REPORT ON NUISANCE NEighbours AND VULNERABLE PEOPLE

Report by: Directorate of Housing Services

Consultation (internal) - formally:

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PURPOSE

This report sets out background details and information on how the Council is responding to complaints of nuisance neighbours, with particular focus on the needs of vulnerable people and the impact on communities arising from anti-social behaviour.

RECOMMENDATION

That Committee notes the principal findings.

1 Executive Summary

Over the last two years the council has undertaken a number of initiatives which aim to tackle and prevent the occurrence of neighbour nuisance. Whilst persistent nuisance (such as noise nuisance) can ultimately be addressed through litigation it is also the case that the needs of vulnerable tenants require intervention by support services.

Lambeth has one of the highest rates of mental illness in London as well as a high level of deprivation and need. Many of those in housing need who apply to the Council for assistance are also affected by other issues, such as alcohol and drug abuse and mental health problems, increasing their vulnerability and overall complexity of their need.

This places an extra burden on social service provision and housing management, especially in relation to breaches of tenancy resulting from anti-social behaviour.

Many vulnerable people who are rehoused by the Council may subsequently be losing their tenancies due to lack of support and treatment resulting in greater need and social exclusion.

2. Context

2.1 Types of nuisance reported
It should be noted that the Anti-Nuisance Team was originally set up as the Nuisance Hit Squad in 1998. The main aim of the team was originally to take tough action against nuisance neighbours. It is only over the last 18 months that the team has begun to develop a more strategic approach to the problem and a closer link with the Community Safety Team. To back this up, a data base is being developed that will enable a more comprehensive analysis of nuisance complaints made in order to identify trends, hotspots etc.

By far the largest number of complaints made is for noise nuisance, in 2001/02, almost 70% of all complaints made concerned noise nuisance. In most cases the problem is resolved by writing a letter to the perpetrator of the nuisance making them aware of the problem they are causing. Housing and the Noise Control Service work closely together on noise nuisance cases, the Lambeth Mediation Service is also involved in resolving disputes without recourse to litigation.

There are relatively few cases where the nuisance caused is either persistent or serious enough to require legal action and ultimately eviction. In 2001/02, 912 nuisance cases where reported, leading to 21 evictions. The majority (70%) of cases leading to eviction resulted from criminal activity such as drug dealing and prostitution. However, It is more likely for a vulnerable tenant to be evicted for rent arrears than for nuisance, and once again tenancy support is crucial in avoiding the loss of tenancy in this way. Any household evicted for breach of tenancy (rent arrears or nuisance) are likely to be found intentionally homeless and therefore the Council will no longer have a duty to rehouse them.

Where the vulnerability of a tenant causing is nuisance is known, then resolution of the problem through litigation is not usually appropriate. Early intervention by the Housing Support Team, social services and other support agencies is essential. Due to closer working between the Housing Offices and the Housing Support Team this has improved, however greater joint working between Housing and Social Services needs to be further developed.

There is an issue concerning tenancies of vulnerable tenants being taken over by drug dealers and pimps, hopefully this will be alleviated through the present Communities Against Drugs (CAD) initiative against crack houses and the introduction of the Crack House Protocol. Both of which have highlighted the importance of support and treatment for people who have substance misuse problems.

Relatively few reports of racial harassment are made, 3.5% of complaints made since April 2002.

Reports of nuisance made against young people do feature quite highly (approximately 18% of complaints made since April 2002) and although there are a few cases, which give rise to concern, the majority are made against young people playing on estates. The main issue here is the lack of provision of youth facilities in many areas.
2.2 **Homelessness Duty**

It is extremely difficult to be totally accurate about the scale of the problem. However, in 2001/02 approximately 123 households were accepted as statutorily homeless with a mental illness, a rise of 25% over the previous year. The Council allocates, on average, 5 new tenancies each month to applicants assessed as vulnerable due to factors relating to their mental health. There are currently 123 homeless households in temporary accommodation with reported mental health needs.

Given the high incidence of mental illness in the borough it is reasonable to assume that significantly more existing tenants are also affected by mental illness.

Since April 2002 approximately 6% of complaints made against nuisance tenants were against those who were known to be vulnerable. Anecdotal evidence would suggest that the true figure is higher. It is those tenants whose vulnerability is unknown who are more likely to loose their tenancies because of lack of support. The identification of vulnerable tenants and residents is therefore extremely important.

