

# Anti-social behaviour

This leaflet will explain what you can do if you experience anti-social behaviour from your neighbours.



## What is anti-social behaviour (ASB)?

ASB is defined as: Behaviour by a person which causes or is likely to cause harassment, alarm or distress to one or more persons not of the same household as the person. Conduct includes speech; and a course of conduct must involve conduct on at least two occasions.

### **Anti-social Behaviour etc. (Scotland) Act 2004**

Anyone can be a victim of ASB, regardless of age, race or gender.

### **Anti-social behaviour can include serious criminal incidents such as:**

- drug dealing
- violence and threats of violence or intimidation
- racial and homophobic harassment and abuse
- criminal damage to property
- alcohol related nuisance
- verbal abuse to neighbours or Riverside Scotland colleagues and contractors

### **Other examples of anti-social behaviour:**

- graffiti
- fly tipping
- persistent loud music, arguing and shouting
- groups of people being noisy
- pet noise and dog fouling

**As a Riverside Scotland tenant you must make sure that you, your household and any of your visitors do not cause nuisance or annoyance to your neighbours. Your tenancy agreement explains your responsibilities further.**

## What can I do when problems start?

Many incidents that aren't very serious can be easily resolved by discussing the effects of the behaviour with the person causing the nuisance. A good neighbour should be reasonably tolerant and understanding of the different lifestyles and cultures of others. Not everything that disturbs you is anti-social behaviour. Sometimes you may be able to hear day to day household noise or children playing. This kind of noise is not usually deliberate, and it is unlikely that Riverside Scotland would get involved.

## How do I report ASB?

Initially we recommend speaking to your neighbour as this can often be the quickest way to resolve any issues. If the issue continues after you have spoken to your neighbour, please report it to Riverside Scotland in one of the following ways:

- call or email your Tenant Partner directly
- by telephone to our CSC on **0345 112 6600**
- by email: **info@riversidescotland.org.uk**
- in writing

## When should I contact the police?

Any criminal behaviour should be reported to the police straight away, especially if you do not feel safe. Call **999 if the problem is an emergency** or call **101 for non-emergencies or crimes that have already happened.**

The police have powers to deal with anti-social behaviour such as verbal or physical assault, criminal damage, harassment, drug dealing and disorderly behaviour.

When you speak to the police ask for a serial or crime number, write it down and advise your Tenant Partner.

## What will Riverside Scotland do when I report ASB?

We treat all reports of anti-social behaviour seriously and will use the appropriate action to resolve it sensitively. We will keep you informed of any action that we are taking. However, we cannot reveal confidential information to you.

We will consider taking action where there is sufficient evidence of unacceptable behaviour either by people who live in our properties or their household members and visitors. We will ask for your details and some questions about what has happened. If a crime has taken place we will ask if you have reported it to the police and if you haven't, we'll ask you to report it.

We will investigate the ASB and aim to contact you within 48 hours at most, or sooner if it is a serious problem to let you know what steps we will take, and if we can take action to resolve the situation.

During our investigation we may interview other witnesses and speak to the police or other agencies involved. We will keep you informed about any action we are taking and if we are not able to take any further action we will discuss this with you.

Sometimes there is not enough evidence to take any action e.g. no other witnesses, one on one complaints or clashes of lifestyle, and if this is the outcome we will discuss this with you before closing the case. In cases like this we may recommend neighbours engage in mediation to discuss and agree resolutions to minimise further issues.

## **Steps Riverside Scotland can take to deal with anti-social behaviour/ neighbour disputes:**

- Contact all parties to gather information
- Mediate between parties
- Contact Police Scotland to obtain police reports if an incident has been reported
- Issue warning letters
- Discuss and agree acceptable behaviour contracts
- Issue unacceptable behaviour contracts
- Work with agencies to aid and support
- Refer to Victim Support for further specialist support
- Change tenancy to a Short Scottish Secure Tenancy
- Apply for an Anti-social Behaviour Order
- Apply for an interdict to prevent certain behaviour
- Support applications for re-housing
- Eviction is the last resort and would only be taken when there is sufficient evidence to show all other attempts to stop the behaviour have been exhausted. When considering legal action advice will be taken from our Solicitors.

## **What we cannot do:**

- Evict or move someone from their home unless there is ongoing neighbour disputes with sufficient or corroborated evidence of them being a perpetrator
- Deal with social media disputes between neighbours
- Take action when there is no evidence from a third party to support the complaint.

## What else can I do?

Below are some other agencies that can give you advice and may be able to investigate the issue:

### North Ayrshire

#### North Ayrshire Council Helpline

01294 310000

contact us [@north-ayrshire.gov.uk](mailto:@north-ayrshire.gov.uk)

#### Anti-social Behaviour Investigation Team (ASBIT)

01294 314640

[ASBIT@north-ayrshire.gov.uk](mailto:ASBIT@north-ayrshire.gov.uk)

#### Private Sector Advice Team

01294 324644

[psadvice@north-ayrshire.gov.uk](mailto:psadvice@north-ayrshire.gov.uk)

#### Environmental Health

01294 324339

[environmentalhealth@north-ayrshire.gov.uk](mailto:environmentalhealth@north-ayrshire.gov.uk)

#### Homelessness Advice

01294 314600

[housing-info-advice@north-ayrshire.gov.uk](mailto:housing-info-advice@north-ayrshire.gov.uk)

### South Ayrshire

#### ASB Neighbour Dispute Team

0300 123 0900 (option 2) You can also complete a form on South Ayrshire Council's website [www.south-ayrshire.gov.uk](http://www.south-ayrshire.gov.uk)

#### Environmental Health

01292 618222

[environmental.health@south-ayrshire.gov.uk](mailto:environmental.health@south-ayrshire.gov.uk)

#### Homelessness Advice

0300 123 0900

## **East Ayrshire**

### **East Ayrshire 24 hour Emergency Helpline**

0345 724 0000

### **ASB Investigation Team**

01563 554400

asbenquiries@east-ayrshire.gov.uk

### **Environmental Health**

01563 576790

environmentalhealth@east-ayrshire.gov.uk

### **Homelessness Advice**

01563 554400

homelessness@east-ayrshire.gov.uk

## **Dumfries & Galloway**

### **Dumfries & Galloway Council Helpline**

030 3333 3000

contact@dumgal.gov.uk

### **Community Safety Team Council Helpline**

communitysafetyteam@dumgal.gov.uk

### **Environmental Health Council Helpline**

environmentalhealth@dumgal.gov.uk

### **Homelessness Advice**

01387 260783

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