.

How will the Council deal with my complaint?

We will investigate your complaint as soon as possible by contacting the tenant(s) in question. In some cases it is necessary to identify the complainant. However, we will not normally reveal the identity of any complainant without the prior consent of that person. Often just warning the tenant of a complaint will solve the problem.

In cases where we have received a complaint from one person, we will ask other people if they have been affected. It might help if you speak to other neighbours first to see if they suffer the same problem.

The perpetrator(s) will be confronted about any alleged Anti-Social behaviour and asked to comply with the tenancy agreement and this policy.

Residents will be kept informed of any developments in relation to their complaint.

