

# Tenant's Guide: Living in a Residential Area



# 1. Welcome to your new home

Welcome to your new home, we hope you will be comfortable, safe and happy for the duration of your Tenancy. Most student tenants are considerate residents who do not set out to upset their neighbours or give cause for complaint. However, given the high concentration of students living in some areas of Nottingham, many of whom have not lived in small groups before, there are occasions where behaviours cause disruption and disturbance to other residents.

As such, landlords, Nottingham City Council and the Universities and Colleges receive high volumes of complaints each year regarding nuisance behaviour, and, are regularly called upon to act and prevent nuisance becoming a recurring problem. This also includes growing numbers of complaints from students whose studies and home life are impacted by anti-social behaviour, specifically .

This guide aims to provide you with guidance on:

- Living in a residential area
- How to be a good neighbour
- What a statutory noise nuisance involves
- Controlling Anti-Social Behaviour and Enforcement
- Enforcement Options in Nottingham
- Landlord Liabilities and Enforcement
- How to report a noise nuisance

## 2. Living in a residential area

We recognise part of your student experience is the opportunity to live independently with your friends and enjoy a full and active student and social life. However before you get too involved in the 'party' scene, please take a few minutes to read this information. It could save everyone, including you, a lot of grief, trouble and potentially money.

In all Tenancy Agreements, there are rules and expectations around not causing anti-social behaviour. These will normally state that the Tenant should not do anything at the Property which is illegal or is a nuisance, disturbance or annoyance to other people in the neighbourhood and the Tenant will be responsible for the actions of anyone who is in the Property with the Tenant's permission.

As well as your Tenancy Agreement, within halls there are informal 'social' agreements about behaviour; no doubt you have either been involved in, or, been disturbed by, rowdy behaviour during your first year. This only generally disturbs other students in the building; however moving into a residential area has different expectations and responsibilities.

You should be aware of the area you are living in. Across Nottingham, there are areas with a high proportion of student housing, however these areas are residential, and are a mix of students, families and professionals. It is important to remember that you are now part of the local community and many residents will have different lifestyles and will want to eat, sleep, socialise and work at different times. Being part of the wider community is no different to what it is like when you return home; societal rules and expectations are the same.

Nottingham housing stock is very mixed so you should also be aware of the type of housing you are living in. Sound travels very differently in different buildings. Old style terraced housing tends to have thin partition walls and partitioned lofts, meaning sound travels easily between properties. Likewise living in flats, sound travels between floors but also via stairwells.

If you are living in a semi-detached property or a modern maisonette noise can still transmit easily. A common cause of a complaint is the slamming of doors. It is important to be mindful of your environment and check with your neighbours after a few weeks whether they are experiencing any problems. Having an early conversation can lead to better understanding and tolerance.

Sustained noise nuisance, disturbance or anti-social behaviours are external stressors and can have serious health implications; these can include changes to sleep patterns, memory concentration levels and behaviour, and, can cause physiological changes, such as higher blood pressure and cardiovascular problems.

**As a Tenant and an adult, it is your responsibility to ensure your behaviour and that of any visitors to your property does not negatively affect others.**

### **3. How to be a good neighbour**

Away from your student home you may live by a different set of accepted rules and norms. Living independently in student accommodation has the same rules and norms, whether you live on your own or in shared accommodation.

When you have deadlines or exams coming up you will expect to be able to study in peace and quiet. People have the same expectation in their homes; they are entitled to 'quiet enjoyment of their property.' Being a good neighbour is about being considerate to others. Below are some simple hints and tips to help you settle in:

- **Say hello, go and introduce yourself to neighbours.**
- Meet them face to face and if they are not in leave a note with a contact telephone number to ask the neighbour if there is a convenient time when you can call round and introduce themselves.



