

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 Leeds, 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, Leeds City Council and the City's 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 includes growing numbers of complaints from students too whose studies and home life are impacted by noise nuisance.

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
- Public Space Protection Order
- 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 Leeds, 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 local 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 when you return home; societal rules and expectations are the same.

Leeds 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/back to back 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.

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

When you live at home with your parents or partners, you live by a 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 of others. Below are some simple hints and tips to help you settle in:

- Say hello, go and introduce yourself to neighbours.
- Ask them face to face and if they are not in leave a note with a contact telephone number so they can get in touch if there is a problem.
- Think about what you are doing and when you are doing it, e.g. if you live in a top floor flat, 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.
- 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 at getting yourself sent to disciplinary or getting a legal warning.
- Don't have people gathering outside your house at night, waiting for taxis, smoking or drinking. 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?

Noise nuisance is any noise that negatively affects others. In Leeds the Anti-social Behaviour Team at Leeds City Council use the Environmental Protection Guidance that considers the following factors to determine if the noise is unreasonable or excessive:

- Time of day
- Volume of the noise
- Persistence of the noise
- Source/cause of the noise
- Ability for the sound to be controlled

Some people are also more sensitive to noise nuisance than others, (for example, the elderly, people who are unwell and families with young kids).

Find out who your neighbours are and whether they are more sensitive to noise. It is important to keep all noise at a 'reasonable' level.

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

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.

Most complaints that landlords receive regarding noise are resolved after a warning. For those who continue to create disturbance the issue will be escalated to;

- **Leeds City Council Anti-Social Behaviour Team:** who have the power to prosecute, fine and remove any goods capable of making noise, including phones, laptops, sound systems, TV's.
- **Your University under the Student Code of Conduct;** they have the power to issue fines and other sanctions.
- **West Yorkshire Police who have powers**

Noise nuisance becomes a criminal offence when an abatement notice is breached, and any students involved, could face legal action from Leeds City Council and/or disciplinary action from their University.

Large-scale parties, in homes, garden and public spaces, with professional sound systems are strictly prohibited; incidences of this will lead to further action against the students in the property. Legal and enforcement action can be, and is, taken for one-off house parties or frequent disruptive noise.

The Universities and Leeds 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.

Take a look at the guidance and make you sure you know what is expected and acceptable and where to get help if needed.

University of Leeds guidance: https://students.leeds.ac.uk/info/10410/your_time_in_leeds/1261/avoiding_noise_complaints

Leeds Beckett University: <https://www.leedsbeckett.ac.uk/about-our-university/community-relationships/>

Leeds City Council guidance: <https://www.leeds.gov.uk/residents/environmental-health/noise-nuisance>

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



5. Public Space Protection Order

As of 1st July 2020, Leeds City Council have introduced a Public Space Protection Order (PSPO), which covers Headingley and Hyde Park; Weetwood; Little London and Woodhouse.

The PSPO provides additional powers to prohibit certain behaviours in public spaces and, take enforcement action if needed. Continued failure to comply with the requirements of the PSPO could result in further action, which may include a fixed penalty notice, or action through the courts. Prohibited and enforceable behaviour includes:

- **Anti-social behaviour and criminality.** Anti-social behaviour is defined as **'behaviour by a person, which causes, or is likely to cause, harassment, alarm or distress to persons not of the same household as the person'**. This includes using abusive language towards others, damaging property (including graffiti) and shouting in the street. Criminality is any act which, contravenes the law.
- **Noise nuisance, gatherings of two or more people and parties in residential streets and local parks.** This prohibits large gatherings in public spaces. If you do have a party, your guests must be within your property and not in the public space of the street. Guests in outside areas, such as gardens must be mindful of the legislative requirements and noise must be kept to a 'reasonable' level.
- **Leaving bins and bags of waste on streets and public spaces (From Autumn 2020).** As the Tenant, it is your responsibility to ensure your waste is contained in the correct bin. Bins should be put out on the day of collection and returned to within your property boundary afterwards. To prevent vermin, you must not leave bins or bags of rubbish on the street.
- **Being in possession of, and consuming alcohol and using psychoactive substances in public spaces.** You must not use any substances or drink alcohol in public areas: you must **NOT** take or allow others to take any substances in the property. Instances of this will be reported directly to the relevant authorities.

A breach of a PSPO is a criminal offence that can result in a fine or prosecution. Whilst this may feel authoritative, the aim of the PSPO is to promote and enable a safer, cleaner and more pleasant environment for all Leeds residents.



6. Reporting Noise Nuisance

It is true that students are as likely to be victims of noise nuisance as any other members of the community. You have the same rights and expectations when it comes to living in your community and it is widely accepted that it is only a small percentage of students who cause an issue. If you would like to report a problem you can do so through the contact information in section 9.

7. Landlord Liabilities and Enforcement

Your landlord will have certain obligations under the law to deal with anti-social behaviour that is resulting from one of his or her properties. One off antisocial 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 antisocial behaviour of their tenants and legal action may be pursued by Leeds City Council and West Yorkshire Police.

Legal and enforcement action can be taken against landlords in the form of Community Protection Notices; Revoking an HMO License and obtaining a Closure Order.

It is therefore important to work with your landlord to resolve issues.

8. In 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 Leeds to be considerate and respectful. The next page provides you with useful contacts and sources of information.

9. Useful Contacts

University of Leeds Guide to Living in Leeds: https://students.leeds.ac.uk/info/10410/your_time_in_leeds

University of Leeds Guidance on Noise Nuisance: https://students.leeds.ac.uk/info/10410/your_time_in_leeds/1261/avoiding_noise_complaints

Leeds Beckett University on Community Relationships: <https://www.leedsbeckett.ac.uk/about-our-university/community-relationships/>

Leeds City Council guidance on Noise Nuisance: <https://www.leeds.gov.uk/residents/environmental-health/noise-nuisance>

Contact Leeds Universities Neighbourhood Helpline:

By telephone (24hr voicemail service): 0113 343 1064

By Email: neighbourhood.helpline@leeds.ac.uk

By Web: <https://sustainability.leeds.ac.uk/neighbourhood-helpline/>

Leeds City Council Anti- Social Behaviour Team:

By Tel: 0113 376 0337.

By Email: LASBT@leeds.gov.uk