



**Horsham
District
Council**

ANTI-SOCIAL BEHAVIOUR



Policy & Procedure Statement (Temporary Accommodation)

June 2010

Translation

If you would like help communicating with us in your language, please contact the number below and we will arrange for an interpreter to help.

Polish: Jeżeli potrzebują Państwo pomocy w komunikowaniu się z nami w Państwa języku, prosimy o skontaktowanie się z nami pod poniższym numerem telefonu. Zorganizujemy pomoc tłumacza ustnego.

French: Si vous avez besoin d'aide pour communiquer avec nous dans votre langue, veuillez nous contacter au numéro de téléphone ci-dessous et nous vous offrirons les services d'un interprète.

German: Wenn Sie in Ihrer eigenen Sprache mit uns kommunizieren möchten, wählen Sie bitte die unten genannte Nummer, und wir sorgen dafür, dass ein Dolmetscher bei dem Gespräch hilft

Turkish: Bizimle kendi dilinizde iletişim kurmanızda yardımcı olmamızı istiyorsanız lütfen aşağıdaki telefon numarasını arayınız, yardımcı olması için bir çevirmen sağlayacağız.

Portuguese: Se por acaso você precisar de ajuda para comunicar-se conosco em seu próprio idioma, queira por favor ligar para o número de telefone abaixo e nós providenciaremos um intérprete para ajudá-lo.

Cantonese

如欲尋求協助，以你的母語和我們溝通的話，請撥以下電話，我們便會為你安排傳譯員，提供協助。

Bengali

যদি আপনি আমাদের সাথে আপনার ভাষায় কথা বলার জন্য সাহায্য চান, দয়া করে নিম্ন লিখিত নাম্বারে ফোন করুন এবং আমরা একজন দো-ভাষীর ব্যবস্থা করব আপনাকে সাহায্য করার জন্য।

Gujarati

જો તમને તમારી ભાષામાં અમારી સાથે વાતચીત કરવામાં મદદ જોઈતી હોય તો, કૃપા કરી નીચેના નંબરે સંપર્ક સાધવાથી અમે મદદરૂપ બનવા ઈન્ટરપ્રિટરની ગોઠવણ કરીશું.

Punjabi

ਜੇ ਸਾਡੇ ਨਾਲ ਤੁਸੀਂ ਆਪਣੀ ਭਾਸ਼ਾ ਵਿਚ ਗੱਲਬਾਤ ਕਰਨ ਵਿਚ ਮਦਦ ਲੈਣਾ ਚਾਹੁੰਦੇ ਹੋ, ਤਾਂ ਹੇਠ ਲਿਖੇ ਨੰਬਰ 'ਤੇ ਫ਼ੋਨ ਕਰੋ ਅਤੇ ਅਸੀਂ ਕਿਸੇ ਇੰਟਰਪ੍ਰਿਟਰ ਕੋਲੋਂ ਤੁਹਾਨੂੰ ਮਦਦ ਦੁਆਵਾਂਗੇ।

Urdu

اپنی زبان میں ہم سے بات چیت کے لیے اگر آپ کو مدد کی ضرورت ہو تو براہ مہربانی مندرجہ ذیل نمبر سے رابطہ کیجئے۔ ہم آپ کے لیے مترجم (انٹریٹر) کا انتظام کریں گے۔

Horsham District Council,
Park North, North Street, Horsham, West Sussex, RH12 1RL

 **Phone us on 01403 – 215204**

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INTRODUCTION

Horsham 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. The Council works in partnership with a number of agencies including the Police, Horsham and District Mediation Service, the Crime & Disorder Reduction Partnership and other organisations to address the issue of antisocial behaviour.

This booklet outlines the Council's approach to anti-social behaviour to ensure that all its tenants in temporary accommodation enjoy the right to a decent and peaceful living environment, where they can enjoy their home without disturbance from their neighbours or other people.

WHAT CONSTITUTES ANTI-SOCIAL BEHAVIOUR

Anti-social behaviour is anything that makes other peoples lives uncomfortable and prevents them having the peaceful enjoyment of their home and community. In taking action against anti-social behaviour, the Council will apply the definition of anti-social behaviour set down by 1996 Anti-Social Behaviour Act. Examples of nuisance and anti-social behaviour include;

- Harassment
- Selling illegal drugs
- Vandalism
- Using abusive language
- Excessive noise
- Offensive drunkenness
- Rubbish dumping
- Racial harassment
- Using or threatening to use violence

This is only a guide and not a complete list of behaviour that could be considered to be anti-social behaviour. Please remember that even minor nuisance behaviour can become a serious problem if it occurs often.