- Think about what you are doing and when you are doing it, e.g. do not put your washing machine on at 9pm.
- If you are having friends for drinks, let your neighbour know. If people are warned beforehand, they may be a little more tolerant to low-level noise. Remember, your idea of low-level noise may be very different to your neighbours.
- Make sure your guests are aware of your expectations; their behaviour is your responsibility.
- If asked to stop the noise, you should behave in a mature and considerate manner and comply. This avoids further complaints, escalation and the potential for confrontation. Being rude is a sure way of drawing additional and unnecessary attention to yourself and may escalate matters that **will have repercussions, i.e. disciplinary action and/or a legal warning.**
- Don't have people gathering outside your house at night, waiting for taxis, smoking or drinking. Lots of the complaints received are from what could be termed 'transient noise'. Some examples are: the noise of taxi doors slamming, group singing or even kicking a ball against walls on the way home. Other complaints concern littering by dumping cans and bottles in gardens and on streets and urinating in public places. You will be living in a Public Spaces Protection Order area which means alcohol consumed on the street will be confiscated and you could receive a fixed penalty. Try to remember that noise travels more at night when there is less background noise.
- Don't ignore the legislative framework about noise (see section 4), it is there for everyone's benefit and applies equally to everyone.

**Read on and make sure you know your responsibilities.**

## 4. What is a Statutory Noise Nuisance?

Anti-social behaviour (ASB) is any activity carried out by tenants or their visitors, which impacts negatively on the local community being a source of nuisance, annoyance or distress.

ASB can include the following behaviours, however this is not exclusive:

- Domestic noise – shouting, doors banging, loud music
- Build-up of rubbish – foul smells and overflowing bins
- Fly-tipping – irresponsible disposal of waste/large items in public areas
- Graffiti – Tagging, slogans etc are all classed as graffiti and have a huge, negative financial impact on communities

### **Waste and ASB**

A good number of ASB complaints received relate to waste and rubbish that has not been disposed of properly. Putting your bin out on the correct day and bringing it back in promptly can go a long way to resolving these issues.

**Find out your bin day:** <https://www.nottinghamcity.gov.uk/information-for-residents/bin-and-rubbish-collections/check-my-bin-collection-day/>

**Guidance on what to put in which bin:** <https://geoserver.nottinghamcity.gov.uk/myproperty/>

### **Parties, drinks, gatherings and ASB**

If you want to have a party this has to be within the realms of the law and within social and tenancy agreement expectations. Large-scale parties have the potential to cause serious nuisance to other tenants and residents within the locality. This can also lead to serious repercussions.

Parties, with professional sound systems are strictly prohibited and incidences of this will lead to further action being taken against tenants in the Property. Whatever type of social gathering you are planning think about how this may affect your neighbours.

Landlords, managers and agents who become aware of large-scale parties or other such activities likely to cause ASB to the neighbourhood are duty bound to report this immediately by calling 101.

Appropriate action is then taken by the Police, Council or the Universities to prevent the party from becoming a problem.

### **General Noise Nuisance**

Noise nuisance is not just about large all-night house parties and playing loud music. It can include loud music at any time, raised voices inside and outside the property, doors banging, practising a musical instrument, in fact any other avoidable noise.

Since the first lockdown as a result of the Coronavirus Pandemic in March 2020, many more people have been working from home. For many this has led to more stress. Trying to work from home and juggle family life has been challenging and dealing with noise nuisance has an additional negative impact on a person's wellbeing. Many students are also victims of noise nuisance. Many more incidents of noise nuisance have been reported at all times of day since March 2020.

During daytime hours, 07:00 – 23:00 noise should be kept to a reasonable level and not adversely affect others.

During night hours 23:00 – 07:00, no noise should be heard from outside the property.

Whilst 'reasonable' is subjective the key point here is that noise, and any other behaviours, should NOT affect others.

