

# Anti Social Behaviour FAQs



## Common Myths/Frequently Asked Questions

### Anything I find annoying is anti-social behaviour

Not all reports relating to behaviour that impacts on an individual can be deemed anti-social behaviour or a statutory nuisance.

The following are some examples:

- Children playing
- Babies crying
- Sounds of day to day living such as opening and closing of doors or going up and down stairs
- DIY at reasonable time
- One-off parties providing they don't cause an unacceptable disturbance
- Clashes of lifestyle, including cultural differences
- Personal differences such as staring or fall outs between children
- Comments made on Social Media sites

### Estuary is responsible for the behaviour of its residents.

We have a responsibility to respond to and deal with anti-social behaviour as effectively as possible, however, we are not responsible for the behaviour of our residents. In addition to the legal responsibilities set out in the tenancy or lease agreement we will encourage all residents to:

- Take responsibility for minor personal disputes with their neighbours and try to resolve any such problems in a reasonable manner
- Report all crimes, including threats or acts of violence, to the Police
- Respect others right to their chosen lifestyle and be tolerant of everyday living
- Work and cooperate fully to resolve disputes by attending mediation, providing diary sheets/witness statements and attending court if necessary
- To show consideration to neighbours and not to cause a nuisance to them, their guests or Association staff and contractors

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## **I am not responsible for members of my household or visitors.**

Tenants and Leaseholders are responsible for all members of their household, visitors and invited guests. You must not allow members of your household or invited guests to cause a nuisance or annoyance or act in such a way that is likely to cause a nuisance or annoyance to neighbours or other Tenants of the Association or to employees, agents or contractors of the Association or to anyone visiting or otherwise engaged in lawful activity in the locality of the premises.

## **I only have to be quiet before 7:00am and after 11:00pm.**

Noise can be considered as anti-social at any time of the day or night if it causes nuisance/disturbance to others.

## **I only need to report something once even if the Anti-social Behaviour continues.**

The Association needs as much evidence as possible. It is very important to complete diary sheets and make a record every time something happens. Enforcement action cannot be taken without sufficient evidence.

## **Estuary should evict people who cause anti-social behaviour.**

In some cases Enforcement action may be required particularly if all early interventions fail. Legal enforcement action is not deemed a last resort but is considered a proportionate response to a legitimate aim. Each case will be individually assessed and appropriate action taken based on the nature of the case taking into account the evidence to hand. Sometimes the severity of the anti-social behaviour being perpetrated requires enforcement action immediately. Enforcement measures include:

- Notice of Seeking Possession of Property
- Injunctions
- Consent Orders
- Demoted Tenancies
- Suspended Possession
- Possession

Enforcement action will be used in conjunction with other intervention and support measures where appropriate.