Local authorities have a statutory duty to rehouse homeless vulnerable people. In the majority of cases where a single person is accepted as homeless there will be an issue concerning vulnerability. This means that many bedsit and one-bedroom properties are allocated to people who are vulnerable and require high levels of support.

Given the pressure on supply of social housing and the worsening position concerning the availability of affordable housing in London Boroughs an increasing number of single person properties in Lambeth are becoming occupied by vulnerable households.

Given the Councils’ statutory obligations it is difficult to resolve this problem save by ensuring that greater levels of support are provided to this client group so that they can retain their tenancies and become included into the community.

2.3 **The Housing Support Team**

The Housing Support Team provides support to vulnerable residents, the main objectives of the team are:

- **Assess Support Needs** – All new homeless applicants with a reported mental illness have their case automatically referred to the HST for a needs assessment and preparation of a ‘resettlement plan’. In 2001/02 the team dealt with 188 referrals of homeless people with a mental illness.

- **Arrange Housing and access to other services** – Where necessary the HST arranges specialist assessments and helps those with support
needs to access community based care/support services. The HST also
arranges for supported accommodation for those not able to manage
their own Council tenancy.

• **Resettlement Support** – The HST provides practical resettlement
  support to assist vulnerable homeless people to move into appropriate
  accommodation. As part of their resettlement plan, new tenants are
  supported for up to six months.

• **Tenancy Support** – Improvements in the housing management service,
  particularly in arrears control and nuisance management, has
  highlighted the need for effective housing support to those less able to
  manage and at risk of losing their home. Housing officers are able to
  make referrals to the team if the person is known to have special needs,
  In 2001/02 the HST dealt with 45 referrals of tenants with mental illness.
  Early intervention is known to be very cost effective in preventing
  evictions and 'revolving door' homelessness. It is estimated that each
  eviction costs the council £3000 in court cost, lost revenue etc. The links
  that the HST has with Social Services and other support agencies
  makes it a very useful resource for front line housing staff.

• **Hospital Discharge** – This is an increasingly important area, the HST
  assists discharge for homeless people with mental illness; providing a
  point of contact for local health trusts, social workers etc.

As the number of vulnerable persons housed by the Council increases
there will be resource implications for this team. The service is largely
funded by the HRA and there has been some growth funded from initiatives
such as CAD. From April 2003, the HST will be funded from the Supporting
People grant allocation.

2.4 **Initiatives**

A number of initiatives have been developed over the last two years which
aim to prevent the occurrence of nuisance and to deal with cases without
recourse to litigation.

• **Improved joint working and links with the Lambeth Mediation
  Service (LMS)**

There is a well-established referral scheme between housing offices and
the LMS. The cases referred are usually low level cases involving noise
nuisance, in 2000 the service had 150 referrals and assisted in resolving
76% of these cases.

• **Piloting of the ‘Good Neighbour Declaration’ at Cottington Close**

This scheme sets out a number of principles agreed by residents and their
representatives outlining how residents should behave and interact with
each other. It is a voluntary scheme and aims to compliment the council’s
tenancy agreement.
• **Introduction of Acceptable Behaviour Agreements**

Residents who have breached the terms of the tenancy on grounds of nuisance sign these agreements. They serve as a warning that if the action persists then legal action may be taken. The aim of these agreements is to deter further acts of nuisance.

• **Referral scheme for young people to Alcohol Counselling and Prevention Service’s (ACAPS) healthy lifestyles team**

This scheme enables housing officers to refer young people on estates, who have or are perceived to be causing a nuisance, to a specialist team for support. Following an assessment, ACAPS will develop a programme that will aim to encourage the young person to pursue a more positive lifestyle.

2.5 **Decent Homes**

Central Government has set a target that all homes are to reach a decent standard by 2010. This standard does not take into account the issue of nuisance and crime in its definition. This may have implications on the allocation of resources on the designing out of nuisance on estates, i.e. sound insulation.

The issue of designing out crime should, however, be covered by the statutory duties placed on Councils by section 17 of the 1998 Crime and Disorder Act.

4. **Legal Powers and Advice**

None

5. **Financial implications**

None

6. **Audit Trail**

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**CONSULTATION WITH OTHER OFFICERS/DIRECTORATES**

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7. **List of Background Documents**

None.