THE TENANTS' OBLIGATIONS

At the start of your tenancy you will sign a legally binding document called a non secure tenancy agreement. By doing so you agree to abide by the rules and conditions laid down by the Council in the agreement. These rules include the following:

- As a tenant (or joint tenant) you are responsible for the behaviour of every person, including children and visitors, living in or visiting your home.
- You are responsible for their behaviour not only in your home but in communal areas and in the locality.
- You must ensure that you and they do not cause nuisance, annoyance or harassment to other tenants, their visitors, and people legally going about their business. This includes staff and members of the Council.
- You must ensure that you, anyone living with or visiting you, does not use your home for any illegal or immoral activity.
- You must not commit an arrestable offence in your home, in any communal areas, or in the locality.

WHAT YOU SHOULD DO IF SUBJECTED TO NUISANCE OR ANTI-SOCIAL BEHAVIOUR

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.

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

- Contact the Short Stay Housing Manager 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.

WHAT WE WILL DO ABOUT YOUR 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 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 tenants 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. All complaints of anti-social behaviour will be recorded and progress on resolving the problem will be monitored. Residents will be kept informed of any developments in relation to their complaint.

In cases where the Council take action against the perpetrator of anti-social behaviour, the Short Stay Housing Manager will provide support to witnesses and those affected by the behaviour. The Short Stay Housing Manager will also be able to provide details of independent agencies who may be able to provide additional support.

Should any incident of anti-social behaviour involve racial abuse or harassment, the Council will act in accordance with this policy whilst having regard for the Race Relations (Amendment) Act 2000 and Horsham District Councils Race Equality Scheme. Incidents of this nature will also be recorded separately as racial incidents.

WHAT ACTION THE COUNCIL MAY TAKE

If the nuisance continues, the Council is able to pursue the following options to deal with the situation:

- **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. The ABC is an agreement signed by the tenant to act in a reasonable manner.
- **Noise Abatement Notice**
In cases of excessive or persistence noise, the Council may seek to issue a Noise Abatement Notice under the Environmental Protection Act 1990. If someone is found guilty of failing to comply with an abatement notice, they can be fined up to a maximum of £5,000 for domestic noise. 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 do not work, the Council may apply for an Anti-Social Behaviour Order. This is an order made by the Magistrates Court, and breaching the order can lead to arrest and on conviction, substantial fines and/or up to 5 years imprisonment.

- **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. If they do not comply with the injunction order then they can be fined an unlimited amount or sent to prison for 2 years.

- **Eviction**

The Council can seek to evict a resident of temporary accommodation by serving a Notice to Quit. Once the notice period has ended the Council can apply to the Court for a possession order. This can be done in cases of anti-social behaviour as well as non payment of rent. The Council would then not normally offer you any other accommodation.

WHAT EVIDENCE SHOULD I COLLECT

Please remember that legal 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 Short Stay Housing Manager can supply you with advice and forms for this.

You should be prepared to give evidence in court if necessary. You should 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.

WHO SHOULD I CONTACT

If you are subject to anti-social behaviour you should contact either the Police or the Short Stay Accommodation Manager who can assist with neighbour nuisance and anti-social behaviour.

Short Stay Accommodation Manager

Telephone (01403) 215210
Email housing@horsham.gov.uk

Sussex Police

Telephone 0845 60 70 999
Emergencies 999

All Horsham District Council staff dealing with Anti-Social behaviour are fully trained in dealing with such issues. Staff will, from time to time, be provided with additional training to ensure that they are aware of any changes to legislation and best practice and the Councils own policies and procedures.

PREVENTING ANTI-SOCIAL BEHAVIOUR

The Council places a huge emphasis on preventing anti-social behaviour from occurring. All new residents are advised of the Councils Policy and of the consequences of anti-social behaviour. This and other preventative methods include the patrolling of potential problem areas with security guards, using external agencies for mediation to prevent situations from escalating and by taking a firm approach early on in the process.

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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. All attempts at resolving the issue will be made prior to taking legal action against a tenant. This will include working with a wide range of organisations and agencies including social services, schools, probation services, the police and drug action teams etc. 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.

DATA PROTECTION AND INFORMATION SHARING

Any information collected in relation to anti-social behaviour will be treated in accordance with the Councils 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 ever be done with the permission of the complainant.

ASSOCIATED INFORMATION / POLICIES

Document	Available		
	Translated	Hard Copy	Website
Anti-Social Behaviour - Webpage Summary	✓	✓	✓
Race Equality Scheme	✓	✓	✓
Housing Register and Nominations Policy	✓	✓	✓
Homelessness - A guide to how we can help	✓	✓	✓
Horsham Crime and Disorder Reduction Strategy	✓	✓	
Horsham Community Strategy	✓	✓	
Council "Visions"	✓	✓	

Ways to contact us:



You can phone us on 01403 215204



Fax us on 01403 215243



Visit the Help Points



Write to us at: Housing Services
Horsham District Council
Park North
North Street
Horsham
West Sussex, RH12 1RL

E-mail us at : housing@horsham.gov.uk
Or visit our Web site at: www.horsham.gov.uk

Published by Horsham District Council
This document is printed on environmentally friendly materials.
June 2010

L39_CD01/220610