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1. Purpose

Lewisham Council is committed to ensuring their tenants and leaseholders enjoy their right to peace, quiet and security in and around their home and neighbourhood. We understand that anti-social behaviour (ASB) can have a severe effect on the well-being of residents as individuals and as communities. We recognise, that we have a particular duty as a landlord to take action to minimise and tackle ASB, and we are fully committed to doing so. To be as effective as possible we will use a range of preventative measures, enforcement action, alongside support and assistance.

This policy outlines the definition of ASB and nuisance and the legislation governing our response. It explains how we will respond to any reports of ASB or nuisance and what we will do to try to reduce ASB in the areas in which we operate, working alongside our residents and partners.

2. Context

Tackling ASB effectively is key to achieving our priority of Safer communities and strengthening communities as stated in the Council's corporate plan and housing strategy.

Scope and exclusions

This policy applies to all tenants, leaseholders, and licensees of Lewisham Council's Housing Service, their household and visitors, regardless of tenure, and to the buildings and neighbourhoods in which we operate. It applies to any ASB or nuisance that takes place in or around estates, buildings or areas surrounding properties managed by our Housing Service, as well as within our workspaces.



The definition of ASB and nuisance outlined in this policy determines the behaviour we will investigate and where we will take action. We will not investigate, under this policy, behaviour or incidents that fall outside of these definitions.

The investigation of criminal behaviour is the responsibility of the Police who have powers we do not. We will report criminal behaviour to our partners in the Police service, offering our full co-operation and support. Any criminal convictions obtained by the police relating to our housing stock or residents may lead to further civil action being taken by Lewisham Council.

Lewisham Council's Safer Communities Service deals with incidents of anti-social behaviour within the wider community context, with statutory nuisance and licencing. They are also responsible for responding to Community Trigger applications (ASB case reviews).

3. Definitions

Anti-social behaviour (ASB)

The ASB, Crime and Policing Act (2014) defines ASB as:

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

For the purpose of this policy, we consider ASB to be behaviour that fits within this legal definition, and where we may be able to take action for breach of tenancy or lease. The type of behaviour we consider to be included falls under the following categories:

Category A	Category B
<ul style="list-style-type: none"> • Hate crime • Domestic abuse • Physical violence and serious threats of violence • Sexual offences • Gun or knife crime • Arson 	<ul style="list-style-type: none"> • Vandalism • Verbal abuse, harassment, intimidation, or threatening behaviour • Criminal behaviour in or around our property • Gang related ASB • Use of illegal drugs and drug dealing • Prostitution • Misuse of communal areas • Drunk and/or rowdy behaviour • Vehicle nuisance such as joy-riding or reckless driving • Fly-tipping • Dangerous dogs • Noise nuisance*

This list is not exhaustive; we will assess each report individually. We will also give consideration as to whether the ASB might be deliberate and targeted due to a 'protected characteristic' (see Hate based incidents policy).

*Noise, particularly between 11pm – 7am, *may* be considered ASB. We will work with the Council's Enforcement Team to deal with noise that is louder than statutory limits. Noise under the statutory limit will only be considered ASB if it is persistent, occurs regularly and



continues for a period of time that is unreasonable. It is not enough for the noise to be annoying or disturbing. Noise will normally be initially investigated as nuisance first.

Nuisance

We recognise that sometimes another person's behaviour may be annoying or disturbing, but not reach the threshold of ASB as defined here. Behaviour considered as nuisance includes:

- Inconsiderate parking
- Lifestyle differences, such as different times of going to bed
- Noise (that does not meet the ASB definition)
- Neighbour disputes
- Garden or boundary disputes
- Pet or animal nuisance

In such instances, we will take steps to try to resolve the situation, but it is very unlikely we will be able to take enforcement action against a tenancy or lease for such behaviour.

We expect all our residents to act responsibly but also to be reasonable. Everyday noise and lifestyle differences are almost inevitable when living close to other people, but anti-social behaviour is not acceptable. We will not usually investigate behaviour or incidents under the ASB policy that fall outside of these definitions, but will still try to provide or signpost to support where it is needed. This includes, for example, day-to-day living noises - children playing or crying; the sound of footsteps; toilets flushing or vacuuming. We will not take action for one-off parties or disturbances.

Other issues

Other issues that may constitute a breach of a tenancy or a lease such as overgrown gardens, are dealt with separately. We also have a procedure for dealing with vehicles that are abandoned, SORN or dangerous on our estates.

4. Reporting an incident

4.1 We want to ensure it is as easy as possible to report ASB or nuisance to us. We offer a range of reporting methods, to enable reports to be made at any time.

Method	Details
Over the phone	0800 028 2 028 – 24 hours/365 days a year
Email	ASB@lewisham.gov.uk or housingmanagement@lewisham.gov.uk
By letter	Housing Services, Lewisham Council, Laurence House, 1 Catford road, SE6 4FN
Face to face	Contact the ASB team or your Housing Officer to arrange an appointment in person or by phone.
On-call professional witness	0800 028 2 028 - 10pm – 3am on Friday & Saturdays.
Noise App	www.thenoiseapp.com
Through a third party	Examples include a friend, support service, the Police, MP or Councillor, Tenant and Resident Association



5. Responding to reports of nuisance

- 5.1 We will respond to reports of nuisance and will respond to reports within 3 working days, and tell you who is dealing with your case.
- 5.2 Where possible we will encourage residents to discuss their concerns with the person whose behaviour is affecting them. If this does not resolve the nuisance, we may for example:

Raise awareness	Speak to the person(s) causing the alleged nuisance and make them aware of the impact of their behaviour. Send letters to individuals or groups of residents making them aware of the impact of the behaviour, and ask them to be mindful.
Facilitate mediation	Refer to a trained external company. This may be face to face or shuttle mediation.
Good neighbour agreements	Ask residents to sign up to agreed terms.

