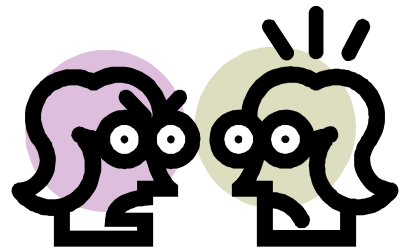




RESIDENTS' GUIDE TO TACKLING ANTI-SOCIAL BEHAVIOUR



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<p>اگر آپ کو اس دستاویز کو سمجھنے میں مشکل درپیش ہے کیونکہ انگریزی آپ کی پہلی زبان نہیں ہے، یا آپ کو لکھائی دیکھنے میں مشکل درپیش ہے، تو آپ مناسب خانے پر ٹیک کا نشان لگا کر، اپنا نام اور پتہ لکھ کر، دستاویز کو اس ورق کے ساتھ نیچے دیئے گئے پتے پر واپس بھیج کر اپنی زبان میں اس کے ترجمے، یا انگریزی میں ٹیپ پر حاصل کرنے کی درخواست کر سکتے ہیں۔</p>	<p>I need a copy</p> <p>On Tape <input type="checkbox"/></p> <p>In Large Print <input type="checkbox"/></p>

Name

Adress

ISHA Office
 102 Blackstock Road
 London
 N4 2DR
 Telephone: 020 7226 3753
 Email: isha@isha.co.uk

INTRODUCTION

Solving Neighbour Problems

Islington and Shoreditch Housing Association (ISHA) is a community Housing Association managing, maintaining and developing quality affordable housing for people in housing need in Hackney, Islington, Camden and Waltham Forest.

In a busy urban environment in the boroughs in which ISHA operates, we can all expect a certain amount of noise and annoyance from others going about their normal everyday lives. Different sleep patterns, difference of views over the behaviour of children, pets etc, different lifestyles can lead to friction and disputes. Whilst we wish to build a tolerant community where we respect our neighbours we accept that there are circumstances where residents act unreasonably towards their neighbours and fail to take their needs into consideration.

This booklet aims to assist residents in resolving problems with neighbours and others where their actions are detrimentally affecting their quality of life. This booklet recognises there are many ways of solving neighbour problems.

Where possible we favour trying to resolve disputes informally and helping those involved to resolve any difference they may have. Depending on the circumstances, we may recommend mediation as the best way of resolving a neighbour dispute. Trained, independent people will talk to you about your problem and contact the other person or people involved. The aim is to reach an agreement about what is to happen in the future, for example, not playing loud music at certain times.

However, we also recognise that there are circumstances where due to either the seriousness or persistent nature of the problem you have complained of, it will be necessary for us to take appropriate legal action against the perpetrator of the anti-social behaviour due to their failure to abide by the terms and conditions of their tenancy.

ISLINGTON AND SHOREDICH HOUSING ASSOCIATION'S COMMITMENT

ISHA will make residents aware of the standards of behaviour we expect and the types of behaviour that are unacceptable, through giving out clear messages in our tenancy agreement, leaflets such as this and in our Handbook.

We will also ensure that we:

- are committed to taking action to deal with anti-social behaviour;
- will do everything we can to support our residents' right to quiet and peaceful enjoyment of their home;
- will take all reasonable steps to ensure that all our residents fully comply with their obligations under the terms and conditions of their tenancy;
- fully recognise the importance of multi-agency working and will therefore work in partnership with our key partners such as the Police, Local Authority Environmental Health departments, Youth Offending Teams, Social Services department, Education, Probation, and Victim Support;
- have in place referral arrangements with providers of mediation services;
- ensure that the victims of anti-social behaviour are given as much advice and support as possible and are kept apprised as to progress in tackling this issue;
- provide you with any support in terms of translation, interpretation and other needs;
- ensure that our treatment of you is in accordance with our customer care standards.

TYPES OF NUISANCE AND ANTI-SOCIAL BEHAVIOUR

Below are examples of nuisance and anti-social behaviour. This list is not exhaustive but will give you an insight into behaviour that falls outside the terms and conditions of ISHA's tenancy agreement.

Anti-social behaviour occurs when behaviour by one household or individuals in an area threatens the physical or mental health, safety or security of another household.

Noise Nuisance

Noise is a common problem amongst our residents. Some noise is tolerable and inevitable in a densely populated environment, but it becomes a nuisance when the level and frequency make an unreasonable invasion on your right to peace and quiet.

Noise nuisance can range from playing loud music or listening to the television at unreasonable levels, to shouting or slamming doors loudly and inconsiderate use of electrical appliances. Removing flooring such as carpets or installing wooden/laminate flooring could result in excessive noise to neighbouring properties.

