

Information Sheet

7 Neighbours

This information sheet explains how to deal with some of the problems that can occur between neighbours. It also gives advice on how to be a better neighbour.

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Most people live very close to their neighbours. We all have different tastes, lifestyles, routines and tolerance levels. Despite this, we generally get on very well.

Below are some ideas for how you can improve your relationship with your neighbours.

- Invite your neighbour round for a cup of tea – it's good to know who your neighbours are.
- If you have lived in the area for many years, people who are new to the area may be interested to hear what it was like in the past.
- When you get to know your neighbours, and you think you can trust them, you could think about leaving your spare key with them and offer to take theirs, in case either of you lock yourselves out.
- Check to see that your neighbour is okay.
- If you can, offer to do any shopping or run errands if your neighbour is unwell.
- Take in parcels or milk left on the doorstep. It stops them from being stolen or highlighting the fact that no one is in.
- Offer to draw the curtains and put the lights on when your neighbour is away.
- Offer to help out with child minding, babysitting or dog walking.
- Be approachable and let your neighbour know that they can come and talk to you about any problems that affect you both.
- Join your local Neighbourhood Watch group. For more information contact the National Neighbourhood Watch Association. See page 14 for the address.
- Get to know your local Neighbourhood or Street Warden. To find out if there is a warden in your area contact the Neighbourhood Renewal Unit. See page 14 for the address.

Of course not all these ideas are suitable for everyone. Perhaps you are finding it difficult to build a good relationship with your neighbour. The rest of this information sheet looks at the kind of problems we can have with our neighbours; and how to deal with them.

Common problems

Problems can flare up between neighbours. Unwanted noise is one of the most common causes of complaint along with disputes over things like shared driveways, high hedges and problems with groups of children or pets. This section looks at some of the issues that can flare up, how to deal with them and how to avoid creating them yourself.

Noise

We all have different likes, dislikes and sensitivities to sounds. Your next-door neighbour may not be able to hear as well as she used to. It may sound to you as if she has the television turned up full blast. The sound of your washing machine on a long spin might not affect you, but to the man in the flat below it could sound as if the washing machine is coming through the floor!

Some noise can't be helped, because our homes are not insulated well enough to cut out the sounds of everyday life, but there are some things you can do to keep your noise levels down.

- Keep the volume of CD or tape players, radios and the television as low as possible, especially at night, or you could try wearing headphones.
- If you have to turn up the radio or television more than you used to, this may be due to hearing loss. Help the Aged produces an advice leaflet called *Better Hearing* that gives advice on hearing in later life, hearing aids and special equipment.
- Close doors gently.
- If you play a musical instrument, do not practice late at night or early in the morning.
- Place fridges, freezers, televisions and speakers away from shared walls.
- Use washing machines, vacuum cleaners and other noisy appliances during the day.
- Do noisier DIY jobs during the day.
- Try to buy the quietest available appliances or equipment.
- Try to make sure that your dog does not bark for long periods at a time.
- Let your neighbours know in advance if you plan to have a party or lively children to visit.
- Try to warn your neighbours before beginning noisy activities and give them an idea of when the noise will end. Restrict making noise to more

reasonable times such as between 8am and 7pm weekdays and 10am and 5pm at weekends.

- If you're going to be away try and make sure a keyholder to your home can be contacted if your burglar alarm goes off.
- Make sure your burglar alarm is regularly serviced.

Other problems

Other tensions between neighbours can be caused by arguments over things like boundaries, parking space, hedges and trees or problems with local children and pets. Sometimes the person responsible is simply not aware of the upset they are causing. In other cases you might be facing deliberate harassment or intimidation.

Below are some ideas of how you can help to avoid causing problems in your neighbourhood.

- Try to be tolerant and understanding.
- If you are thinking about building on your property, check first whether or not you need planning permission.
- Check your title document or lease to see if you are responsible for any repairs or maintenance, where the boundaries to your property are and if anyone else has access rights.
- If you want to build a bonfire check the title document or lease of your property and local bye-laws to see if there are any restrictions. Warn neighbours with washing outside and take care that your bonfire is not particularly smoky or smelly.
- Try and keep hedges and trees on your property trimmed. If a tree overhangs into a neighbour's property this could be considered a legal nuisance. For other examples of what could be regarded as a statutory nuisance see page 7.
- Bear in mind that unless there are local parking restrictions residents do not have an automatic right to park in a particular spot.
- If a child throws a ball into your garden, you should give it back or allow it to be collected. Even though it is a trespass for a ball to cross your boundary, it is better to deal with it in a friendly way.
- Try not to put off repairs; dry rot for example may spread and damage your neighbour's property. For information on the financial and practical help that is available, see our information sheet no. 4 *Home Repairs and Improvements*.

How to resolve problems that do come up

It is worth attempting to resolve most problems informally through talking to your neighbour or trying mediation. This is often the best way to find a solution and ensure a better relationship with your neighbours in the future.

It is a good idea to keep a written log of the times you are disturbed by your neighbour. This will help you to see how often the disturbance happens and could be useful if you need to take formal action in the future. Keep a copy of any correspondence between you and your neighbour about the problem.

Talking to your neighbour

The first thing you should do to try and solve any problems between you and your neighbour is to talk to them. They may not realise that their actions are bothering you and will often be happy to try and sort things out. It is better that your neighbour is told by you that something is wrong, rather than overhearing you complaining or being told by someone else.

- Try and tackle the problem at an early stage.
- Choose a good time to talk to your neighbour.
- Think about what you want to say.
- Be calm and polite.
- Accept that people are different.
- Explain simply what the problem is and how it is affecting you.
- Remember to listen to your neighbour's point of view.
- Try not to jump to conclusions - you could be wrong about the reasons for your neighbour's behaviour.
- If you have previously got on well with your neighbour, tell them that you want to get back to being on good terms.
- Try and be positive and to compliment your neighbour if they have tried to deal with your concerns.

If you are unable to speak to your neighbour, you could try writing them a polite letter, but bear in mind that they may dwell on the wording, so think carefully about what you say.

Only approach your neighbour directly if you are happy that it is safe to do so. If your neighbour is likely to be aggressive or violent see the section on anti-social behaviour on page 9.

Mediation

If talking to your neighbour does not work or you find it too difficult or confrontational, you might like to try mediation. This is a way of solving disputes between neighbours by helping them come to a compromise.

Mediation is useful because it helps neighbours to stay on good terms with each other. The mediation usually takes place on neutral ground and is carried out by trained mediators, who do not take sides. The process generally takes between one to two hours and everyone has a chance to speak without being interrupted. The service is normally free of charge.

For information on how to find a mediation service in your area, see the 'useful contacts' section on page 10.

Other methods of resolving disputes

If you can't resolve the problem by talking to your neighbour or through mediation, there are other steps you can take.

Complain to the landlord

If the person causing a nuisance rents their property, you could contact their landlord. All landlords, both council and private, have powers to take action against tenants who break their tenancy agreements. This could include taking out an injunction (or interdict in Scotland) which requires the nuisance to be stopped, whilst letting the person stay in their home.

Local councils and housing associations can ask the court to attach the power of arrest to an injunction or interdict if there is violence or the threat of violence involved.

Landlords have the power to evict tenants who won't stop being a nuisance.

Contact your local environmental health department

To make a complaint about a nuisance, including unwanted noise, contact your local environmental health department. Your local council must investigate your complaint to see if a 'statutory nuisance' is taking place.

The environmental health officer can only act if they are able to say that the noise or other problem is a nuisance to the 'average' person.

In terms of noise, a statutory nuisance is defined as 'noise emitted from premises so as to be prejudicial to health or a nuisance'.

Other examples of statutory nuisance could include a neighbour repeatedly allowing their dog to foul in the street without cleaning it up or dumping rubbish in someone else's garden.

First of all they may try to solve the problem informally. If this doesn't work and they are sure that a statutory nuisance is taking place they may issue an abatement notice. The notice is served on the person causing the nuisance. For example, if the person is making too much noise the notice may require the noise to be stopped or limited to certain times of the day. If the person does not do this, they are committing an offence and can be fined up to £5,000 with a further fine of up to £500 for each day the offence continues after they have been convicted.

Local councils also have powers to enter premises to stop a noise nuisance. For example they can do this to turn off burglar alarms and remove equipment causing a statutory nuisance.

To find the number of your local environmental health department, look in your phone book.

Contact your local planning department

If you think that your neighbour has broken planning regulations, for example with an extension to their house, you should contact the local planning department. You can check whether planning permission was applied for in the first place and if the terms and conditions of the planning permission have been kept. If there has been a breach the local council has the power to issue an enforcement notice and can prosecute someone who ignores an enforcement notice.

Look in the phone book to find the number of your local planning department.

