

APPENDIX I

Neighbour Nuisance and Antisocial Behaviour Policy consultation results

| Do you think the Council should use the new ground in an attempt to tackle and monitor situations of antisocial behaviour throughout Moray? | | |
|--|---------------|------------|
| Response | Number | % |
| Yes | 31 | 96.88 |
| No | 0 | 0 |
| Don't know | 1 | 3.12 |
| Don't want to answer | 0 | 0 |
| Total | 32 | 100 |

| Did you find the policy easy to read and understand? | | |
|---|---------------|------------|
| Response | Number | % |
| Yes | 30 | 93.75 |
| No | 2 | 6.25 |
| Don't know | 0 | 0 |
| Don't want to answer | 0 | 0 |
| Total | 32 | 100 |

| Is there a section that you would like to see reworded? | | |
|--|---------------|------------|
| Response | Number | % |
| Yes | 1 | 3.13 |
| No | 28 | 87.5 |
| Don't know | 3 | 9.37 |
| Don't want to answer | 0 | 0 |
| Total | 32 | 100 |

| Is there something that we've missed that you think should be included? | | |
|--|---------------|------------|
| Response | Number | % |
| Yes | 2 | 6.25 |
| No | 26 | 81.25 |
| Don't know | 3 | 9.37 |
| Don't want to answer | 1 | 3.13 |
| Total | 32 | 100 |

| Comments returned | Response to comments received |
|---|---|
| Action on litter, dog fouling and seagull feeding | Litter and dog fouling may be considered by the policy in event that they are a breach of a tenancy agreement. Other instances fall out with the scope of this policy but may be addressed by the Environmental Health Section or Community Wardens in line with their policies and procedures. It is not against the law to feed any bird including seagulls. However we encourage people not to do so within housing areas. Please refer to our website . |

| | |
|---|---|
| Serious consideration of the complaint category | The Neighbour Nuisance and Antisocial Behaviour Policy was subject to a review in 2017 and the categorisation of complaints was considered as part of this. Investigation and analysis of information prior to this review did not identify any issues with the categorisation and therefore this was not included as part of the current review. |
|---|---|

| Is there something that you think should be removed? | | |
|---|---------------|------------|
| Response | Number | % |
| Yes | 0 | 0 |
| No | 29 | 90.63 |
| Don't know | 2 | 6.25 |
| Don't want to answer | 1 | 3.13 |
| Total | 32 | 100 |

| Other comments returned | |
|--|---|
| The target action times were a bit long. | These are maximum timescales. They have been set by category to allow for any necessary multi-agency work that is required to resolve the complaint. Complaints will always be dealt with as soon as is possible (or as resources allow) within this maximum timeframe. |
| Action on parking on pavements. Enforce the cutting of owner's trees and hedges overhanging or obstructing pavements. | Anti-social parking and maintenance of gardens are already covered under our current tenancy agreement. |
| Problem neighbours should be evicted quicker. Stop listening to social workers and talk to the people affected, they are the ones who suffer. | The new ground allows us to monitor this behaviour more closely on a SSST with a view to eviction where certain behaviour does not improve and/or conditions are not met. |
| No I think it's fair. Antisocial behaviour affects the whole community. Usually it's the few who can make life difficult for the many. Persistent and recurring ASB by the same people needs to be dealt with in a fitting manner. | The new ground will allow action to be taken where there is persistent and/or recurring anti-social behaviour. |
| I feel there is far too much leniency given to the person(s) causing the nuisance and I have no doubt that many cases will go unreported as complainants may fear retribution from the offenders. | All tenants are encouraged to report antisocial behaviour. It can be done anonymously but this limits the action that can be taken to address the problem. |

Short Scottish Secure Tenancy (SSST) Policy consultation results

| Do you think the Council should use the new ground in an attempt to tackle and monitor situations of antisocial behaviour throughout Moray? | | |
|---|-----------|------------|
| Response | Number | % |
| Yes | 38 | 95 |
| No | 0 | 0 |
| Don't know | 1 | 2.5 |
| Don't want to answer | 1 | 2.5 |
| Total | 40 | 100 |

| Did you find the policy easy to read and understand? | | |
|--|-----------|------------|
| Response | Number | % |
| Yes | 34 | 85 |
| No | 4 | 10 |
| Don't know | 1 | 2.5 |
| Don't want to answer | 1 | 2.5 |
| Total | 40 | 100 |

| Is there a section that you would like to see reworded? | | |
|---|-----------|------------|
| Response | Number | % |
| Yes | 1 | 2.5 |
| No | 36 | 90 |
| Don't know | 3 | 7.5 |
| Don't want to answer | 0 | 0 |
| Total | 40 | 100 |

