



Dealing with Nuisance Behaviour

DEALING WITH NUISANCE BEHAVIOUR

WHAT CAN I DO IF I AM SUFFERING FROM NUISANCE BEHAVIOUR

Pickering and Ferens Homes recognises that problems of nuisance behaviour can be extremely distressing. However, complaints received often involve minor disputes caused by neighbours just not getting on. In general therefore the association will not get involved in the initial stages of a personal dispute between a resident and their neighbour.

Whenever possible you should try to resolve the problem yourself. Often the best way of solving a problem is to talk to your neighbour and explain politely that their behaviour is causing a problem. You should remember to stay calm and not get involved in an argument. If things get heated then just walk away.

If you have approached your neighbour and it hasn't worked or you do not feel able to talk to them about the problem then please contact the Housing Section. We will provide advice and practical guidance.

Where genuine nuisance or anti-social behaviour is demonstrated we will take firm and prompt action in dealing with disruptive residents and any other person causing nuisance.

It should be noted that whilst our aim is to always treat all residents fairly and apply a consistent approach to complaints, situations of this kind do vary. Therefore staff will often have to use their judgement when dealing with each specific case depending on the circumstances. Because of this we may discuss a range of possible options with you including encouraging you to speak to your neighbour again, collecting further evidence by completing diary sheets, getting other agencies involved to assist with the problem for example the Anti Social Behaviour Team, Environmental Health, the Police, Social Services and the Local Authority.

WHAT CONSTITUTES NUISANCE BEHAVIOUR?

NEIGHBOUR DISPUTES

Where two neighbours with any minor aspect of behaviour which causes a disagreement between them. Neighbour disputes tend to arise due to one party's inconsiderate behaviour, thoughtlessness or different lifestyle.

NUISANCE

NUISANCE

Nuisance can affect anyone. It is behaviour that is frequent and or continuous and interferes with a persons right to 'peaceful and quiet' enjoyment of their home.

One of the most common forms of nuisance is noise nuisance. This can be loud music played at unreasonable times, or dogs barking late at night. However not all noise problems constitute a nuisance i.e. someone arriving home from work in the early hours of the morning and making themselves a drink and using the bathroom etc would not be nuisance. However the same person playing loud music may constitute a nuisance.

ANTI SOCIAL BEHAVIOUR

The Anti Social Behaviour Act 2003 defines anti-social behaviour as - 'Conduct, which is capable of causing nuisance or annoyance to any person and which directly or indirectly, relates to or affects housing management function or consists of or involves using or threatening to use housing accommodation for an unlawful purpose.'

HARASSMENT

Harassment is violence which may be verbal and / or physical. It includes attacks on property as well as the person. Harassment is cruel, unwelcome and often a

debilitating part of the daily lives of many people. It is distinct from and should not be confused with neighbour disputes, general nuisance and other forms of anti-social behaviour.

INVOLVING PICKERING AND FERENS HOMES WITH THE PROBLEM

Pickering and Ferens Homes is committed to promoting a safe and secure environment so that all of its residents are able to live peacefully within their own homes and communities.

To help achieve this objective, the association wishes to make clear that it considers that everyone living in a Pickering and Ferens Homes property, their visitors and the wider community all have a responsibility to get on with their neighbours, and they all have a responsibility to:

Show respect for others and be tolerant of other people's values, needs and lifestyles, where behaviour is reasonable and lawful.

To make sure that their behaviour is not contributing towards nuisance or anti social behaviour.

Therefore before asking Pickering and Ferens Homes to become involved in a nuisance problem you should ask yourself the following questions:

How serious is the problem and is my reaction reasonable?

Can I approach my neighbour and discuss the problem in a reasonable manner? Your neighbour may not be aware that there is a problem and by talking you may be able to resolve it simply and informally.

Do I need advice or guidance from Pickering and Ferens Homes on how to resolve the matter?

If I live in a Sheltered Scheme have I asked the Scheme Manager for advice and guidance?

Pickering and Ferens Homes recognises that there will be occasions when you may not feel able to talk to your neighbour about the problem either because of the seriousness of the situation or because of fear of approaching the people involved. In these circumstances you should contact us so that we can agree on a course of action.

We will work with you to take the most appropriate action, trying to resolve the situation as quickly as possible, without unnecessary delays and agreeing the action to be taken.

There are instances however when we will not take action, examples of these would be, every day and reasonable noise created through daily living, where we have investigated and there is not enough evidence to substantiate the complaint, both parties share blame or the complainant does not want any further action to be taken.

We will however write to the complainant to make it clear why no further action is being taken.

Pickering and Ferens Homes
Silvester House
The Maltings
Silvester Street
Kingston upon Hull
HU3 1HA
Tel: 01482 2232783
Fax: 01482 223805
Email: info@pfh.org.uk
Website: www.pfh.org.uk

We can also provide this information on audiotape, large print or Braille and in any other minority language.