Check the paper work

Many disputes between neighbours are over access rights, boundaries and related responsibilities, for example who should repair fencing. Checking relevant documents such as the title document or lease can solve these problems by making it clear what the responsibilities of the householders are. To check your own responsibilities have a look at your title document or lease.

If you want to find out about another property you can get a copy of the register entry from the Land Registry (England and Wales), Registers of Scotland (ROS) or Northern Ireland Land Registers (LRNI), but you will have to pay a fee.

Look in the phone book under 'Land Registry' to find your local office or, in Scotland, contact the register of Scotland at:

Edinburgh Customer Services

Erskine House
68 Queen Street
Edinburgh EH2 4NF
Tel. 0845 607 0161

Glasgow Customer Service Centre

9 George Square
Glasgow G2 1DY
Tel. 0845 607 0164

Get a solicitor's letter

If your neighbour is not taking your dispute with them seriously you could consider sending them a solicitor's letter. This may help them to realise that the next steps in your dispute could be quite serious, unless they stop their unwanted behaviour. For a list of solicitors in your area you can look in the phone book, contact your local Citizens Advice Bureau or phone the Law Society on 0870 606 6575 if you are in England and Wales. In Scotland call the Law Society of Scotland on 0845 113 0018. In Northern Ireland contact the Northern Ireland Legal Services Commission on 028 9040 8888.

Call the police

Call the police if you think that a crime is being committed, for example if there is a breach of the peace or if someone is violent. Calling the police may be necessary as it can help your neighbour to see that their behaviour is unreasonable. But bear in mind that this could reduce the chance of being able to solve the problem less formally. Remember that the police are very busy, so avoid calling them over trivial matters.

Complain through the courts

You can also take action yourself through the courts, either by complaining to the magistrates or sheriffs court or by taking civil action under common law.

Information on how to go about this and general information on dealing with noise nuisance, is contained in leaflets published by the government. See contact details on pages 11 and 12.

Anti-social behaviour

Some neighbour problems are more serious than simple lack of consideration or differences of opinion and may fall into the category of 'anti-social behaviour'. Examples of anti-social behaviour in the community include:

- verbal abuse
- vandalism, including graffiti or damage
- drug abuse and drug dealing
- intimidation and harassment (including racial harassment)
- violence or threats of violence
- abusive behaviour intended to cause fear or distress
- persistent noise
- persistent rubbish dumping.

If you are a victim of anti-social behaviour **you do not have to put up with it**. There are a number of things that can be done to try and get the behaviour stopped.

- If you are the target of anti-social behaviour from your neighbours, their visitors or other people in the local community, your local council or the police may be able to get a court order to stop them. They can start a criminal prosecution if the behaviour is a criminal offence.
- If the people who are carrying out the anti-social behaviour live in rented property, the landlord may be able to take other action including eviction.

For further information on how to deal with anti-social behaviour contact your local council or visit your local CAB. You can make a complaint to your local council if you are unhappy with the way they have dealt with your problem. If, after this, you are still not satisfied you can contact your Local Government Ombudsman.

Any crime committed against you, including incidents of harassment or violence, should be reported to the police.

Useful contacts

There is a lot of information and advice available on dealing with problems with neighbours, so you don't just have to put up with it. Some organisations that may be able to help you are listed below.

Mediation

If you want to try and resolve your dispute through mediation, contact the relevant mediation agency.

England

Mediation UK

Alexander House

Telephone Avenue

Bristol BS1 4BS

Tel: 0117 904 6661

Web: www.mediationuk.org.uk

Wales

Mediation Wales

42 Charles Street

Cardiff CF10 2GE

Tel: 029 2022 9955

Web: www.mediationwales.org.uk

Scotland

Sacro

1 Broughton Market

Edinburgh EH3 6NU

Tel: 0131 624 7270

Web: www.sacro.org.uk

Northern Ireland

Mediation Northern Ireland

83 University Street

Belfast BT7 1NT

Tel: 028 9043 8614

Web: www.mediationnorthernireland.org

Noise

The government departments that deal with the environment in each UK nation produce advice leaflets on noise problems.

England

Bothered by Noise? There's no need to suffer produced by the Department for Environment, Food and Rural Affairs (DEFRA).

DEFRA Publications

Admail 6000

London SW1A 2XX

Tel: 08459 556000

Web: www.defra.gov.uk

Wales

Sound advice on noise: don't suffer in silence produced by the National Assembly for Wales.

