



KINGSBURY CHARITY

Anti-Social Behaviour Policy

Under Section 12 of the Anti-Social Behaviour Act 2003, the Trustees of Kingsbury Charity, which is registered with the Regulator of Social Housing, must publish a statement of policy and procedures for dealing with anti-social behaviour.

Definition of Anti- Social Behaviour

Anti-social behaviour is defined, by Section 2 of the Anti-social Behaviour, Crime and Policing Act 2014 as:

- (a) conduct that has caused, or is likely to cause, harassment, alarm, or distress to any person,
- (b) conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises, or
- (c) conduct capable of causing housing-related nuisance or annoyance to any person.

The trustees of the Kingsbury Charity take anti-social behaviour extremely seriously. Anti-social behaviour covers any kind of nuisance, unreasonable behaviour, or harassment. See Appendix A for definitions.

The trustees of the Kingsbury Charity will not tolerate anti-social behaviour that affects the quality of life of a resident or the management of the charity for the benefit of all its residents.

The Kingsbury Charity will respond to anti-social behaviour quickly and effectively and will try where possible to resolve such situations at the earliest opportunity.

The Kingsbury Charity will aim to deal with anti-social behaviour in a consistent, sensitive, and objective manner.

Residents are encouraged to report to the trustees any behaviour considered by them to be anti-social by any person. The trustees will investigate such reports (in confidence when this is appropriate).

The residents of Kingsbury Charity are required, as per their Letter of Appointment, to occupy the property quietly and with thought for other residents and/or neighbours.

Visitors should be made aware of this condition of occupancy.

If a resident wishes to report anti-social behaviour, they should contact the Caretaker of their property in the first instance.



KINGSBURY CHARITY

Upon receiving a report of anti-social behaviour, trustees will decide whether appropriate to:

- Resolve the matter within the charity
- Refer the matter for external mediation*
- Seek a civil injunction or a Community Protection Notice (CPN).

If trustees conclude anti-social behaviour has been committed by a resident they will:

Consider setting aside the appointment in accordance with the resident's Letter of Appointment.

Should mediation be appropriate, the trustees may wish to refer the matter to an independent, external mediation service. This will enable an impartial person to view the matter from an unbiased perspective to help find a resolution to the problem. If the matter cannot be resolved by mediation the trustees will not hesitate to act on behalf of a resident affected by anti-social behaviour. If this is caused by another resident in contravention of the Letter of Appointment, the charity will follow its internal procedures. After a due process of verbal and written warnings the resident's appointment to the almshouse may be set aside.

The trustees may also use powers granted by the Crime and Policing Act 2014 and seek an injunction (IPNA) or a Community Protection Notice (CPN). The trustees may also use these powers in the case of anti-social behaviour by visitors or neighbours. If necessary, refer the matter to other agencies to resolve the problem, e.g., criminal proceedings by the police.

This policy has been approved for issue by the board of trustees of the Kingsbury Charity.

Signature:

Name:

Date:

Date for next review:

*The Almshouse Association offers a mediation scheme, details can be found here <https://www.almshouses.org/mediation-scheme/>



KINGSBURY CHARITY

Appendix A

What is anti-social behaviour?

There are three main categories for anti-social behaviour, depending on how many people are affected:

- Personal anti-social behaviour is when a person targets a specific individual or group.
- Nuisance anti-social behaviour is when a person causes trouble, annoyance or suffering to a community.
- Environmental anti-social behaviour is when a person's actions affect the wider environment, such as public spaces or buildings.

The list is not exhaustive but here are some examples:

Harassment

Any behaviour that intimidates, dominates or harms an individual or a family or group of individuals. The actions can be either physical or verbal. Harassment differs from nuisance and ASB in that it is targeted against particular individuals, households or group of people. For example:

- Abusive or insulting behaviour – written or verbal
- Violence and threats of violence
- Vandalism
- Repeated or unfounded complaints against another tenant, family or group
- Abusive telephone calls. – Uninvited visits to someone's home
- Placing rubbish, excrement or offensive materials near or in a victim's home.

Hate incident/crime

Any kind of behaviour that causes fear, alarm or distress where the victim or any other person feels that they have been targeted because of their racial heritage, religion or beliefs, disability, gender identity or sexual orientation. If a criminal offence has been committed a hate incident becomes a hate crime.

Nuisance

Is more likely (but not always) to affect more than one individual or household. Nuisance also covers behaviour that unreasonably interferes with other people's rights to the use and enjoyment of their home and community. For example:

- Noise nuisance including parties
- Intimidating behaviour from groups of people
- Car repairs and abandoned vehicles
- Drug and alcohol related incidents
- Rubbish dumping



KINGSBURY CHARITY

- Using premises for commercial gain or outworking
- Graffiti, vandalism and damage to communal areas
- Nuisance caused by pets and other animals.

Under these main headings anti-social behaviour falls into one of 13 different types:

1. Vehicle abandoned: This covers vehicles that appear to have been left by their owner, rather than stolen and abandoned. It includes scrap or 'end of life' vehicles and those damaged at the scene of a road traffic collision that have been abandoned and aren't awaiting recovery.
2. Vehicle nuisance or inappropriate use: This relates to vehicles being used in acts such as street cruising (driving up and down the street causing annoyance and bothering other road users), vehicle convoys and riding or driving on land other than a road. It also covers the misuse of go-peds, motorised skateboards and electric-propelled cycles, and the unlicensed dealing of vehicles where a person has two or more vehicles on the same road within 500 metres of each other.
3. Rowdy or inconsiderate behaviour: This refers to general nuisance behaviour in a public place or a place to which the public have access, such as private clubs. It does not include domestic-related behaviour, harassment or public disorder which should be reported as crimes.
4. Rowdy or nuisance neighbours: This covers any rowdy behaviour or general nuisance caused by neighbours, including boundary and parking disputes. It also covers noise nuisance from parties or playing loud music.
5. Littering or drugs paraphernalia: This includes fly posting and discarding litter, rubbish or drugs paraphernalia in any public place.
6. Animal problems: This covers any situation where animals are creating a nuisance or people's behaviour associated with the use of animals is deemed as anti-social. It includes uncontrolled animals, stray dogs, barking, fouling and intimidation by an animal.
7. Trespassing: This is any situation in which people have entered land, water or premises without lawful authority or permission. It ranges from taking an unauthorised shortcut through a garden to setting up unauthorised campsites.
8. Nuisance calls: This covers any type of communication by phone that causes anxiety and annoyance, including silent calls and intrusive 'cold calling' from businesses. It does not cover indecent, threatening or offensive behaviour which should be reported as crimes.
9. Street drinking: This relates to unlicensed drinking in public spaces, where the behaviour of the persons involved is deemed as anti-social. It also covers unplanned and spontaneous parties which encroach on the street.



KINGSBURY CHARITY

10. Activity relating to sex workers or sex working: This relates to any activity such as loitering, displaying cards or promoting sex worker services. It may also refer to activities in and around a brothel that impact on local residents. It does not include 'kerb-crawling' which should be reported as a crime.
11. Nuisance noise: This relates to all incidents of noise nuisance that do not involve neighbours (see 'Nuisance neighbours' above).
12. Begging: This covers anyone begging or asking for charitable donations in a public place, or encouraging a child to do so, without a license. Unlicensed ticket sellers at or near public transport hubs may also fall into this category.
13. Misuse of fireworks: This will include the inappropriate use of fireworks, the unlawful sale or possession of fireworks and noise created by fireworks.