



Garrion People's Housing Co-operative Ltd



A GUIDE TO DEALING WITH ANTI- SOCIAL BEHAVIOUR & NEIGHBOUR NUISANCE

**AS WITH ALL OF THE CO-OPERATIVE'S POLICIES AND DOCUMENTS,
THIS GUIDE, IN FULL AND IN PART, IS AVAILABLE IN SUMMARY, ON TAPE,
IN BRAILLE, AND IN TRANSLATION INTO MOST OTHER LANGUAGES -**

**PLEASE ASK A MEMBER OF STAFF IF YOU WOULD LIKE
A VERSION IN A DIFFERENT FORMAT**

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What is Anti-Social Behaviour?

Everyone has a different idea on what anti-social behaviour means. This can sometimes be referred to as neighbour disputes.

People have different tolerance levels and what is acceptable to one person may be unacceptable to another.

This can be as a result of residents having a clash of their lifestyles. This can happen when, for example, different age groups, cultural backgrounds and working/sleeping patterns give rise to arguments

At the same time we would ask that everyone is reasonable about what they expect from their neighbours and especially from children in their area.

This can manifest itself in a number of ways and can begin with fairly minor disputes which over a period time if it is not resolved at an early stage can become more serious.

Some acts of anti-social behaviour constitutes criminal behaviour.

Anti-social behaviour now has the following legal definition as included in the Crime & Disorder Act 1998, which states '**Conduct including speech, which has caused, or is likely to cause alarm or distress to one or more individuals who do not reside in the same household as the offender'**

How do I make a complaint?

Contact you Housing Officer Immediately

It is important that you notify us as quickly as you can after any incident of anti social behaviour so that we can start our investigations as soon as possible.

We will accept and investigate all reports of anti social behaviour, your complaint can be made in writing or verbal.

Your Housing Officer will deal with the problem in a confidential and sensitive manner. Your identity will not be disclosed by the Co-operative at any point during the investigation. However there may be circumstances where it will be obvious who has made the complaint and, in these situations, you will need to decide if you want us to take the matter any further.

Don't assume we are aware of a problem... Let us know!

What happens when I make a complaint?

The Co-operative will deal with your complaint sensitively and effectively. How we deal with a complaint depends on the nature and seriousness of the behaviour.

The following timescales are set by the Co-operative -

- Make arrangements to interview the complainant(s) * 5 days
- Conducting interviews with the alleged perpetrator(s) * 5 days
- Conducting interviews with neighbouring residents 5 days
- Follow-up visit to/discussion with complainant and alleged perpetrator with a view to agreeing informal remedy ** 5 days
- Write to both parties with details of the informal remedy, were this has been reached 3 days

* Timescales indicated are those that the Co-operative will attempt to achieve. However, this may be subject to some extension if the complainant/alleged perpetrator is not available or an interpreter has to be arranged.

** Appointment to be made at time of initial discussion.

During the initial investigations all reasonable steps will be taken to substantiate the complaints and to collect corroborating evidence. Initial source of supporting evidence will include:

- **interviews with other residents, especially immediate neighbours;**
- **talking to other witnesses to the incidents;**
- **interviews with the alleged perpetrator;**
- **police incident reports;**
- **reports from the Anti Social Task Force;**

Once the initial investigations have been completed we will decide how best to deal with the matter.

We will endeavour to keep you informed at all times about what is happening and about any action to be taken.

What can We do to stop this behaviour?

We will, as far as possible, seek to resolve problems caused by anti social behaviour amicably & with the co-operation of everyone involved. All attempts will be made to try and stop anti social behaviour so that everyone can live peacefully and harmoniously together. Where the problem has become a neighbour dispute we can offer, where appropriate, mediation to allow both parties to discuss the problem and find their own solution.

If there is a clear breach of the tenancy agreement we will offer assistance and support to the perpetrator and try and help them change their behaviour. This may involve other agencies to assist with the problem, such as Social Work or Environmental Health Department. However, where the perpetrator fails to respond to the warnings, and if the behaviour continues, the Co-operative will consider taking legal action and/or making a referral to the Anti-Social Task Force.

The Co-operative is also committed to supporting victims of anti-social behaviour/harassment and we can refer them to agencies such as Victim & Witness Support groups.

Again we will try to ensure that you are kept up to date with the progress of your complaint.

What if legal action is necessary?

If the problem cannot be resolved, the Co-operative will proceed with the most appropriate legal action which may include:

- **Interdicts**

An interdict can be applied for through the court that prevents a person from doing something, behaving in a certain way and for frequenting a certain area.

Individuals can apply for an interdict against another person who is behaving in an anti-social, threatening or violent manner towards them.