Environment Protection Quality Division

Welsh Assembly Government

Cathays Park

Cardiff CF10 3NQ

Tel: 029 2082 3499

Web: www.wales.gov.uk

Scotland

Air Quality Team

Environment Group

Scottish Executive

1 G Dockside

Victoria Quay

Edinburgh EH6 6QQ

Tel: 0131 244 7621

Web: www.scotland.gov.uk

Northern Ireland

Bothered by Noise? There's no need to suffer produced by Department of the Environment, Northern Ireland.

Air and Environmental Quality Unit

Department of Health

4th Floor

20-24 Donegall Street

Belfast BT1 2GP

Tel: 028 90 544573

Web: www.ehsni.gov.uk

Barking dogs

If you want to complain about barking dogs contact your local environmental health department.

If you would like advice on how to stop your dog from constantly barking, you could contact the following organisations:

The Association of Pet Behaviour Counsellors

PO Box 46

Worcester

WR8 9YS

Tel: 01386 751151

Web: www.apbc.org.uk

RSPCA Enquiries Service

Wilberforce Way

Southwater

Horsham

West Sussex RH13 9RS

Tel: 0870 333 5999

Web: www.rspca.org.uk

Other organisations who can advise on noise

National Society for Clean Air and Environmental Protection

44 Grand Parade

Brighton BN2 9QA

Tel: 01273 878770
Web: www.nasca.org.uk

The Noise Abatement Society

44 Grand Parade
Brighton BN2 9QA
Tel: 01273 682223
Web: www.noiseabatementsociety.com

Organisations that can help if you have been harassed

Victim Support

Cranmer House
39 Brixton Road
London SW9 6DZ
Tel: 020 7735 9166
Helpline: 0845 303 0900
Web: www.victimsupport.org.uk

Victim Support Scotland

15/23 Hardwell Close
Edinburgh EH8 9RX
Helpline: 0845 603 9213
Web: www.victimsupportsco.demon.co.uk

Crime Concern

Beaver House
147-150 Victoria Road
Swindon
Wiltshire SN1 3UY
Tel: 01793 863500
Web: www.crimeconcern.org.uk

Commission for Racial Equality

St Dunstan's House
201-211 Borough High Street
London SE1 1GZ
Tel: 020 7939 0000
Web: www.cre.gov.uk

Other useful organisations

National Neighbourhood Watch Association

Room 1, Hatfield Annexe
c/o Hatfield Police Station
16 St Albans Road East
Hatfield
Hertfordshire AL10 0EL
Web: www.neighbourhoodwatch.net

Neighbourhood Renewal Unit

Department for Communities and Local Government
6th Floor, 6/G9, Eland House
Bressenden Place
London SW1E 5DU
Tel: 08450 82 83 83
Web: www.neighbourhood.gov.uk

For information on how to deal with problem hedges contact **Hedgeline** on 0870 240 0627 or visit <http://freespace.virgin.net/clare.h/index.htm> For a list of approved contractors for pruning or removal of hedges and trees contact:

The Arboricultural Association

Ampfield House
Romsey
Hampshire SO51 9PA
Tel: 01794 368717
Web: www.trees.org.uk

Ombudsmen

England

Local Government Ombudsman

10th Floor
Millbank Tower
Millbank
London SW1P 4QP
Tel: 0845 602 1983
Web: www.lgo.org.uk

Wales

The Public Services Ombudsman for Wales

1 Ffordd yr Hen Gae

Pencoed CF35 5LJ

Tel: 01656 641150

Web: www.ombudsman-wales.org.uk

Scotland

Scottish Public Services Ombudsman

4 Melville Street

Edinburgh EH3 7NS

Tel: 0800 377 7330

Web: www.scottishombudsman.org.uk

Northern Ireland

Northern Ireland Ombudsman

Freepost BEL 1478

Belfast BT1 6BR

Tel: 0800 343424

Web: www.ni-ombudsman.org.uk

For further information contact:

Information Resources Team
Help the Aged
207-221 Pentonville Road
London N1 9UZ
Tel: 020 7278 1114

If you have access to the internet you can download our advice leaflets and information sheets by logging on to www.helptheaged.org.uk

SeniorLine is the free welfare rights advice and information service run by Help the Aged for older people and their carers. Trained advice workers offer free, confidential and impartial advice about:

- Welfare and disability benefits
- Community and residential care
- Housing options and adaptations
- Access to health and community services
- Equipment to assist independence
- Support for carers
- Agencies offering local practical help

Freephone: **0808 800 6565** (**0808 808 7575** if you are calling from **Northern Ireland**)

Textphone (Minicom): **0800 26 96 26**

9am to 4pm, Monday to Friday

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