

Antisocial behaviour



How we will deal with
antisocial behaviour problems
in your neighbourhood

What is antisocial behaviour?

It is when other people behave in a way that alarms or distresses you when you are in and around your home, such as:

- making a lot of unnecessary noise;
- committing crimes or vandalism;
- harassing you because of your race or sex;
- causing problems with cars or other vehicles;
- allowing pets and animals to be a nuisance;
- dumping rubbish;
- letting their garden get overgrown;
- behaving violently;
- abusing drugs or alcohol;
- using their home for immoral purposes such as drug-dealing;
- verbally abusing or scaring you; or
- arguing with you about the boundaries between your properties.

It also includes domestic violence and abuse. If your partner, relative or other person you live with is being violent towards you, please ask for a copy of our advice leaflet or contact us for help.

Where can I get help?

You should get in touch with us first (see **How to contact us**). We can tell you how to deal with the problem, and help if we can. We will take all complaints about antisocial behaviour seriously.

If we can't help, we will try to tell you who can. We may tell you to contact the police (if the problem is to do with crime or violence) or your local council's environmental health team (for example, for noise or dog problems).

If you or someone you know is being physically or mentally abused by their partner or a relative, there is help available. Please ask for a copy of our **domestic violence** advice leaflet.

How quickly will you deal with the problem?

This depends on how serious it is. We will deal with:

- **red** problems straight away (where people are in danger) or in no more than 24 hours (for other urgent problems such as offensive graffiti or serious noise nuisance);
- **amber** problems (moderate antisocial behaviour such as fly-tipping or unreasonable behaviour that is not violent) within three days; and
- **green** problems (minor issues such as dog nuisance and inconsiderate parking) within seven days.



Step-by-step guide to sorting out neighbour problems

Antisocial behaviour problems are often to do with your neighbours. This could be the people who live next door, or someone living close by. We will help you with these problems by following these seven steps. At any stage, we will give you all the help and advice we can, even if we cannot take any official or legal action.

Step one

We will ask you to talk to your neighbour. You should explain in a tactful way why what they are doing is upsetting you. Sometimes people don't realise that they are causing a problem, and they may stop straight away. You should also ask them if anything that you are doing is upsetting them.

Step two

If your neighbour is breaking the conditions of their tenancy agreement, we can take further action (see **step three**). If they are not, we can try to arrange a **mediation** meeting between you and your neighbour to help solve the problem, if you both agree to this.

If you don't want to carry on living near your neighbour, you can put your name on our transfer and mutual-exchange lists so that you can move house when another home is available.

Step three

If it looks like your neighbour has broken the conditions of their tenancy agreement, we will investigate what is happening. We will send you forms to keep a diary of the things that are annoying you. You will need to make a note of the day, date, time, what happened, how long it went on for and how it affected you.

After 10 working days, you should send us the diary sheets you have filled in so far, so that we can decide whether your neighbour is breaking the conditions of their tenancy agreement. If we decide that they are not, we will write to you to let you know why we cannot take any further action, but can arrange **mediation** for you and your neighbour.

Step four

If your diary shows that your neighbour's behaviour is unreasonable and that they have probably broken their tenancy agreement, we will talk to them about it. If they can show that they have not broken the agreement, we will not take any further action. We will tell you if this happens.



Step five

If we are sure that your neighbour is breaking the conditions of their tenancy agreement, we can give them a **notice of seeking possession** of their home. If it is appropriate, we can also ask for a court order (injunction) to stop your neighbour causing the nuisance. We can only do this if the problem is still going on and there is enough evidence.

We will ask you to give evidence in the county court about the problems you are having. If you don't want to go to court, we can give evidence for you. However, it is better for your case if you give evidence yourself. We may also be able to ask other agencies (for example, the council's environmental health team) to help us make a case.

Step six

Where a **notice of seeking possession** has been served but serious problems carry on, we can take further legal action.

We will ask you to write to us to confirm that you are prepared to give evidence in court. You will also need to keep your diary of events up to date to show that the problems are still going on.

We will ask the court to give us a **suspended possession order, possession order** or **demotion order**.