- **Action for specific implement**

This is a court order requiring a person to do something they are legally obliged to do. This would usually happen when a tenant is in breach of their tenancy agreement or a sharing owner who has an occupancy agreement with the Co-operative.

- **Applying for an Anti-Social Behaviour Order (ASBO)**

An ASBO is a legal order by the court banning someone from doing something which distresses other people. If an ASBO is breached this could lead to an unlimited fine and/or a term of imprisonment.

- **Eviction**

We can only take eviction action against a tenant of the Co-operative who is in breach of a term of their tenancy agreement.

A decree can ONLY be granted through the Court and the Co-operative must provide documented evidence of the alleged behaviour. This can be an extremely difficult & time consuming process.

To evict a person means repossessing a tenancy and removing a household from their home. This action will, therefore, only be taken as a last resort and where we have tried every other means to resolve the problem.

When can the problem be resolved?

Please try to be patient - dealing with serious anti-social problems takes time and effort from everyone involved.

Some people respond very well to a warning from their Housing Officer while others will continue with their behaviour even when faced with legal action.

Unfortunately, the Co-operative cannot force anyone to change their behaviour instantly and may have to spend a lot of time trying to find a way of working with the person to resolve the problems.

The Co-operative cannot guarantee instant results but we can guarantee that we are committed to dealing with anti-social problems as quickly and as efficiently as possible.

What can I do to help?

Your co-operation is vital in tackling anti-social behaviour. We need you to help us tackle those who cause distress to their neighbours and communities;

- Where you can, speak to the perpetrator & make them aware of the problems they are causing (some people don't realise their music can be heard by neighbours);

- It will help if you keep a written log of all incidents i.e. dates, times and details of any incidents. The Co-operative can provide diary sheets to help you with this. A comprehensive record of incidents and events is vital, especially if legal action is to be taken;
- Inform the Co-operative immediately of incidents;
- Contact the Police where necessary and appropriate;
- Contact the Anti-Social Task Force or Night Noise Team if necessary;
- Be prepared to go to Court to protect your right to peaceful enjoyment of your home. The Anti-Social Task Force will act as professional witnesses but this will not always be enough. Evidence has more value when given by someone whose has suffered as a result of this problem.
- Be patient - Solving serious anti-social behaviour takes time and effort from you and us.

Please remember this when a complaint is being investigated.

Who can I contact if the office is closed?

If you are experiencing prolonged anti-social behaviour during times when our office is closed you can contact the Police, Night Noise Team or Anti-Social Task Force.

The Co-operative has an agreement with the Task Force that allows them to do out-of-hours visits to the perpetrators of anti-social behaviour (at the instructions of the Co-operative). The Task Force can also issue formal warnings on behalf of the Co-operative and both the Task Force and the Police will keep a record of all incidents reported to them which can be used as evidence in any subsequent legal action against the perpetrator.

Useful Telephone Numbers



**North Lanarkshire Council
Night Noise Team**

Tel No: 01698 403222

(Noise Officers on duty every day between 8 pm and 3 am) & outwith times if necessary



**Anti-Social Task Force
Support Service**

9 Easton Place

Coatbridge

ML5 4EW

Tel No: 01236 638580

Fax No: 01698 403065

Email: ASTFsupport@northlan.gov.uk



**North Lanarkshire Council
Environmental Services
(Including Dog Warden)
Protective Services
Environmental Protection Section**
Tel No: 01698 403110



Motherwell & District Women's Aid

97 Kylemore Crescent

Motherwell ML1 3XA

01698 322020

01698 321000

(24 hour telephone line)

(Including Children's Service)

motherwellwomensaid@hotmail.com

Opening Hours

Mon - Fri: 9.00 am - 4.00 pm



Wishaw Citizens Advice Bureau

The Portacabin

Roberts Street

Wishaw

ML2 7JF

Tel No: 01698 373388

Fax No: 01698 376767

Police Station

Wishaw

Stewarton Street

Tel No: 01698 202600



**Samaritans
(Crisis Support)**
0845 790 9090



Victim Support North Lanarkshire

267 Brandon Street

Motherwell

ML1 1RS

Tel: 01698 336565

Fax No: 01698 336566

Email: admin@victimsupportnorthlan.co.uk

Core Hours: Monday - Friday 10 am - 2 pm

Garrion People's Housing Co-operative Ltd

3 Heathfield

Wishaw

ML2 0LY

Telephone NO: 01698 360740

Fax No: 01698 375321

Email: enquiries@gphc.org.uk

Web: www.gphc.org.uk



Opening Hours
Monday - Friday
9.00am - 4.30pm