



Your council working for you

Tenants' handbook Booklet 7

Being a good neighbour

July 2013



South Kesteven District Council
STAMFORD • GRANTHAM • BOURNE • THE DEEPINGS



Being a good neighbour

We want all of our neighbourhoods to live together in harmony. As a tenant, you are responsible for your behaviour and that of your family and visitors, both in your home and in your neighbourhood.

If you, your friends or relatives or any other person living in or visiting your property causes a nuisance to others, or do anything that interferes with the peace, comfort or convenience of other people, you are breaking the conditions of your tenancy agreement.



Anti-social behaviour is defined in the Crime and Disorder Act 1998 as:

“Acting in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household”

Examples of anti-social behaviour include:

- Using the property for any criminal, immoral or illegal purpose including selling, producing or using any illegal drugs or using the property to store stolen goods
- Harassment/intimidation
- Animal nuisance
- Abandoned vehicles
- Criminal damage, including graffiti
- Serious noise problems
- Verbal abuse
- Racial/domestic abuse
- Inappropriate parking of vehicles

Neighbour disputes – dealing with the problem yourself

Sometimes a clash in lifestyle or a disagreement leads to a dispute between neighbours. If a neighbour is causing you concern, it is usually best initially for you to talk to them. Often people do not realise that their behaviour is causing anyone else a problem. Try to organise your thoughts and say everything you intend to. 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.
- Listen to your neighbour and think about what they are saying
- Try not to interrupt the other person when they are talking and do not shout, even if your neighbour does!
- You should also be prepared to change your own behaviour if it is causing your neighbour a problem.

Talking to your Area Housing Officer

If the problem is not resolved, you should contact us. We will discuss your problems with you impartially and in confidence. We will offer advice and assess what action we can take. We may ask you to complete a record of incidents and we may need to know about any other witnesses. We will not contact your neighbour, or anyone else, unless you agree to this being done.

We will want to know:

- What you think has caused the problem
- What has happened. It will

help if you have times and dates of incidents

- What action have you taken so far
- If you have discussed the matter with the Police, another Council service or another organisation we will need to know who you spoke to and any reference numbers you have
- How this problem has affected you and your family

We always try to resolve any dispute informally wherever possible, in a friendly manner through common sense and



mediation. However, in a small number of cases where there is evidence that a tenant is engaged in anti-social behaviour or is a serious nuisance, we may take legal action against them. In this case, we would need statements from you and other residents, and you may need to attend court.

We take all complaints very seriously and will do everything we can to help you solve the problem. However, we may not be able to resolve every neighbour dispute.

Our aim:

To ensure that people living on and around our estates have and respect, the right to quiet enjoyment of their homes, feel safe and secure, and live in a community where clear standards of behaviour are understood.

We will:

- Investigate all breaches of the tenancy agreement that are reported to us.
- Aim to interview you within 3 working days of making a complaint about anti-social behaviour. This will depend on the severity of the complaint.

- Interview you within 24 hours if it involves a hate crime or serious anti-social behaviour.
- Give impartial advice and support if you become involved in a dispute with a neighbour.
- Visit you to discuss matters in the privacy of your home, or if you prefer you can call into any of our area offices.
- Advise you what we can and cannot do to deal with your complaint.
- Work with you to create an action plan that will clearly set out what will be done and by whom.
- Treat information as confidential when requested.
- Work with you to try and resolve your problems and explain clearly to you what is happening at each stage of the case.
- Interview the people responsible for the anti-social behaviour where they have been named within 10 working days of interviewing the person who has made the

complaint.

- Offer mediation if all parties agree
- Offer support for the person who has complained and the person causing the anti-social behaviour.
- Help witnesses to understand the procedure if cases need to go to court.
- Ask you to keep diary sheets if necessary of any incident you experience. Or we will provide you with the means to log and record all incidents of anti-social behaviour e.g. a Dictaphone. We

will use this information to help us to decide on a course of action. It may also be required as evidence if cases progress to the courts.

- Contact and work with other agencies and organisations that may be able to provide information and help you and us to tackle the problem
- Consider taking legal action, if required, to stop people causing anti-social behaviour on our estates where all other attempts to stop them doing so has failed.
- Work closely with our housing



solutions team to give advice on emergency accommodation.

Reporting anti-social behaviour

If you are experiencing anti-social behaviour there are various ways you can report it. You can visit, telephone, email or write to your local office.

You can report any problems you are having anonymously but please remember we may not be able to investigate the complaint fully if we have limited information and we would not be able to keep you informed of any progress made.

