

# Tackling Anti-Social Behaviour

## Tenants' Handbook



## A MESSAGE FROM THE DIRECTORATE OF HARROW COUNCIL

“We have listened carefully to our residents and made tackling nuisance and anti-social behaviour a top priority for us. We fully recognise the impact that anti-social behaviour can have on the lives of our residents and that the actions of a few can destroy the lives of many others in the surrounding area.

To this end, We want to reassure you that we will be taking all necessary action through using all available tools that the government has laid at our disposal to protect our residents from nuisance and harassment.

We fully recognise that Harrow Council cannot achieve our goal on our own, but will need to work with agencies to ensure that all our residents’ are able to enjoy their homes in peace.

Harrow is a diverse community and all our residents are entitled to occupy their homes free from harassment and the effects of anti social behaviour. Harrow Council will work with residents to secure this right”

*Gwyneth Allen*  
*Head of Housing*  
**Harrow Council**



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# INTRODUCTION

## Solving neighbour problems

Harrow is a diverse, multi-cultural community situated in North West London. In a busy urban environment like Harrow, we can all expect a certain amount of noise and annoyance from others going about their normal everyday lives. Different sleep patterns, difference of view over behaviour of children, pets etc., different lifestyles can lead to friction and disputes. Whilst we want to be build a tolerant community where we respect our neighbours we accept that there are circumstances where residents act unreasonably to their neighbours and fail to take their needs into consideration.

Harrow Council is responsible for managing council owned homes. We are committed to investigating your allegations of nuisance or anti-social behaviour from neighbours and other individuals. We can then decide on the best way of dealing with the problem.

This booklet aims to assist residents in resolving problems with neighbours and others whose actions are detrimentally affecting their quality of life; and recognises that there are many ways of solving neighbour problems.

Where possible we favour trying to resolve disputes informally and help those involved to resolve any differences they may have. Depending on the circumstances, we may recommend mediation as the best way of resolving a neighbour dispute. Trained, independent people will talk to you about your problem and contact the other person or people involved. The aim is to reach an agreement about what is to happen in the future, for example, not playing loud music at certain times.

However, we also recognise that there are circumstances where due to either the seriousness or persistent nature of the problem you have complained of, it will be necessary for us to take appropriate legal action against the perpetrator of the anti-social behaviour due to their failure to abide by the terms and conditions of their tenancy.

## HARROW COUNCIL'S COMMITMENT

We feel it is essential to demonstrate to our customers our overall vision and commitment to protect the needs of our residents.

To this end we :

- ◆ are committed to taking action to deal with anti-social behaviour;
- ◆ will do everything we can to support our residents' right to quiet and peaceful enjoyment of their home;
- ◆ will take all reasonable steps to ensure that all our residents fully comply with their obligations under the terms and conditions of their tenancy;
- ◆ fully recognise the importance of multi-agency working and will therefore work in partnership with our key partners such as the Police;
- ◆ ensure that the treatment you receive from us is second to none in terms of customer care.





## TYPES OF NUISANCE AND ANTI-SOCIAL BEHAVIOUR

Below are examples of nuisance and anti-social behaviour. This list is not exhaustive but will give you an insight into behaviour that falls outside the terms and conditions of Harrow Council's tenancy agreement.

**Anti-social behaviour occurs when behaviour by one household or individuals in an area threatens the physical or mental health, safety or security of another household or individual.**

### Noise nuisance

Noise is a common problem amongst our residents. Some noise is tolerable and inevitable in a densely populated environment, but it becomes a nuisance when its level and frequency make an unreasonable invasion on your right to peace and quiet. Noise nuisance can range from playing loud music or listening to the television at unreasonable levels, to shouting or slamming doors loudly and inconsiderate use of electrical appliances. Removing flooring such as carpets or installing wooden/laminate flooring can seriously undermine the sound insulation of your property and cause annoyance to your neighbours. Do not play your car radio whilst on or leaving/arriving at the carpark to your property especially at night as this will also cause annoyance to your neighbours.

Harrow Council can take action against serious noise nuisance under the Environmental Protection Act 1990 resulting in Criminal Prosecution and/or confiscation of sound equipment. Harrow Council may also take action against perpetrators of noise nuisance under the Housing Act 1996.

