

A NEW WAY OF DEALING WITH NOISE NUISANCE

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1. Purpose

- 1.1 To advise on the new system for noise nuisance.
- 1.2 To inform about performance when dealing with housing related Anti Social Behaviour

2. Background

- 2.1 This report is the first of 2 detailing new developments in the way the Council is responding to housing related anti-social behaviour and nuisance. The second will consider the joint working arrangements with Thames Valley Police.
- 2.2 As a landlord we have a contractual duty to manage breaches of tenancy that specifically include nuisance and anti social behaviour.
- 2.3 The Government also places a range of statutory responsibilities on social landlords and councils and inspects related services based on a recently revised Key Line of Enquiry that is tied to its new Respect Standard for Housing Management.
- 2.4 Since beginning our systems thinking work in this area last year, it has confirmed to us that we need to focus on a number of issues that include some highlighted by the government and the Audit Commission
 - Preventing nuisance,
 - Supporting tenants in dealing with problems with their neighbours themselves
 - Dealing with cases when we have to intervene quickly
 - Building confidence in the community

3. New Approach to Nuisance

- 3.1 Each of the above activities is a well-evidenced way of tackling nuisance and Anti-Social Behaviour. Our efforts in Milton Keynes however needed to focus on our local demand rather than simply adopt a set of tools and good practice from elsewhere.

3.2 What was happening?

- 3.2.1 A team of staff focussed on the Netherfield office therefore looked at nuisance demand over a 12 month period and established that noise was the most frequently reported problem. Other cases also had an element of noise within a wider set of issues. The team agreed to focus on noise because it was high and regular demand, it could be objectively measured and could be resolved without legal action through negotiation and agreement.
- 3.2.2 When we looked at cases and the current process it became clear that tenants reported issues to us once they were at (or past) a personal tolerance threshold. Often it was shortly after they or a new neighbour had moved in. They usually had not talked to the person who was causing the noise. They wanted the Council to quickly tackle an entrenched difficulty where there was long-term conflict or unexpressed resentment and hostility. They were often reluctant to provide evidence.
- 3.2.3 This in turn caused a bureaucratic and drawn out processes of gathering evidence and evaluating what action, if any, the housing service, other parts of the council or the police could take. Timeliness of action could not readily be checked, as there was no formal recording system shared across the service. Further delays arose around the availability of monitoring equipment.
- 3.2.4 Joint working with the police also needed to be improved on a wider basis. The systems thinking work has built on the pilot at the Netherfield office which is currently being evaluated.
- 3.2.5 Managing nuisance behaviour as a result takes up a lot of time and resources. Court action can easily cost between £5000 and £10,000. Council intervention rarely results in a situation where the households involved can live together comfortably afterwards.
- 3.2.6 We concluded that we should concentrate our resources on preventing it from happening wherever possible. This would be both less wasteful of money and time but could also help better relations between neighbours.

3.3 What changes need to be made?

- 3.3.1 Nuisance prevention must start before the new tenant moves in; with the I Need a Home process. This means that as soon as we have a prospective tenant for a specific property, we must use the housing options interview to become aware of any previous nuisance issues either in the area of the property or in the prospective tenant's history and manage the letting and sign up/ early tenancy visits accordingly.

- 3.3.2 Work is underway to better share this information, which in the medium term will transfer onto GIS (computerised geographical maps) for current nuisance and through the allocations computer module for cases. We will also be able to use Acceptable Behaviour Contracts or variations of tenancy where vulnerable or volatile customers are to be rehoused
- 3.3.3 No matter how diligent this work is there will always be issues that are new or remain hidden. Every noise nuisance case now involves a detailed probing interview to be sure that we know what the current issues are followed by an agreed action plan.
- 3.3.4 We must also work with individual households and the wider community to develop a culture where residents won't tolerate nuisance behaviour and are willing and able to address it themselves when it happens. This is hard and complicated. We are starting to work with the Community Mediation Service to see how we can develop skills with local people. We have advice leaflets and will provide personal support to people who experience noise nuisance to help them speak to their neighbours about what is happening
- 3.3.5 When it does occur and requires our intervention we need to be able to reach a resolution as soon as possible. We have purchased new monitoring equipment to stop the delays that resulted from queuing for Environmental Services.
- 3.3.6 Our new approach to noise nuisance is summarised in the attached notes and flow chart (**Appendices 1 and 2**).
- 3.3.7 At the highest level where nuisance turns into criminal activity we need to work closely with the police. A joint location pilot has been running for almost a year at Netherfield. This is currently being evaluated. Colleagues have also been involved in leading multi agency training which introduces our new approach as part of its remit

4. Performance

- 4.1 There is no formal performance indicator in place for nuisance and Anti-Social Behaviour for the Landlord Service. A number are suggested in the Respect Standard. We have developed a new simple measure to test how well and how quickly we are doing this kind of work.
- 4.2 This look at the timeliness and effectiveness of the response: the time from the first incident occurring to an agreed period within which there has been no further nuisance incidents. Too few cases have been handled using the new method to provide a report using the measure at this stage.

- 4.3 To monitor and measure more effectively we have bought into FLARE: an IT software package that is used across the council. It enables cases to be logged and tracked: after a number of delays is expected to be in place during April 2007.

5. The Government's Approach

- 5.1 The Government uses the Key Lines of Enquiry (KLOE), which are a major tool of the Audit Commission in assessing the quality of housing services. KLOE 6 (Tenancy and Estate Management) has recently been amended to reflect new developments in housing management (including the new Respect Standard for Housing Management issued by the department for Communities and Local Government in 2006).
- 5.2 We are not legally required to meet or sign up to the standard. When the Milton Keynes housing service is inspected again however, it will be judged against the KLOE so we have to be mindful of it when developing new ways of working. Resources may also flow to signatories from government.
- 5.3 We have therefore carried out an evaluation of our current approach to Anti-Social Behaviour against the KLOE. The results show improvement against the Audit Commission inspection of the Housing Service in 2004. A number of areas need further review and action to support the principles of prevention, speedy action and community empowerment, which we agree are necessary using a customer driven systems thinking approach.
- The Tenancy Agreement requires updating in 2007
 - Improving confidence amongst communities. We have identified through systems thinking that we can improve in this area through, encouraging earlier reporting, our new way of working, making quicker responses and giving people better information about their local communities. We need the input of tenants through the Forum, local associations and focus groups to develop this further
 - Good neighbour agreements need development and greater use as a way of negotiating solutions
 - Lettings policies. The way unsupported or inappropriate new tenancies can lead to nuisance is also being addressed via Changing Milton Keynes Housing – consultation on a new allocation policy will commence in February
 - We need to evaluate how we are using Introductory Tenancies.
 - Review how we use publicity about action in cases of ASB We publish the successful outcomes of nuisance action when we go to court but need to give more and better information to local communities
 - Improve security to doors and windows as a by product of the Decent Homes programme
 - Provide better support and protection for victims and witnesses through the additional provision, which has been made in the 2007/8 budgets.

- Better early identification of vulnerable tenants through the needs assessment process and the allocations policy

6. Conclusion

Anti-Social Behaviour remains high on the community's agenda and it is imperative that we have robust procedures in place to tackle this whilst developing prevention. Only by doing what we are contractually obliged to do and doing well will promote the confidence in our leadership which will help communities set a "higher bar" on the kind of behaviour which is tolerated.