

Dover District Council
Community and Regeneration Department
Housing Service

1. Introduction

Dover District Council's Housing Services believe that it is the right of our tenants and others who live on our estates to have quiet enjoyment of their homes free from interference and nuisance caused by their neighbours and others.

Anti Social behaviour can also be detrimental to the local environment, making our estates a less than pleasant place to live. This can be as a result of harassment and threats of violence making people not wish to go outside and the effects of littering, fly tipping and graffiti and the effect that this has on the visual look of the environment.

The Council has a strong policy on Anti Social Behaviour. It has made it a major corporate priority to bring about strong enforcement. The Authority has adopted an enforcement policy and established an Anti Social Behaviour team to reinforce this.

At the commencement of the tenancy the obligations of the tenant are clearly explained particularly clause C13 that relates to behaviour. The Housing Officer also explains clearly to all new tenants what the consequences of this type of behaviour will be.

We recognise that there are many different ways to tackle problems of Anti Social Behaviour caused by tenants. However any action needs to be proportionate to the problem being caused. We have a range of tools that we use to help resolve these types of difficult issues.

We also recognise the need to be fair to all parties involved with complaints about Anti Social Behaviour. We need to ensure that we recognise the need to be fair and impartial when investigating complaints.

We also recognize that there are always two sides to every neighbour dispute. We will always seek to make decisions upon evidence rather than accusations.

2.1 For the complainant we promise

- To take every complaint seriously and conduct a proper investigation.
- Treat the complaint with appropriate confidentiality.
- Ensure that they are kept up to date about the progress of our action.
- To support them if there is a risk of recriminations or victimization.

2.2 For the tenants who are the subject of the complaint we promise

- To keep an open mind and investigate objectively complaints made against them.
- To look initially to solutions that do not involve eviction or Anti social Behaviour orders if possible.
- Provide tenancy support where this might help reduce problems being caused by the household.

2.3 The use of the Anti Social Behaviour Tool Kit:

- Each case is judged on its own merits.
- Following an initial investigation appropriate action may be taken according to circumstance and these actions include:
 1. Do nothing where the complaint does not warrant intervention by the Council because the nuisance is small or people should be able to resolve themselves having received advice.
 2. Mediation with Tenant by the Housing Officer.
 3. Independent Mediation.
 4. Acceptable Behaviour Agreements.
 5. Anti Social Behaviour Orders.
 6. Proceedings to seek Possession.

Detailed Procedures are set out in Appendix 1.

2.4 Monitoring and Escalation

Each case will be monitoring during its progress by the Tenancy Services Manager to ensure that it is being given the appropriate level of intervention. Using the procedure guidelines when behaviour reaches certain levels it will lead the Housing Officer to proceed to an escalation in response leading ultimately to Possession Proceedings.

On a monthly basis a breakdown of how many cases are at each stage of intervention will be shared with a Tenants Monitoring Group

2.5 Commitment to Improvement

The Tenants Representative Group, the District Tenants Group are involved in the development of this policy to ensure that it meets the needs and concerns of the Tenants of Dover District Council. The number of cases reported and resolved during each month will indicate the measure of success of this policy.

3. Definition of Anti Social Behaviour

- 3.1 The Anti social Behaviour Act 2003 (Sections 153A and 153B, Housing Act 1996 (inserted by Section 13 of the Anti social Behaviour Act 2003) defines anti social behaviour as:

“capable of causing a nuisance or annoyance to any person, and which directly or indirectly relates to or affects the Housing Management functions of a relevant landlord (Section 153E(7), Housing Act 1996. Relevant landlords are Housing Action Trusts, Local Authorities and RSL’s)”

- 3.2 The Act also defines anti social behaviour as:

“using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose.”

- 3.3 The Councils definition of anti social behaviour is consistent with the legislation. The definition is widely drawn to reflect residents concerns. The Council’s definition of anti social behaviour includes:

- **Violence against people which includes**

- Assaults
- Domestic Violence
- Threatening or using violence
- Verbal abuse.

- **Drug/Alcohol Abuse and drug dealing including**

- Underage drinking
- Selling to underage
- Licensing issues
- Drunkenness
- Alcohol/drug related misbehaviour/disorder
- Drug litter
- Using homes to sell illegal drugs or to underage.

- **Sexual Offences including**

- Underage sex
- Prostitution

- **Harassment**

- **Criminal Damage and Vandalism including**

- Graffiti
- Damage to Council property
- Other damage impacting on the community

- **Vehicle Problems including**
 - Abandoned vehicles
 - Joyriding
 - Off roading
 - Untaxed vehicles
 - Carrying out repairs in inappropriate places
 - Inconsiderable parking

- **Hate Crime including**
 - Racial
 - Homophobic
 - Faith hatred

- **Litter including**
 - Rubbish accumulating on landing and entrance ways, throwing rubbish out of windows.
 - Fly-tipping.

- **Neighbour Disputes including**
 - Noise nuisance, loud music late at night.

- **Dogs, uncontrolled pets and other animals including**
 - Fouling
 - Noise

- **Youth Problems including**
 - Intimidating groups
 - Playing in unsuitable areas (eg. Football near windows, skateboarding in lobby areas).

3.4 The Council regularly monitors antisocial behaviour and produces annual figures against a range of anti social behaviour performance measures.

- Vandalism
- Vehicles Abandoned
- Noise Nuisance
- Behaviour
- Fly-tipping
- Damage to Property
- Cases passed to Mediation

- Acceptable Behaviour Agreements
- Injunctions obtained
- Notices seeking possession Served
- Possession applications to Court
- Evictions.

4. **Best Practice**

4.1 The Council has adopted best practice, which has shown that the most effective way of dealing with ASB is by adopting a balanced approach of early intervention mixing the three interventions of

- Prevention
- Education
- Enforcement

Concentration on only one of these can result in short term quick fix solutions, which will not achieve the lasting improvement in behaviour and local quality of life which is being sought.

Early intervention is also more cost effective and results in short periods of distress for victims.

These interventions will not be the Council's sole responsibility with the most effective remedies provided through partnership working with Crime and Disorder Reduction Partnership (CDRP) and Dover Anti Social Behaviour Action Group (DASBAG) agencies to address the causes of Anti Social Behaviour.

4.2 Examples of the three intervention areas are:

i. Prevention

Teen Shelters
 Youth Clubs and diversionary schemes for young people e.g.
 Playscheme, Teenscheme
 Warden Schemes
 Designing out crime
 Improving street lighting
 Parenting Projects
 Acceptable Behaviour Contract
 Housing Support Packages provided to the most vulnerable.

ii. Education

Citizenship curriculum
 Drug and alcohol education
 Working with excluded children
 Advising and empowering communities to act for themselves
 Mediation

iii. Enforcement

ASBO's
Parenting Orders
Reparation Orders and charging individuals or their parents for compensation for damage to Council property
Fixed Penalty Fines (litter, dog fouling)
Injunctions
Starter tenancies
Tenancy agreements
Removal of abandoned cars
Removal of litter.

5. Obligations of tenants

5.1 At the commencement of the tenancy the obligations of the tenant are clearly explained particularly clause C13 that relates to behaviour:

5.2 An analysis of the Household will take place and Housing Support will be offered if appropriate. Factors taken into consideration when offering the support will be:

Age of tenant.
Previous history in tenanted accommodation.
Specific vulnerability / disability.
Previous evictions.

6. Specific policies to be included in the statement

6.1 Attached as Appendix 1 is the latest draft of the Housing Services Operating Procedure for Nuisance and Anti Social Behaviour.