### Graffiti, vandalism and damage to council property

Any type of graffiti, vandalism or damage to council property is not only in breach of the tenancy agreement, the police can prosecute anyone caught doing so. Criminal damage includes damage to the block or the estate and the property of residents who live on the estate. If you witness anyone causing damage to council property, you should immediately contact your local housing office and/or the police.

## **Obstructing Communal Areas**

Dumping rubbish on communal balconies, staircases or landings, in corridors, entrance areas or common areas, can cause nuisance or danger to others. All household rubbish should be put in the bins provided. Blocking communal areas by leaving gas cylinders, washing, rubbish, prams, fridges, bicycles or other objects in the way, is in breach of the tenancy agreement and can represent a serious fire hazard. These items will be removed and you will be charged for this.

If either you, your family or visitors to your home are found to be loitering in communal areas thereby creating a nuisance and annoyance to others, you will be deemed to be in breach of your tenancy. Action may then be taken against you.

## **Racial Harassment**

Harrow Council is committed to evicting any tenant who racial abuses or threatens another resident. A racial incident is classified as “any incident which is perceived to be racist by the victim or any other person”

Threatening, insulting or abusive words and behaviour (spoken or written) are a criminal offence and perpetrators should be reported to the Community Safety Unit at your police station or your local Housing Office. Harrow Council will not tolerate any harassment due to race, colour, nationality, culture, sexuality, gender, age, marital status, religion or disability.

## **Criminal Activity**

Examples of criminal activity include drug dealing and usage, prostitution and handling stolen goods. As well as being a breach of the tenancy agreement, these acts are against the law.

If you suspect a neighbour of committing these crimes, please voice your concerns directly to your housing officer. Harrow Council is working with the police to ensure that we are tough on crime.

## **Domestic Abuse**

Everyone has the right to live in a safe home environment, free from abuse. If you or someone you know is suffering from domestic violence, neglect, or emotional or sexual abuse you can contact the Community Safety Unit at your local police station. Your local housing office can also provide confidential advice and assistance.

## YOUR RESPONSIBILITIES

The tenancy agreement sets out what to expect from us and what we can expect from you. In accordance with these terms and conditions, you have agreed:

- ◆ NOT to cause a nuisance, or let your family, friends or visitors cause a nuisance by making too much noise.
- ◆ NOT to cause a nuisance, or let your family, friends or visitors cause a nuisance by harassing anyone.
- ◆ NOT to be involved in criminal activity.
- ◆ NOT to damage the property and to return it to the council in a good state when you leave.
- ◆ TO dispose of your rubbish in the appropriate bins provided.
- ◆ TO be responsible for the good behaviour of your family, friends and visitors in your home or on the estate. For example, you are personally responsible for the conduct of your children.
- ◆ TO ENSURE that any pets the council has given you permission to have are kept under control and do not make a mess, cause a nuisance, or damage your home or the estate you live on.
- ◆ NOT to use your washing machine or do DIY outside normal daylight hours.



## DEALING WITH PROBLEMS YOURSELF

This method is often the simplest way to resolve problems. Most people can be reasonable if approached in person. People are sometimes unaware that they are causing you a nuisance.

Speaking with someone face to face is certainly preferable to either shouting at them or writing them letters because they are likely to become defensive. Preparation - before approaching your neighbour:

- ◆ Think about what you want to say before approaching your neighbour.
- ◆ Have a clear and simple message in mind - it will give you more confidence.
- ◆ Be clear about what the problem is and think about how it affects you.
- ◆ Do not stray from the main issue.
- ◆ Think beforehand what the outcome is likely to be.
- ◆ Try and choose a good moment.
- ◆ Before you talk to your neighbour, try talking to another person. e.g. a friend or your housing officer.