- 5.3 If these actions do not resolve the nuisance, or the resident(s) do not wish to participate in mediation, we will not be able to take any further action.
- 5.4 We recognise sometimes nuisance behaviour will escalate, and require further action. The Head of Service for Housing and Communities will decide if and when cases need to transfer to the ASB team.

6. Responding to reports of ASB

- 6.1 We take all incidents seriously, and handle all information sensitively and confidentially. We will not disclose the complainants' details to the alleged offender without their permission.
- 6.2 We will respond to category 'A' reports of ASB within 24 hours, and category 'B' reports within 3 working days.
- 6.3 We will agree an action plan for every case and be clear about what actions we can take. An officer will manage these cases and will complete a risk assessment in all cases.
- 6.4 As part of the action plan, we will agree how we will keep in contact with you whilst we are investigating the case. We will also let you know when we've concluded our investigation and what the outcome is.

7. Prevention, Support and Enforcement

- 7.1 The causes and effects of ASB are wide ranging and varied, so the ways we tackle it will also vary. The tools used generally fall into three main types of activity - prevention, support and enforcement, each with a variety of tools (see examples below). We may use a combination of these as an organisation or in partnership with others, depending on the circumstances of the case.



Preventative measures and diversionary activity	'Secure by Design' techniques, risk assessments, community engagement and investment.
Support	For complainants, witnesses, staff and alleged offenders. We will often use partners to help us deliver this support.
Enforcement	A range of actions from warning letters to injunctions and eviction. Where we have tried all other solutions and the problem is very serious, we will take court action, but need strong evidence to do this.

- 7.2 Partnership work: We work with other agencies and partners, such as the police and social services, to share information and tackle anti-social behaviour in a coordinated and effective way. Some partners may have tools or powers that we do not.
- 7.3 We recognise sometimes alleged offenders and/or complainants will be vulnerable. Our action plan will always consider this when deciding on the most appropriate action to resolve the ASB.
- 7.4 Evidence gathering. Examples of how evidence can be gathered are a Noise App which is available to all residents, and a professional witnessing service (between 10pm – 3am on Friday and Saturdays). We also have a number of noise monitoring machines and mobile CCTV cameras. We can use these in cases where we believe there is a strong likelihood of capturing evidence which enables enforcement action.

8. Monitoring and implementation

- 8.1 This policy will be implemented through our ASB procedure and other associated policies and procedures, including for example CCTV and Surveillance, Hate based incidents, and Domestic Abuse.
- 8.2 We may identify Safeguarding concerns during the course of an investigation. We will manage these in line with our Safeguarding policies and procedures. We will also follow our Vulnerable Residents policy and processes where necessary.
- 8.3 Our performance will be monitored in the following ways:
- Tenant Satisfaction measures
 - Case volumes
 - Complaints analysis
 - Case review checks and management monitoring
 - Benchmarking with other housing providers
- 8.4 We will regularly report on performance including tenant satisfaction measures, to our Housing Executive Team and to the Councils Corporate Performance team.
- 8.5 We will report performance to residents on our website, our annual report, and other methods agreed with our residents.

9. Legislation and regulation

Key legal and regulatory information that informs and directs this policy includes:



- Anti-Social Behaviour, Crime and Policing Act 2014
- Housing Act 1985
- Chartered Institute for Housing (CIH) Respect ASB Charter for Housing
- Police Information Sharing Protocol
- Neighbourhood and Community standard (HCA)

10. Equality, diversity, and inclusion

10.1 An Equality Impact Assessment was completed during the development of this policy.

10.2 We aimed to make reporting ASB as easy and accessible as possible, by including a wide range of methods to do this.

10.3 Key elements of this policy are preventative activity including work with young people, and the provision of support for complainants, witnesses and offenders, especially where vulnerability may be a factor.

10.4. When recording a case, we include potentially motivating factors based on a persons protected characteristics or vulnerability where we have been told this or have reason to believe it is relevant to the case.

11. Communication and consultation

11.1 We will use the following ways to communicate this policy and associated information:

- Dedicated ASB website pages
- Social media feeds – [Facebook](#), [Twitter](#), [Instagram](#) and [LinkedIn](#)
- Text messages and focused emails and e-newsletters to residents
- Briefings to members and partners

11.2 Under this policy a report of anti-social is treated as a request for service rather than a complaint. Where someone wishes to make a complaint about the way we have delivered the ASB service this will be handled under our complaints policy.

11.3 When developing this policy we consulted with residents, staff and stakeholders. We carried out a survey and facilitated discussions at the Resident Engagement Panel.

Replaces: ASB Policy 2020 (Lewisham Homes)
Minor updates to reflect the return of landlord services previously managed by Lewisham Homes to Lewisham Council

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Policy owner: Director of Resident Engagement and Services