



Informing and supporting the 'community trigger' review process

How evidence from The Noise App was used to confirm patterns of unacceptable behaviour and help shape an effective multi-agency response.



Introduction

Managing in excess of 10,000 properties, Pobl is one of the largest housing associations operating in Wales. Following allegations that the behaviour of a tenant was causing distress, annoyance and nuisance to neighbours, evidence gathered via The Noise App was central in framing the response to a formal request for a community trigger review. Activation of the review process led to a multi-agency response and application for a civil injunction.

Challenges

As a progressive registered social landlord, Pobl recognises the importance that housing plays in bringing stability and security to the lives of their customers. This means that if problems arise with their tenants, they will always intervene with the aim of avoiding a homelessness situation arising; however, in certain circumstances they may be forced to adopt a more formal approach.

Neighbours started to experience sporadic problems shortly after a single female took up occupation of a mid-terraced property. The level of disturbance increased when the woman's daughter, family members and other individuals visited for drunken partying. Problems included the playing of loud music late at night and into the early hours of the morning, noise from banging and crashing around the house, singing, shouting and heated arguments, both inside the property and on the street outside.

Occupiers of the neighbouring terraced houses were primarily affected, but the activities were also impacting upon residents living along the street. It emerged that the tenant had alcohol dependency issues, and while a range of supportive efforts had been offered in an attempt to moderate her behaviour (including regular officer visits to the property, mediation, referrals to specialist support services, etc.), she failed to engage.

Various agencies had been involved, but matters escalated during the first Covid-19 lockdown in March 2020. **Different neighbours had been invited to use The Noise App to submit recordings of incidents to Pobl and Carmarthenshire County Council's Environmental Health Team, as both public organisations subscribe to the app.**

Due to the impact the disturbances were having on them, the occupiers of the adjoining house approached Heddlu Dyfed Powys Police and requested a review of the case be undertaken using the community trigger provision in the Act.



Solutions

The purpose of the community trigger procedure is to give victims and communities the right to request a review of their case where the local threshold is met, and to bring agencies together to find a solution for the victim. The relevant threshold had been met and a meeting was held of representatives from Pobl, Carmarthenshire CC and the neighbourhood policing team, each providing an update on their involvement and the evidence catalogued.

To ensure the response to the community trigger request was appropriate, ASB Help chaired the initial review meeting. As a charity set up to provide support to victims of anti-social behaviour, their involvement was considered to be a positive step, providing an impartial overview of the roles and proposed actions to secure a reasonable and proportionate resolution.

Complaints of disturbance had been made to the police but attending officers hadn't witnessed problematic behaviour. **The Noise App records submitted to Carmarthenshire CC did not conclusively demonstrate the existence of conditions that were prejudicial to health, nor did they constitute a statutory nuisance.** Due to Covid-19 restrictions and associated risk assessments, the deployment of sophisticated noise monitoring equipment had not been possible.

However, when an environmental health officer assessed The Noise App recordings submitted to the council alongside those received by Pobl, it was agreed that noise-related ASB was occurring at unreasonable times, with significant regularity and for excessive duration. An action plan and protocols were agreed for ongoing liaison between the organisations, including arrangements for data sharing, identification of single points of contact within the teams, support for the victims, engagement with the perpetrator, progress review meetings, etc.

Achievements

Unfortunately the tenant failed to heed warnings and the disturbances continued. **An evidence file was compiled, with witness statements relying almost exclusively on records submitted via The Noise App.** A timeline of incidents was provided, along with electronic versions of the noise recordings, observations of the EHO who had assessed the submissions, and details of the impact the behaviour was having on neighbours. Once completed, Pobl applied for a civil injunction.

The application for the injunction was heard in Llanelli County Court in December 2020. The judge was satisfied that the evidential requirements were met and granted the injunction for a period of 12 months. In doing so, he prohibited the tenant from engaging in any behaviour likely to cause nuisance or annoyance to anyone living in the street on which the house was situated, and forbade the playing of music and any shouting, screaming or abusive language outside the property by the occupier or visitors.

Ongoing monitoring was arranged, alongside regular contact with the victims to determine whether any breaches of the injunction occurred.

In reviewing the case and the involvement of the various teams, it was agreed that it had been a positive experience. Once the full extent of the problems had been identified, the priority was protecting the victims by finding a swift and effective resolution. There was good collaboration and the lessons learnt have improved communications, helped to refine working practices and strengthened relationships between the organisations.

Conclusions

1 The statutory guidance is clear – the focus must be on putting victims at the heart of the response to anti-social behaviour.

2 The ASB case review / community trigger is a positive process that can facilitate the identification of solutions for victims.

3 The joined-up and collaborative approach promoted by the community trigger process can assist in strengthening relations between the agencies involved.

4 The collaborative principles fostered by the community trigger process should be embedded into working arrangements to promote multi-agency cooperation in problem solving.

5 The toolkit available for dealing with ASB problems is extensive. It must be embraced and the various powers utilised to deliver speedy resolution for victims.

6 Each case must be dealt with on its individual merits but selecting and using the appropriate intervention tool is vital – do the right thing!