### SOME USEFUL TIPS:

- ◆ Try to stay calm and friendly. Being aggressive is not going to help.
- ◆ Explain what the problem is, how you feel and how it affects you. Often people may not realise that a problem exists, especially when the problem is noise.
- ◆ Always listen to your neighbour and think about what they are saying. By listening as well as talking you help to build a good atmosphere where problems are more likely to be resolved.
- ◆ Try not to interrupt the other person when they are talking.
- ◆ Try not to shout, even if your neighbour does! Try to stay in control and not be abusive.
- ◆ Try not to bring up incidents from the past, especially if they are not relevant to the present dispute. Try instead to look to the future and how you want things to change.
- ◆ Be tolerant.
- ◆ If your neighbour is unreasonable - leave the discussion.

## OUR RESPONSIBILITIES

Harrow Council are responsible for the day to day running of Council properties. They make sure that all tenants keep to the terms and conditions of their tenancy agreement.

Nuisance behaviour is a breach of the tenancy agreement, so if the person causing the nuisance is a Council tenant or leaseholder, you should contact the relevant housing office and they will investigate.

### Action plan

Your Housing Officer will discuss with you an action plan to resolve the problem. He or she will confirm the action plan in writing to you. They will be honest about the likely outcome of the various forms of action, particularly legal action.

Depending on what happened, the action plan might include:

- ◆ you approaching your neighbour;
- ◆ mediation;
- ◆ an officer interviewing or writing to your neighbour;
- ◆ using specialist staff or equipment to analyse a noise nuisance problem;
- ◆ collecting further evidence, or using professional witnesses;
- ◆ starting legal action. Court action will only succeed if the right evidence is available.
- ◆ involving other council departments or organisations.

## LEGAL ACTION THE COUNCIL CAN TAKE

Although legal action is the last step in the process, Harrow Council will not hesitate to take action against the few who continually cause nuisance to our residents. Action that we may take includes:-

### **Injunctions**

These can be obtained very quickly and can order your neighbour to stop doing something i.e.: playing loud music or can order them to carry out an action e.g. clear their garden of rubbish. In serious cases of nuisance and harassment, where there is the threat of violence, the court can attach a power of arrest to the injunction. This can be obtained within 24 hours. If your neighbour continues the behaviour, the police have the power to arrest them immediately.

### **Possession Orders**

This process takes longer than obtaining injunctions and will normally involve evidence that has been gathered over a period of time being presented to the court. To obtain a possession order we need strong evidence that will stand up to close examination in court. If the judge is satisfied that the tenant has breached the terms of their tenancy or specific requirements contained in the Housing Act, they can grant a possession order meaning that the tenant can be evicted by County Court bailiffs.

### **Anti-Social Behaviour Orders**

These are new legal orders which can be specifically used against people aged 10 or over. To obtain an orders we have to work very closely with the police. Incidents where these orders maybe used include against youths that loiter in communal parts and who intimidate residents with their behaviour. An order could take the form of banning these youths from a particular area or part of the Borough.

Environmental Health can take criminal proceedings with a maximum fine of £5000 per offence. They can confiscate sound equipment and keep it permanently where justified. Evidence can be used for possession and/or anti-social behaviour orders.

### **Leaseholders**

Leaseholders are bound by the covenants contained in their leases not to behave in an anti-social manner. Harrow Council is committed to applying to court for forfeiture of a lease or an injunction in the event of a breach of covenant by a leaseholder. It would be a requirement for us to be able to prove to the court that the covenant has been broken. Injunctions may also be taken out against leaseholders.

## REPORTING NUISANCE TO HARROW COUNCIL

If you are suffering from nuisance, you should contact your local housing office and ask to speak to your Housing Officer.

Once you have reported the nuisance, the housing officer will usually write to your neighbour, advising them of the complaint but not telling them where it has come from. The letter will also state that if the complaint is founded or the behaviour continues, legal action may have to be taken. Your neighbour will be invited to meet with their housing officer and to resolve the problem. If this fails, and the problem continues, tell your housing officer again. The case will then be referred to the ASBO Unit.

ASBO Unit is a specialist section dealing with complex nuisance, harassment & domestic violence issues referred by the Area Offices. The Unit investigates serious complaints using a multi agency approach and takes a variety of action to seek resolutions to problems. This includes the actions highlighted in previous sections of this booklet.

