

Anti Social Behaviour - HMO Condition: number 7

- 7 The licence holder shall take all reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the house and shall:
 - 7.1 comply with the Council's Anti-Social Behaviour Code (**Appendix A**);
 - 7.2 provide a copy of the Council's Anti-Social Behaviour Code to each and every tenant on the date they first occupy the house and require said tenants to sign a declaration that they have received the Council's Anti-Social Behaviour Code (**Appendix B**);
 - 7.3 retain a copy of all declarations signed by tenants in accordance with Clause 7.2 for the duration of this licence;
 - 7.4 implement and maintain a register of complaints and retain this register for the duration of this licence (**Appendix C**);
 - 7.5 investigate all complaints of anti-social behaviour arising from the house and being caused by the tenants or tenants' visitors and enter details of complaints in the register detailed in Clause 7.4;
 - 7.6 where appropriate take legal advice and act either to issue formal warnings or evict the tenants.

Anti-Social Behaviour Code – Appendix A

The Housing Act 2004 section 57 (5) defines “anti-social behaviour” as conduct on the part of occupiers of, or visitors to, residential premises –

- a) which causes or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or
- b) which involves or is likely to involve the use of such premises for illegal purposes.

The Council considers the following to be examples of anti-social behaviour: -

- Causing a nuisance or annoyance to other occupiers and neighbouring residents;
- Harassing anyone in the local area (because of their race, colour, nationality, ethnic origin, sexuality, sex, religion, politics, age, medical condition, or disability);
- Violence (including domestic abuse) against any person (including the landlord or persons acting on their behalf);
- Interfering with security or safety equipment;
- Using the property (including all communal areas bin stores, yards and gardens etc) for any criminal, immoral or illegal purpose, including buying, selling or using any illegal drugs, or storing or handling stolen goods;
- Damaging any part of the premises and property or neighbouring premises and property.

Contact

Should either residents, tenants or the licence holder wish to make a complaint or discuss a situation involving anti social behaviour please contact:

Weymouth & Portland Borough Council

– General 01305 838432

- Out of Hours 01305 838427

Police 01305 222222 (non emergency)

Anti Social Behaviour Team 01305 226536

Enforcement

In accordance with the Housing Act 2004 Licence Holders of Houses in Multiple Occupation must take reasonable steps to tackle anti-social behaviour.

To ensure compliance with Condition 7 of the House in Multiple Occupation Licence the following points show the kind of 'reasonable steps' that are expected of landlords in order to tackle anti-social behaviour.

- The Licence Holder must provide a copy of this anti-social behaviour code to each tenant and every tenant on the date they first occupy the property. Each tenant must sign a declaration that they have received the Council's anti-social behaviour code. The Council has provided an example in **appendix B** of a declaration. This form or a form detailing similar information must be used.
- The Licence Holder is required under these licensing conditions to keep a register of all complaints received from occupiers, visitors and neighbours. The Council has provided an example in **appendix C**. This form or a form detailing information must be used.
- The register must contain the following information:
 - Date & Time of complaint
 - Name and address of complainant (person making complaint)
 - Date & time of incident
 - Details of the incident/ complaint (location, what exactly happened, who was involved, any witnesses)
 - Was the incident reported (Police, details etc)
 - Name and address of the alleged 'perpetrator'
 - Action taken by the licence holder to resolve the problem (e.g. contact made with the 'alleged perpetrator'; face to face or by letter or both).
- The Licence Holder shall inform the police if there is reason to believe that a criminal offence has been, or is being, committed on the premises.
- The Licence Holder shall affix in a prominent position, within the communal area of the property a **sign** containing a statement that the Licence Holder will not tolerate anti social behaviour and encouraging the reporting of those responsible, including a telephone number and an address to which complaints should be made. This sign shall be replaced if it is torn, defaced or removed.
- The Licence Holder shall investigate complaints of anti-social behaviour arising from the property and being caused by their tenants or tenants' visitors. Where appropriate they shall take legal advice and act to either caution or evict the tenants.
- The Council strongly suggest that the Licence Holder should be part of the Weymouth & Portland Borough Council Accreditation Scheme.

Anti – Social Behaviour Complainants Register - Appendix C

Licence holders:

Name:

Contact Address:

Contact telephone/fax number:

Email number:

Property address

Date and time complaint	Name & Address of complainant	Date & time of incident	Location of incident	Details of incident (what exactly happened)	Details of any other witnesses or reported (Yes/No)	Name & Address of the alleged perpetrator	Action Licence Holder has taken to resolve the problem
23/6/09 @ 21.00	Mr Smith 18 Chocolate Street Weymouth	23/6/09 @ 20.25	Outside 20 Chocolate Street, Weymouth	Mr Newman was outside swearing and throwing cans at vehicles parked in the road.	Ms Johnston 22 Chocolate Street. Reported to Police 20.30 Pc N Brown attended	Mr J Newman 20 Chocolate Street (room 1)	Discussed the behaviour with the tenant and liaised with the police. Mr Sweet was asked by licence holder to clear area.

Licence Holder signature:

Date:

Date and time complaint	Name & Address of complainant	Date & time of incident	Location of incident	Details of incident (what exactly happened)	Details of any other witnesses or reported (Yes/NO)	Name & Address of the alleged perpetrator	Action Licence Holder has taken to resolve the problem

Licence Holder signature:

Date:

