

WICKHAM COMMUNITY LAND TRUST

Anti-social Behaviour Policy

Approved: Jun 2012

Last reviewed: Nov 2020

Next Review: Oct 2023

Available on WCLT website.

Anti-social behaviour has a very broad meaning and can incorporate a wide range of activities. As landlord, Wickham Community Land Trust has adopted the definition given in “Anti-Social Behaviour: Policy and Procedure, Code of Guidance for local housing authorities and housing action trusts, August 2004, published by the Office of the Deputy Prime Minister.”

This applies to conduct which:

- Is capable of causing nuisance or annoyance to any person; and
- Directly or indirectly relates to or affects the housing management’s functions of a relevant landlord; or
- Consists of or involves using or threatening to use housing accommodation owned or managed by a relevant landlord for an unlawful purpose.”ⁱ

People to whom the conduct may cause annoyance or nuisance includes anyone who has the right to live in a property owned or managed by the Trust, those living in any other property in the neighbourhood and anyone else lawfully in such property or in the locality, for example working or using local facilities.

The housing management function of the landlord covers any activity that the landlord would undertake in the day to day and strategic management of the housing stock. Examples include tenant and community participation, maintenance and repairs, rent and rent arrears collection, neighbourhood management, dispute resolution and refuse collection.

1. What is anti-social behaviour?

- Noise nuisance (for example, loud parties, shouting, noise from TVs, radio, Hi-fi’s and burglar alarms)
- Intimidations and harassment
- Local environmental quality issues (for example, litter, dog fouling, graffiti, fly tipping and nuisance vehicles)
- Aggressive and threatening language and behaviour
- Actual violence against people and property
- Hate behaviour that targets members of identified groups because of their perceived differences (for example, race and ethnicity, gender, age, religion, sexual orientation, mental health or disability)
- Using housing accommodation to sell drugs, or for other unlawful purposes.



Except where otherwise noted, this work is licensed under: <http://creativecommons.org/licenses/by-nc-sa/4.0/>

Copyright ©2017, 2021 Wickham Community Land Trust. Some Rights Reserved.

Wickham Community Land Trust: Charity Registration No. 1134897; Co. No. 6608621; HCA Registered Provider 4692

Anti-social behaviour may or may not constitute criminal activity. The key determinant in deciding whether particular behaviour is anti-social or not should be the impact of the behaviour on others.

2. WCLT's approach to Anti-social behaviour

We believe it is important to work with individuals and communities to maintain good standards of behaviour. It is also important that action taken against anti-social behaviour is swift, effective and proportionate.

In dealing with anti-social behaviour our priority will be to protect the interests of the victims and to agree with them the action we intend to take. Where relevant we will discuss what kind of support the victim needs and refer them to other support agencies.

We will treat anyone complained about fairly and where a person is vulnerable take that into account in any action we take.

If we are unable to fully resolve the complaint, we will undertake to work with neighbours and other landlords where appropriate and to refer the matter to other suitable agencies. Where anti-social behaviour involves criminal activities, after gathering appropriate initial evidence, we will refer the case to the police for further investigation with a view to criminal charges being pressed. Where the behaviour involves neighbours' disputes, if we are unable to resolve the problems as part of our initial investigations we may suggest options for independent mediation.

Residents who are subject to persistent anti social behaviour which has not been resolved can ask for a cross agency case review and action through the "community trigger". WCLT or the police can supply more information on this.

3. How to make a complaint

In the first instance report an incident to:

Byrne Runciman,
Estate Agents,
The Square,
Wickham,
PO17 5JT.

Telephone: 01329 834579

4. Investigating complaints

4.1 Each incident of anti-social behaviour which is reported to the managing agent will be logged and passed to WCLT. We will respond to you within 5 working days. Where further evidence is needed this can be collected in a variety of ways:

- Interviews and statements provided by complainants and alleged perpetrators
- Diary sheets completed by the complainant
- Partnership working with other agencies such as the police

4.2 In collecting evidence WCLT will have to respect issues of data protection and confidentiality and where necessary the need to protect the identity of the complainant.

4.3 WCLT's concern will be to protect the needs and interests of the victim and anyone who is prepared to provide evidence against the perpetrators of anti-social behaviour.



Except where otherwise noted, this work is licensed under: <http://creativecommons.org/licenses/by-nc-sa/4.0/>

Copyright ©2017, 2021 Wickham Community Land Trust. Some Rights Reserved.

Wickham Community Land Trust: Charity Registration No. 1134897; Co. No. 6608621; HCA Registered Provider 4692

4.4 WCLT will keep the complainant(s) informed as to progress in the case.

4.5 If a complainant does not agree with a decision made by the WCLT in respect of an incident or issue they have reported they can make a formal complaint, which will be dealt as part of our complaints policy.

5. What actions can WCLT take?

The following reactive measures are available to WCLT:

- a. Warnings: written or verbal warnings can be very effective in stopping people behaving badly. By challenging unacceptable behaviour immediately they establish clear standards of behaviour and reinforce the message that anti-social behaviour will not be tolerated.
- b. Warnings generally describe the behaviour observed, inform the individual that the behaviour is anti-social and unacceptable, advise them that their behaviour is being monitored and warn that there will be further enforcement action, and the nature of that action if that behaviour does not cease. A file note should always be produced and kept with the incident form.
- c. Acceptable Behaviour Agreements: A written agreement made between the individual and the housing manager or Trust. They are not set out by law and each contract can be adapted according to the type of behaviour identified in the information gathering process.

The individual may agree to:

- Stop specific behaviour that has been causing disruption to the community
 - Positive requirements such as engaging in a community group, attending school regularly or attending Youth Club
 - Prohibitions such as curfews or exclusions.
- d. Injunctions: The provisions of the Housing Act in relation to injunctions have been revised and re-written to enable the landlord (in the case of councils and Registered Providers such as WCLT) to issue an anti-social behaviour injunction order which prohibits conduct capable of causing nuisance or annoyance to:
 - Other tenants
 - Visitors to the premises
 - Staff employed by the landlord to manage the housing stock
 - Other residents who live in the neighbourhood.
 - e. Possession Action: In cases of serious and persistent nuisance/anti-social behaviour WCLT will serve notice and pursue possession. Examples of the type of behaviour where this type of intervention may be appropriate would include:
 - Regular/persistent noise nuisance
 - Threatening behaviour towards other residents



Except where otherwise noted, this work is licensed under: <http://creativecommons.org/licenses/by-nc-sa/4.0/>

Copyright ©2017, 2021 Wickham Community Land Trust. Some Rights Reserved.

Wickham Community Land Trust: Charity Registration No. 1134897; Co. No. 6608621; HCA Registered Provider 4692

f. Preventative measures

All new WCLT tenants initially sign a starter tenancy, usually lasting a year. This enables them to become fully aware of the conditions of the tenancy, including their responsibilities within the agreement before entering into a further 5 year tenancy with the Trust, and provides the Trust with the means to end the starter tenancy if necessary.

If tenants seriously breach their 5 year tenancy agreement, the Trust will be obliged to take steps to terminate it.

ⁱ This definition is contained in section 281A(8) of the Housing Act 1996 inserted by the Anti-social behaviour Act 2003.



Except where otherwise noted, this work is licensed under: <http://creativecommons.org/licenses/by-nc-sa/4.0/>

Copyright ©2017, 2021 Wickham Community Land Trust. Some Rights Reserved.

Wickham Community Land Trust: Charity Registration No. 1134897; Co. No. 6608621; HCA Registered Provider 4692