Do not play your car radio whilst leaving/arriving at the car park to your property especially at night as this will also cause annoyance to your neighbours.

ISHA can take action against the perpetrators of noise nuisance under the Housing Act 1996 and Anti-Social Behaviour Act 2003. In addition the Environmental Health department of Local Authorities can take action under the Environmental Protection Act 1990 for serious noise nuisance, which can result in a criminal prosecution and/or confiscation of sound equipment.

Graffiti, vandalism and damage to ISHA property

Any type of graffiti, vandalism or damage to ISHA property is not only in breach of the tenancy agreement, the Police can prosecute anyone caught doing so. Criminal damage includes damage to the block or the estate and the property of residents who live on the estate. If you witness anyone causing damage to ISHA property, you should immediately contact the ISHA office and/or the Police.

Obstructing communal areas

Dumping rubbish in staircases or landings, corridors, entrance areas or common areas, can cause nuisance or danger to others and is a breach of your tenancy agreement. All household rubbish should be put in the bins or the chutes provided. You should avoid blocking communal areas by leaving gas cylinders, washing, rubbish, prams, fridges, bicycles or other objects in the way.

These items will be removed and we will investigate by contacting appropriate agencies such as local authority cleansing services with a view to taking legal action against those found to be responsible and re-charging them the cost of removal.

Harassment

ISHA is committed to evicting any tenant or a member of their household who harasses or threatens another resident on racial or other grounds. A racial incident is classified as “any incident which is perceived to be racist by the victim or any other person”.

Threatening, insulting or abusive words and behaviour (spoken or written) are a criminal offence and perpetrators should be reported to your local Police station or to the ISHA office. ISHA will not tolerate any harassment due to race, colour, religion, sex, sexual orientation, ethnic origin, national origin, age, physical or mental status, HIV status, ill health, appearance, marital status, family circumstances or otherwise.

Criminal activity

Examples of criminal activity include drug dealing and usage, prostitution and handling stolen goods. As well as being a breach of the tenancy agreement, these acts are against the law.

If you suspect a neighbour of committing these crimes, please voice your concerns directly to your Tenancy Services Manager. ISHA works with the Police to ensure that we tackle and reduce crime on our housing estates.

Domestic abuse

Everyone has the right to live in a safe home environment, free from abuse. It is also a condition of your tenancy not to commit or allow members of your household to commit or threaten to commit any act of violence which could prevent a tenant or any other person with a right to occupy from continuing to live peaceably at the premises.

If you or someone you know is suffering from domestic violence, neglect, or emotional or sexual abuse you can contact your local Police station. The ISHA housing office can also provide confidential advice and assistance.

YOUR RESPONSIBILITIES

The tenancy agreement sets out what to expect from us and what we can expect from you. In accordance with these terms and conditions, you have agreed:

NOT to cause a nuisance or annoyance, or noise let members of your household or visitors to cause a nuisance or annoyance.

NOT to harass or threaten to harass or intimidate or use or threaten to use violence or intimidate a person in the local area on the basis of their race, colour, ethnic origin, nationality, age, sexuality, religion or disability.

NOT to use or threaten to use violence towards any person living in your property.

NOT to use the premises for any criminal, illegal or immoral purposes.

NOT to commit or allow members of your household to commit or threaten to commit any act of violence which could prevent a tenant or any other person with a right to occupy from continuing to live peaceably at the premises.

NOT to cause any damage to the premises or the fixtures and fittings belonging to the association, or any furniture or household effects supplied by the association.

NOT to keep on the premises any mobile gas heaters, cylinders, oil burning appliances, paraffin or petrol.

NOT to use the parking area (if any) for any purpose except the parking of a road worthy and properly licensed motor vehicle in private use only.

TO keep all communal areas clean, tidy and free from obstructions and rubbish which might cause injury nuisance and annoyance to others;

TO ensure that any pets ISHA has given you permission to have do not cause a nuisance.

DEALING WITH PROBLEMS YOURSELF

This method is often the simplest way to resolve problems. Most people can be reasonable if approached in person. People are sometimes unaware that they are causing you a nuisance.

Speaking with someone face-to-face is certainly preferable to either shouting at them or writing them letters because they are likely to become defensive.

Preparation – before approaching your Neighbour:

- Before you talk to your Neighbour, try talking to another person, e.g. a friend or your Tenancy Services Manager.
- Think about what you want to say before approaching your neighbour.
- Have a clear and simple message in mind – it will give you more confidence.
- Be clear about what the problem is and think about how it affects you.
- Do not stray from the main issue.
- Think beforehand what the outcome is likely to be.
- Try and choose a good moment.