They will do this if:

- we can prove that the antisocial behaviour is happening;
- they believe that it is serious enough; and
- they think it is reasonable to give the order.

Step seven

If the court gives us a possession order but your neighbour won't leave, we must apply to the court for a **warrant for eviction**.

Getting on with your neighbours

We cannot force neighbours to get on with each other. You and your neighbours need to be considerate and tolerant towards each other. You also need to be realistic – for example, everyone makes some noise. It is only a problem when it happens a lot, goes on for long periods of time, is very loud, or is at an unreasonable time (like at night).

Keeping you informed

We will tell you and your neighbour what is happening with the case at each step of the complaint. You can contact your local citizens' advice bureau for advice at any stage.

If you are not happy with the action we are taking, you should get in touch with the Neighbourhood Services Manager. If you are still not happy, you can contact the Customer Service Manager to use our complaints procedure.



How to contact us

If you have an antisocial behaviour problem, please get in touch with your neighbourhood housing officer as soon as possible so that we can try to help you. If you live in the:

- Malmesbury, Calne, Wootton Bassett, Cricklade, Purton or Swindon areas, please call the **north team** on 01249 466130;
- Chippenham, Corsham, Melksham and Trowbridge areas, please call the **south team** on 01249 466140.

Our office hours are 8.45am to 5.15pm Monday to Thursday, and 8.45am to 4.45pm on Fridays. If you have an emergency outside office hours, please call us on 0800 854 205.

You can e-mail us at helpline@westlea.co.uk

If you want to write to us or visit our offices, the address is below. You can bring a friend with you if you want.

Westlea Housing Association
Methuen Park
Chippenham
Wiltshire
SN14 0GU.

Definitions

Mediation

This is usually a face-to-face meeting between you and your neighbour, with a trained mediator there to make sure the meeting is fair and you both get a chance to speak. The meeting is confidential and will be held in a neutral location (not your house or your neighbour's house). The mediator will write an agreement that is acceptable to both of you. One of our neighbourhood housing officers will monitor the agreement to make sure that you both keep to it.

Harassment

This is when someone attacks or frightens you physically or verbally because of something that makes you different from them, for example, your:

- sex;
- race;
- religion;
- culture;
- sexuality; or
- age.

Notice of seeking possession

This is a document that tells your neighbour that we are planning to take legal action to repossess their home. We must tell them that we are planning to do this before any legal proceedings can begin.



Possession order

This is a court order that tells your neighbour that they must leave their home by a set date.

Suspended possession order

This is a court order that gives your neighbour conditions to follow (for example, not causing any more antisocial behaviour within one year). If they break these conditions, the court will then give a possession order (as above).

Demotion order

This is a court order that gives your neighbour a different type of tenancy agreement which means they have fewer rights for one year. If they cause any more serious antisocial behaviour problems in that year, we can tell them to leave their home within eight weeks. They cannot appeal against this to the court.

Warrant for eviction

This is a court order that we have to ask for if the court gives us a possession order but your neighbour won't leave. However, your neighbour can ask the court for extra time before they have to leave the property.



Antisocial behaviour leaflet

If you would like to have any part of this explained or translated, or in a different format such as in larger print, or on audio tape, please contact us on 01249 465465 to discuss your needs.

অ-সামাজিক কায় শিফলেট

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"反社会行为" 小葉

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"反社会行为" 小冊子

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Ulotka o zachowaniach antyspołecznych.

Jeśli wymagają Państwo wyjaśnienia jakiegoś fragmentu albo jego tłumaczenia, albo w innym formacie, takim jak duży druk, albo na kasecie audio, proszę się z nami skontaktować pod numerem telefonu 01249 465465, aby przedyskutować Państwa potrzeby.

Antisosyal davranışlar broşürü.

Herhangi bir kısmının izah edilmesini veya tercüme edilmesini, ya da iri harfler veya ses bantı gibi başka bir formatta verilmesini isterseniz, lütfen ihtiyaçlarınızı konuşmak için bu numaraya telefon edin: 01249 465465.



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