The ASBO Unit also recognises the impact that crime and disorder plays on the communities we serve. To this end, Harrow Council is committed to implementing the council's crime and disorder strategy.

### What we can do:

As a specialist team persistent and serious anti social behaviour and nuisance are our only priority. We are here to help you enjoy your home in peace. When a case is referred to us we will contact and interview you and the person you are complaining about. We will do everything to protect your confidentiality. We will try and resolve the problem by negotiation. Another option is for the housing officer to refer you to the Mediation Services, who will take you and your neighbour through the process of mediation.

## 10 TOP TIPS TO BE A GOOD NEIGHBOUR

- ◆ Make sure a keyholder can be contacted if your burglar or car alarm goes off while you are on holiday;
- ◆ Keep the volume of hi-fis, radios and televisions as low as possible especially at night;
- ◆ Position fridges, freezers and speakers well away from party walls
- ◆ Use washing machines, vacuum cleaners and other noisy equipment during the day;
- ◆ Try to ensure that your dog does not bark or whine for long periods of time;
- ◆ Do DIY jobs during the day;
- ◆ Keep your children under control when they are playing outside your property;
- ◆ If you play a musical instrument, try not to play it early in the morning or last thing at night;
- ◆ **AND REMEMBER - ONLY CARRY OUT UNAVOIDABLY NOISY ACTIVITIES BETWEEN 9AM - 9PM**

Lastly, be considerate and only treat your neighbours as you would expect to be treated yourself.



## EnviroCrime

EnviroCrime is a term that encompasses a wide range of unpleasant, anti-social activities that adversely affect the quality of our local environments. The most common EnviroCrimes are:

- ◆ Graffiti
- ◆ Vandalism
- ◆ Dog fouling
- ◆ Abandoned vehicles
- ◆ Pollution
- ◆ Noise Nuisance
- ◆ Littering
- ◆ Fly-posters
- ◆ Dumped rubbish and fly-tips

### How is EnviroCrime being Targeted?

Individually these EnviroCrimes are dealt with by a number of different enforcement units within Harrow Council and also through other organisations such as the Police, the DVLA and the Environment Agency. Where several EnviroCrimes persistently occur together, in a particular area, the negative impact on the environment and the local community is intensified. In these circumstances the problems need to be tackled holistically and targeted co-ordinated action is required.

### How YOU can get Involved

Local people have a very important role to play in targeting EnviroCrime. This involves the following.

- ◆ Reporting EnviroCrime Hot Spots.
- ◆ Suggesting improvements.
- ◆ Playing an active part in Community Clean Up Days.
- ◆ Implementing EnviroCrime prevention measures.
- ◆ Helping to maintain the improvements that are achieved.

If your local environment has **at least 4** different EnviroCrimes and they are occurring **persistently** at a **specific site** please contact us in Environmental Health on: Tel : 020 ?????. Email : ???? This will help us to identify EnviroCrime Hot Spots in the Borough, which can then be programmed onto our list of sites for intensive action.

Harrow Council is committed to providing Best Value Services to achieve continued customer satisfaction. Please contact your Local Area Office should you require a translated copy of this document.

Please call the number below for a large print version of this document, or a summary of this document in your language.