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. Often people may not realise that a problem exists, especially when the problem is noise.
- Always listen to your neighbour and think about what they are saying. By listening as well as talking, you help to build a good atmosphere where problems are more likely to be resolved.
- Try not to interrupt the other person when they are talking.
- Try not to shout, even if your neighbour does! Try and stay in control and not be abusive.
- Try not to bring up incidents from the past, especially if they are not relevant to the present dispute. Try instead to look to the future and how you want things to change.
- Be tolerant.
- If your neighbour is unreasonable – leave the discussion.
- Please do not approach your neighbour if you feel there is potential for confrontation. If in doubt please contact the Police or in an emergency, dial 999.

LEGAL ACTION ISHA CAN TAKE

Although legal action is the last step in the process, ISHA will not hesitate to take action against the few who continually cause nuisance to our residents. Action that we may take includes:-

Injunctions

These can be obtained very quickly and can order your neighbour to stop doing something i.e. playing loud music or can order them to carry out an action e.g. clear their garden rubbish.

In serious cases of nuisance and harassment, where there is the threat of violence, the court can attach a power of arrest to the injunction. This can be obtained within 24 hours. If your neighbour continues the behaviour, the Police have the power to arrest them immediately.

Possession Orders

This process takes longer than obtaining injunctions and will normally involve evidence that has been gathered over a period of time being presented to the court.

Completed diary sheets will form the basis of this evidence, which is why ISHA places great emphasis upon complainants completing and returning these.

To obtain a Possession Order we need strong evidence that will stand up to close examination in court. If the Judge is satisfied that the tenant has breached the terms of their tenancy or specific requirements contained in the Housing Act, they can grant a Possession Order meaning that the tenant can be evicted by County Court Bailiffs.

Anti-Social Behaviour Orders

These are legal orders which can be specifically used against people aged 10 years or over. To obtain an Anti-Social Behaviour Order we have to work very closely with the Police. The Orders are preventative and can prohibit someone from continuing to act in an anti-social manner, prohibit association with others and prohibit an individual from entering certain areas.

Environmental Health departments can also take criminal proceedings directly against tenants. They can confiscate sound equipment and keep it permanently where justified. Evidence can be used for Possession and/or Anti-Social Behaviour Orders.

Leaseholders

Leaseholders are bound by the covenants contained in their leases not to behave in an anti-social manner.

ISHA will apply to court for forfeiture of a lease or an injunction in the event of a breach of covenant by a leaseholder. It would be a requirement for us to be able to prove to the court that the covenant has been broken. Injunctions may also be taken out against leaseholders.

MEDIATION

ISHA will also attempt to resolve disputes involving residents by mediation.

Mediation is an independent service that will aim, by listening and talking to both sides in a dispute, to get them to agree a way forward rather than have a solution imposed by the association or by the courts. For example, by agreeing reasonable times and volumes for music to be played. Solutions will not be imposed, but agreed by both sides.

If you think mediation will resolve a problem with your neighbour or another resident, please speak to your Tenancy Services Manager.

LEGAL ACTION YOU CAN TAKE

Tenants and leaseholders can take legal action themselves. You may wish to seek advice from a solicitor or advice centre if deciding to pursue this course of action.

REPORTING NUISANCE

If you are suffering from nuisance, you should contact the ISHA office and ask to speak to your Tenancy Services Manager. If your Tenancy Services Manager is unavailable, another officer will be available to speak to you.

You will need to be clear about the type of nuisance caused, the date and times, what happened and who witnessed it. You will need to complete diary sheets that incorporate sections to provide this information.

Once you have reported the nuisance, the Tenancy Services Manager will usually write to your neighbour, advising them of the complaint but not telling them where it has come from. The letter will also state that if the complaint is founded or the behaviour continues, legal action may have to be taken. Your neighbour will be invited to meet with their Tenancy Services Manager to try and resolve the problem.

10 TOP TIPS TO BE A GOOD NEIGHBOUR

1. Only carry out unavoidable noisy activities between 8.00 am and 11.00 pm.
2. Make sure a key holder can be contacted if your burglar or car alarm goes off while you are on holiday.
3. Keep the volume of hi-fi's, radios, and televisions as low as possible especially at night.
4. Position fridges, freezers and speakers well away from party walls.
5. Use washing machines, vacuum cleaners and other noisy equipment during sociable hours.
6. Try to ensure that your dog does not bark or whine for long periods of time.
7. Do DIY jobs during sociable hours.
8. Keep your children under control when they are playing outside your property.
9. If you play a musical instrument, try not to play it early in the morning or last thing at night.
10. Lastly be considerate and only treat your neighbours as you would expect to be treated yourself.