Each year there are high numbers of complaints regarding noise, the majority of which are resolved after a warning. For those who continue to create disturbance the issue will be escalated to:

- **Nottingham City Council Anti-Social Behaviour Team and/or the Nottingham City Council Community Protection team:** who have the power to prosecute, fine and remove any goods capable of making noise, including phones, laptops, sound systems, TVs.
- **Your University under the Student Code of Behaviour;** they have the power to issue fines and other sanctions and work closely with the Local Authority and Nottinghamshire Police to investigate any breaches of the Code both on and off campus.
- **The Police who have powers of arrest and prosecution.**

The Universities and Nottingham City Council have developed clear guidance for students about noise nuisance; what it is, how to ensure you are not part of the problem and how to get help if you are affected.

**Be aware that prosecution for the above can lead to a criminal record. This may affect your course and your future employability.**

### **Guidance from your University**

Check the guidance and make you sure, you know what is expected and acceptable and where to get help if needed.

### **Nottingham Trent University useful links:**

<https://www.ntu.ac.uk/your-ntu-your-experience>

### **NTU Student Code of Behaviour:**

<https://www.ntu.ac.uk/studenthub/my-course/student-handbook/student-code-of-behaviour>

### **NTU Student Charter:**

[http://www4.ntu.ac.uk/current\\_students/document\\_uploads/87328.pdf](http://www4.ntu.ac.uk/current_students/document_uploads/87328.pdf)

### **University of Nottingham useful links:**

**Living in the Community Guides:** <https://www.nottingham.ac.uk/currentstudents/yourcommunity/living-in-the-community/livinginthecommunity.aspx>



<https://www.nottingham.ac.uk/currentstudents/yourcommunity/living-in-the-community/respect-your-community.aspx>

**University of Nottingham Code of Discipline:** <https://www.nottingham.ac.uk/currentstudents/documents/student-code-of-discipline.pdf>

## 5. Public Space Protection Order

### Public Space Protection Order

Introduced under the Anti-social Behaviour, Crime and Policing Act 2014 (the Act) Public Spaces Protection Orders (PSPOs) are intended to deal with a problem in a particular area that is detrimental to the local community's quality of life.

This places conditions on the use of that area, which apply to everyone. They are designed to ensure the law-abiding majority can use and enjoy public spaces, safe from anti-social behaviour.

PSPOs can cover all types of anti-social behaviour and a number of these are in operation across Nottingham. To check how your area has one in place please see the following link:

**<https://www.nottinghamcity.gov.uk/information-for-residents/community/community-protection/public-spaces-protection-orders/>**

## 6. Possible Enforcement Actions

Whilst it is hoped that tenants are responsible and respectful, there is a small minority of tenants who feel legislation, tenancy expectations and social responsibility are not relevant to them. The Council have a range of enforcement options that are used to tackle ASB, and will take action against those who cause or permit problems to arise in connection with their property.

**The Anti-Social Behaviour, Crime and Policing Act 2014 (the "Act")**, provided tools and powers to Councils, the Police and partner agencies to tackle ASB. The reforms contained within the Act were designed to put victims at the heart of the response to ASB and to give those agencies that have responsibility for tackling such behaviour the flexibility they need to deal with any given situation.

We recommend you read on and understand your responsibilities and the potential consequences of continued, disrespectful behaviours.

### **Community Protection Notices (CPNs)**

Before a CPN can be issued, the subject will be given a written warning stating that a CPN will be issued unless their conduct ceases to have the detrimental effect that has been reported. A CPN will then be issued where the effect continues to be **persistent, unreasonable** and is having a **detrimental** effect on the quality of life of those in the locality.

A CPN can require a person to stop doing something (such as stop making a noise) and/or require the recipient to do something (such as clear accumulated waste from their garden).

**Breach of a CPN is a criminal offence. It may result in the offender being issued with a Fixed Penalty Notice or being prosecuted.**

### **Civil Injunctions**

A Civil Injunction is a formal court order that can be used to tackle more serious and/or persistent cases of ASB. The Council, Police or a social housing provider may apply for an injunction against any person who is aged 10 years or over, where that person has engaged or threatens to engage in ASB.