- Albanian** Nëqoftëse gjuha Angleze nuk është ghuha juaj e parë, dhe keni nevojë për përkthimin e informatave të përmbajtura në këtë dokumentë, ju lutemi kontaktoni numërin dhënë.
- Arabic** إذا كانت الانجليزية ليست لغتك الاولى وتحتاج لترجمة معلومات هذه الوثيقة، الرجاء الاتصال على رقم
- Bengali** যদি ইংরেজি আপনার মাতৃভাষা না হয় এবং আপনি যদি এই প্রচারপত্রের তথ্যগুলোর অনুবাদ পেতে চান তাহলে যে টেলিফোন নম্বর দেওয়া আছে সেখানে দয়া করে যোগাযোগ করুন।
- Chinese** 如果你主要說用的語言不是英語而需要將這份文件的內容翻譯成中文，請打註明的電話號碼提出這個要求。
- Farsi** اگر انگلیسی زبان اول شما نیست و شما نیاز به ترجمه اطلاعات موجود در این مدرک را دارید، لطفاً با شماره داده شده تماس بگیرید
- Gujarati** જો ઈંગ્લિશ તમારી પ્રથમ ભાષા ન હોય અને આ દસ્તાવેજમાં રહેલ માહિતીનો તરજૂમો (ટ્રાન્સલેશન) તમને જોઈતો હોય તો કૃપા કરી જણાવેલ નંબર ઉપર ફોન કરો
- Hindi** यदि आपको अंग्रेजी समझ नहीं आती और आपको इस दस्तावेज़ में दी गई जानकारी का अनुवाद हिन्दी में चाहिए तो कृपया दिए गए नंबर पर फोन करें।
- Panjabi** ਜੇ ਤੁਹਾਨੂੰ ਅੰਗਰੇਜ਼ੀ ਸਮਝ ਨਹੀਂ ਆਉਂਦੀ ਤੇ ਤੁਹਾਨੂੰ ਇਸ ਦਸਤਾਵੇਜ਼ ਵਿਚ ਦਿੱਤੀ ਗਈ ਜਾਣਕਾਰੀ ਦਾ ਤਰਜਮਾ ਪੰਜਾਬੀ ਵਿਚ ਚਾਹੀਦਾ ਹੈ ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਦਿੱਤੇ ਗਏ ਨੰਬਰ ਤੇ ਫੋਨ ਕਰੋ।
- Somali** Haddii Ingiriisku uusan ahayn afkaaga koowaad aadna u baahan tahay turjumidda xog ku jirta dokumentigan fadlan la xiriiir lambarka lagu siiyey.
- Tamil** ஆங்கிலம் உங்கள் தாய்மொழியாக இல்லாதிருந்து இப்பத்திரத்திலிருக்கும் தகவலின் மொழிபெயர்ப்பு உங்களுக்கு தேவைப்பட்டால் தயவுசெய்து தரப்பட்ட தொலைபேசி எண்ணில் தொடர்பு கொள்ளவும்.
- Urdu** اگر انگریزی آپ کی مادری زبان نہیں ہے اور آپ کو اس دستاویز میں دی گئی معلومات کا اردو ترجمہ درکار ہے، تو براہ کرم دئیے گئے نمبر پر رابطہ کریں۔

**NEEDS A PHONE NUMBER HERE**

## Useful Contact Numbers

**Police, Fire, Ambulance**..... Dial 999

**Harrow Police Station** (24 hours)

74 Northolt Road, South Harrow

Middlesex HA2 ODN.....020 8432 1212

**Pinner Police Station** (Monday – Friday 10am – 3pm)

1 Bridge Street, Pinner

Middlesex HA4 3LA .....020 8432 1212

**Wealdstone Police Station** (Monday – Saturday 9am – 5pm)

78 High Street, Wealdstone

Middlesex HA3 7AG.....020 8432 1212

**Crimestoppers** ..... Freephone 0800 555 111

**Youth Offending Team** ..... 020 8901 4455

**Victim Support**..... 020 886 39583

**Victim Support Children’s Worker** ..... 020 8863 9849

**Probation**

Harrow..... 020 8427 7246

Uxbridge..... 01895 231972

Wembley..... 020 8903 4921

**Ward contacts**

Belmont ..... 020 8721 2992

Cannons ..... 020 8721 2995

Edgware.....020 8721 2781

Stanmore Park ..... 020 8721 2996

Wealdstone.....020 8649 3605

West Harrow..... 020 8721 2987

Greenhill..... 020 8721 2780

Harrow on the Hill .... 020 8721 2986

Harrow Weald ..... 020 8721 2997

Hatch End..... 020 8721 2998

Headstone North..... 020 8721 2994

Headstone South ..... 020 8721 2993

Kenton East ..... 020 8721 2990

Kenton West..... 020 8721 2895

Marlborough..... 020 8733 3629

Pinner .....020 8721 2775

Pinner South .....020 8721 2991

Queensbury..... 020 8721 2989

Rayners Lane..... 020 8721 2988

Roxbourne..... 020 8649 3503

Roxeth..... 020 8721 2894