ISHA is committed to providing high quality services to achieve continued customer satisfaction. Please contact the ISHA office (address shown on page 15) should you require a translated copy of this document.

USEFUL CONTACTS

Islington and Shoreditch Housing Association

102 Blackstock Road
London
N4 2DR
Telephone 020 7226 3753
Email: isha@isha.co.uk

Dexter Edward

Tenancy Services Manager
(Islington, Waltham Forest and Camden)
102 Blackstock Road,
London,
N4 2DR
Telephone 020 7704 7353
Email: dextere@isha.co.uk

Teslim Fagbayi

Tenancy Services Manager
(Hackney)
102 Blackstock Road,
London,
N4 2DR
Telephone 020 7704 7341
Email: teslimf@isha.co.uk

Property Services

102 Blackstock Road,
London,
N4 2DR
Telephone 020-704 7300

Community Development Officer

102 Blackstock Road,
London,
N4 2DR
Telephone 020 7704 7349

Victim Support (Islington)

Manor Gardens Centre,
9 Manor Gardens,
London,
N7 6LA
Telephone 020-7272-0784.

Victim Support (Hackney)

192 Well Street,
Hackney,
London,
E9 6QT
Telephone 020-8533 5332.

Victim Support (Camden)

52 Hampstead Road,
Camden
London,
NW1 2PY
Telephone 020-7388 9550

Victim Support (Waltham Forest),

Waltham Forest Magistrates' Court,
The Court House,
1 Farnan Avenue,
Walthamstow,
London,
E17 4NX
Telephone 020-8272 4157.

Hackney Borough Police

Shoreditch Police Station
4-6 Shepherdess Walk
Shoreditch
London
N1 7LF
Telephone 020 7275 3121

Dalston Cross Police Office

Rear of Unit 2B, Kingsland Shopping Centre
Kingsland High Street
London
E8 2LX
Telephone 020 7275 3121

Hackney Police Station

2 Lower Clapton Road
Hackney
London
E5 0PA
Telephone 020 7275 3121

Stoke Newington Police Station

33 Stoke Newington High Street
Stoke Newington
London
N16 8DS

Islington Police

2 Tolpuddle Street,
London,
N1 0YY
Telephone 020-7704 1212

Holloway Police

284 Hornsey Road,
London,
N7 7QY

Telephone 020-7263 9090

Camden Police: Holborn

1-10 Lamb's Conduit Street,
WC1N 3NR

Telephone 020 8733 6545

**Waltham Forest Police: Walthamstow Town
Centre Police Office**

191-193 High Street
Walthamstow

London
E17 7BX

Telephone 020 8345 3270

**Waltham Forest Police: Walthamstow
Police Station**

360 Forest Road
Walthamstow

London
E17 5JQ

Telephone 020 8345 3225

**London Borough of Islington
Environmental Health**

Public Protection Division
159 Upper Street
London N1 1RE

Email: noise.issues@islington.gov.uk

Fax: 020 7527 3057

Tel: 020 7527 3258 (office hours)

Tel: 020 7527 3229 (night hours: 8pm - 2am
Sunday to Thursday and 10pm - 4am Friday
and Saturday)

**London Borough of Camden
Environmental Health**

Camden Town Hall Extension
Argyle Street

London
WC1H 8EQ

Telephone 020-7974 2090

Fax 020-7974 6955

Times Mon-Fri 09.00-17.00.

Telephone weekend Noise Service 020-7278
4444.

**London Borough of Hackney
Environmental Health**

Neighbourhoods and Regeneration Directorate
Dorothy Hodgkin House
12 Reading Lane

E8 IHJ

Email: info@hackney.gov.uk

Telephone 020 8985 7711

Fax 020 8356 4980

Day time service 9.00am-5.00pm Monday to
Friday

Out-of-hours as follows:

- Thursday evening, 6.30pm to 2am Friday
morning
- Friday night, 9pm to 5am Saturday morning
- Saturday night, 9pm to 5am Sunday morning
- Sunday evening, 6.30pm to 2am Monday
morning

**London Borough of Waltham Forest
Environmental Health**

Community Protection Service,

154 Blackhorse Road, Walthamstow E17 6NW

Telephone: 020 8496 3000.

Office Hours: 9.00 am - 5.00 pm Monday -

Friday

Duty officer (noise) up to midnight from

Sunday - Thursday, on 020 8496 3000.

Weekend noise service:

Fridays 6pm - 2am

Saturdays 4pm - 2am

Telephone number for this service: 020 8496

3000.