



What is Neighbour Nuisance and ASB?

Swindon Borough Council is a signatory to the Respect Charter, which is an Anti-Social Behaviour charter for housing and sets out building blocks of how organisations' deal with ASB.

As part of this charter, all organisations' have defined what is, and what acceptable behaviour isn't, which helps to manage staff and tenants expectations, and sets out a clear commitment.

Guidance Notes – July 2020

The most adopted definition of ASB is used in Section 2 of the Anti-social Behaviour Crime and Policing Act 2014: Which states antisocial behaviour means:

- ✓ 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.

Below are examples of issues which may upset or disturb people which are unlikely to be dealt with as ASB (unless it is proved to be constant and deliberate) are:

- Babies crying
- Children playing (including balls games)
- Minor personal differences, children falling out or comments made on social media
- Clashes in lifestyle or cultural differences
- Cooking smells
- Doors and drawers being shut
- Dishwashers, hoovers, tumble dryers, washing machines and or other household appliances
- Dropping of objects/moving of furniture

- General talking
- Loud talking or laughing
- Families arguing and shouting between themselves
- Heavy footfalls (people walking on floors or upstairs)
- Flushing toilets and running water
- Lights switches being turned on and off
- One-off or isolated incidents e.g. a party or an argument or altercation
- People carrying out DIY jobs
- Sexual noises
- Shift workers leaving home or returning (late or early hours)
- Toilet flushes (repeatedly)
- Where there is no breach in the tenancy i.e. people staring or being inconsiderate, such as parking disputes
- Noise transference due to poor sound insulation.
- Smoking within a tenancy address

This list, from time to time, may include other low level nuisance issues.

Some examples of behaviour that will be treated as ASB include but are not limited to:

- Being abusive to Council employee's/contractors or agents
- *Intimidation and harassment
- If a tenant makes false allegations, we may consider this to be ASB, which could lead to action being taken against them
- The fouling of public areas and graffiti
- Excessive household rubbish and fly tipping in the locality
- Nuisance vehicles, such as excessive speeding, parked illegally or abandoned and carrying out car repairs
- *Actual violence against people or property
- *Hate or discriminatory behaviour that targets members of identified groups because of their perceived difference e.g. racial harassment
- Excessive and persistent noise nuisance
- *Using or threatening to use housing accommodation to manufacture, supply or sell drugs, or for other unlawful purposes.
- Excessive noise nuisance outside of reasonable hours e.g. 11.00pm - 07:00am

Those marked with an *asterisk* are criminal matters and should be reported to the Police in the first instance. If reporting to your Neighbourhood Housing Officer, you must provide the crime reference number given to you by the Police.