You can help us by:

- Not retaliating to any incident of anti-social behaviour
- Keeping an accurate record of the date, time and nature and consequences of any incident (including the names of witnesses)
- Reporting crimes, serious anti-social behaviour or vandalism to the Police at the time it is occurring or discovered or as soon as possible afterwards. Please ask for an incident or crime number when you report the incident as this will help us in our investigations

- Following the advice that we give you
- Acting as a witness in any legal proceedings that we take

Examples of non-legal action

Mediation

Mediation is a process in which an impartial third party – the mediator - helps people in dispute to work out an agreement.

Mediators aim to get the people in dispute to meet face to face in a neutral setting and listen without taking sides. The aim is for the people in dispute to reach an agreement which everyone will accept and keep to.

Mediation will only work if everyone wants it to and it works best if used before the issue becomes well established. The mediators cannot force people to resolve their conflicts and it is an entirely voluntary process.

Warning letters

Warning letters are sent to the perpetrator of anti social behaviour to outline their behaviour and ask for an improvement. The warning letter highlights each breach of tenancy and the consequences for failing to put an end to the anti social

behaviour.

Acceptable behaviour contracts

An acceptable behaviour contract (ABC) is an individually written agreement between a perpetrator, the council and the police. An ABC normally lasts for six months and is an agreement identifying acts that the perpetrator will stop doing to put an end to anti social behaviour.

Examples of legal action

Injunctions:

- Can order a neighbour to stop doing something such as playing loud music, or make them do something such as clear all the rubbish from their garden
- Can be quicker than other legal action – as quick as 24 hours in serious cases of harassment, where there is a threat of violence
- Can be granted with the power of arrest
- Can order your neighbour not to approach you or speak to you

- Cannot be applied to people under 18 years of age
- If your neighbour breaks the terms of the injunction, it is treated as contempt of court. As long as we can prove the injunction has been broken, the judge can order a fine or imprisonment

Possession Orders:

- These allow us to evict a tenant from their homes, so very strong supporting evidence is needed
- It is likely the people providing the evidence will have to appear in court
- The process takes longer than an injunction and usually involves two court hearings
- The person may be evicted if the case is proven
- These orders can be used as well as an injunction in serious cases such as racial and/or sexual harassment

Demotion Orders:

A demotion order terminates the existing tenancy and replaces it

with a demoted tenancy. This is a less secure type of tenancy, removes some of the rights of a secure tenancy and gives the tenant a serious warning that they run the risk of losing their home if their behaviour continues.

A demotion is useful where the landlord has concerns that if not checked the anti-social behaviour may escalate or they wish to give a strong warning to the tenant but also want to continue to work with them to change their behaviour.

How to contact us

Our neighbourhood services team has nine officers based in three offices throughout the district.

Each team is made up of an area housing officer and an estate supervisor, each with a specific area for which they are responsible.

You can contact our neighbourhood services team on 01476 406084 or 01476 406373, or email us at tenancy@southkesteven.gov.uk



Alternative formats and languages

To ensure all residents of South Kesteven have access to our information material, our information is available in the following languages and formats:

Large print, Braille, audio tape, audio CD or computer disc

This information can be made available in large print, Braille, on audio tape, audio CD or computer disc. If you, or someone you know, might benefit from this service, please contact us.

繁體中文 / Cantonese

本資料有繁體中文版，若你本人或你認識的甚麼人會受益於此版本，敬請聯絡我們。

Česky / Czech

Tato informace může být dostupná i v češtině. Pokud byste Vy, a nebo někdo koho znáte, mohl využít tohoto servisu, obraťte se prosím na nás.

Magyar / Hungarian

Ezeket az információkat magyar nyelven is tudjuk biztosítani. Ha Ön, vagy valaki, akit Ön ismer igényt tart erre a szolgáltatásra, kérem, keressen fel minket.

Latviski / Latvian

Šo informāciju var iegūt arī latviešu valodā. Ja Jums vai kādai no Jūsu paziņai šādi pakalpojumi nāktu par labu, lūdzu kontaktējiet mūs.

Lietuviškai / Lithuanian

Šią informaciją galite gauti lietuvių kalba. Prašome kreiptis į mus, jei jums arba jūsų pažįstamiems ši paslauga galėtų būti naudinga.

Polski / Polish

Informacja ta może być dostępna w języku polskim. Jeżeli Państwo albo ktoś kogo Państwo znają, może z tej usługi skorzystać, proszę nas kontaktować.

Português / Portuguese

Esta informação pode ser disponibilizada em português. Se você, ou alguém que conhecer, beneficiar com este serviço, por favor contacte-nos.

Русский / Russian

Данная информация может быть предоставлена на русском языке. Если Вы или Ваши знакомые посчитаете такую услугу необходимой, пожалуйста, свяжитесь с нами.



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