**Breach of an injunction is a contempt of court and carries a possible prison sentence.**

### **Closure of Premises**

The Act allows the Council and/or the Police to seek to close premises that are connected with nuisance and disorder. There are two stages to Closure – a Closure Notice followed by a Closure Order.

**A Closure Notice** can be issued by the Council or the Police to any property identified as having already caused or is likely to cause a nuisance to others. They do not need to apply to the courts for a court order to do this.

A Closure Notice can last for a maximum of **48 hours** and it can close premises to everyone **except** those who habitually live on the premises and/or the owner of the premises.

Once a Closure Notice is issued, an application must be made to the Magistrates Court for a Closure Order and this application must be heard within 48 hours **or** the Closure Order must be cancelled.

**A Closure Order** can be for a maximum initial period of 3 months, although this can be extended to a maximum of 6 months in certain circumstances. It can exclude **ALL** persons from the premises including the owner.

**Breach of Closure Notices and Closure Orders are both criminal offences and can be punishable by fine and/or imprisonment.**

The Council will also seek longer term Closure Orders in respect of premises that repeatedly cause serious nuisance to others in the neighbourhood and these would obviously have a significant impact on both Landlords and their tenants.

## **7. Landlord Liabilities and Enforcement**

Your landlord will have certain obligations under the law to deal with anti-social behaviour that is occurring at one of his or her properties. One off anti-social behaviour and noise issues are typically managed through action taken with the tenants. There are certain circumstances when a landlord could be liable for the anti-social behaviour of their tenants and legal action may be pursued by Nottingham City Council and Nottinghamshire Police.

In conclusion, legal and enforcement action can be taken against landlords in the form of Community Protection Notices; revocation of an HMO License and obtaining a Closure Order, (all detailed above). It is therefore important to work with your landlord to resolve issues.

## 8. How to report a Noise Nuisance

ASB may be reported by:

Calling the Community Protection Service Centre on 0115 915 2020  
(Monday to Friday 8am to 5pm)

If you are affected by domestic noise outside of these hours, call the Police non-emergency number 101.

Further information about reporting anti-social behaviour can be found on the Council's website at:

**[nottinghamcity.gov.uk/information-for-residents/community/community-protection/reporting-antisocial-behaviour/](https://nottinghamcity.gov.uk/information-for-residents/community/community-protection/reporting-antisocial-behaviour/)**

## 9. Conclusion

In conclusion, this information is to enable you to have a quiet and peaceful year in your accommodation without concerns or confrontations.

We have provided you with clear information about legislation, tenancy agreements and expectations and your social responsibility. We hope you have found this useful and you understand the need for all residents in Nottingham to be considerate and respectful.

The next page provides you with useful contacts and sources of information.

Have a peaceful and enjoyable year.

## 10. Useful Contacts:

### **Nottingham Trent University**

#### **Community Liaison team**

email: [communityliaison@ntu.ac.uk](mailto:communityliaison@ntu.ac.uk)

#### **Nottingham Trent Students' Union Information and Advice Service**

website: <https://www.trentstudents.org/ias>

email: [sac@su.ntu.ac.uk](mailto:sac@su.ntu.ac.uk)

### **University of Nottingham**

#### **Neighbourhood helpline**

Messages are dealt with promptly, but this is not an emergency helpline.

0115 846 8666

[offcampus@nottingham.ac.uk](mailto:offcampus@nottingham.ac.uk)

### **Nottingham City Council**

[www.nottingham.ac.uk/yourcommunity](http://www.nottingham.ac.uk/yourcommunity)

Students Union Advice: <https://su.nottingham.ac.uk/advice>

Information on different types of Anti-Social Behaviour:

<https://www.nottinghamcity.gov.uk/information-for-residents/community/community-protection/reporting-antisocial-behaviour/>

Community Protection information:

<https://www.nottinghamcity.gov.uk/information-for-residents/community/community-protection/>