| If you answered yes, please tell us what you would like reworded. | Response to comments received |
|---|--|
| Any section which refers to intentional homelessness. The phrase intentional homelessness should be clarified so it does not include anyone who has left their home because they have been bullied, harassed or in any way the victim of abusive behaviour. It is not just to claim someone has left their home intentionally under those conditions and that should be made manifestly clear which it isn't under the current wording. | <p>Intentionally homeless is defined by Section 26 Housing (Scotland) Act 1987, as amended. This reference will be added to the policy to provide clarity on the definition used.</p> <p>The assessment of homelessness considers if an applicant is intentionally homeless and will include a detailed investigation. Officers will consider all the circumstances of an applicant before coming to a decision on intentionality.</p> |

| Is there something that we've missed that you think should be included? | | |
|---|-----------|------------|
| Response | Number | % |
| Yes | 1 | 2.5 |
| No | 28 | 70 |
| Don't know | 9 | 22.5 |
| Don't want to answer | 2 | 5 |
| Total | 40 | 100 |

| If you answered yes, please tell us what you would like included. | Response to comments received |
|---|--|
| There seems to be no mention of tackling abusive behaviour where it occurs in privately owned homes. Is there any strategy for that or are we just simply deciding to completely ignore that? | The Neighbour Nuisance and Anti-Social Behaviour Policy recognises that issues can occur in any housing tenancy or between tenants and private tenants/owners. The Council's Public Protection Forum is also responsible for dealing with abusive behaviour and are responsible for action in this area. |

| Is there something that you think should be removed? | | |
|--|-----------|------------|
| Response | Number | % |
| Yes | 1 | 2.5 |
| No | 30 | 75 |
| Don't know | 7 | 17.5 |
| Don't want to answer | 2 | 5 |
| Total | 40 | 100 |

| If you answered yes, please tell us what you would like removed. | Response to comments received |
|---|--|
| Yes, remove the phrase 'intentional homelessness' and re-define to exclude situations where a person has left their home due to abuse, harassment, and or bullying. | <p>Intentionally homeless is defined by the Section 26 Housing (Scotland) Act 1987, as amended.</p> <p>The assessment of homelessness considers if an applicant is intentionally homeless and will include a detailed investigation. Officers will consider all the circumstances of an applicant before coming to a decision on intentionality. This would include taking into account situations where the person has left their home due to abuse, harassment, and or bullying.</p> |

| Other comments returned | Response to comments received |
|---|--|
| Bit longwinded and legalise. | The Short Scottish Secure Tenancy (SSST) Policy does contain a considerable amount of comprehensive and detailed information, including legislation. However this is required in order to explain the framework within which the policy operates and clarify the criteria which the policy adopts. |
| None... I am all for tackling antisocial behaviour!!! In this current political and economic climate council house tenants should consider themselves extremely fortunate to have a home with Moray | Any action taken under the revised policy may raise awareness of this. |

| | |
|---|---|
| <p>Council! For those that don't appreciate their accommodation, or respect their neighbours...should be reminded of how extremely fortunate they are!!! There are so many other people desperately wanting social housing!!!</p> | |
| <p>No it appears to be a fair policy.</p> | |
| <p>It seems like we are pandering to the needs of the few by allowing so many chances before more drastic action is taken.</p> | <p>Moray Council have a legal duty to provide support services and ensure every possible alternative action has been taken before taking eviction action.</p> |

Evictions Policy consultation results

| Do you support the introduction of the policy? | | |
|--|-----------|-------------|
| Response | Number | % |
| Yes | 26 | 86.67 |
| No | 0 | 0 |
| Don't know | 4 | 13.33 |
| Don't want to answer | 0 | 0 |
| Total | 30 | 100% |

| If you answered no, please tell us why | Response to comments received |
|---|---|
| I think a bit more investigation into a tenant's circumstances can be required prior to threatening them with court action. | The Council only use eviction as a last resort and we will take all available steps to try and avoid an eviction. This will include a detailed investigation into a tenant's circumstances. Any action taken will be in proportion to the issue being considered. |

| Did you find the policy easy to read and understand? | | |
|--|-----------|-------------|
| Response | Number | % |
| Yes | 29 | 96.67 |
| No | 1 | 3.33 |
| Don't know | 0 | 0 |
| Don't want to answer | 0 | 0 |
| Total | 30 | 100% |

| Is there a section that you would like to see reworded? | | |
|---|-----------|-------------|
| Response | Number | % |
| Yes | 0 | 0 |
| No | 25 | 83.33 |
| Don't know | 5 | 16.67 |
| Don't want to answer | 0 | 0 |
| Total | 30 | 100% |

| Is there something that we've missed that you think should be included? | | |
|---|-----------|-------------|
| Response | Number | % |
| Yes | 2 | 6.67 |
| No | 22 | 73.33 |
| Don't know | 6 | 20 |
| Don't want to answer | 0 | 0 |
| Total | 30 | 100% |

| If you answered yes what do you think should be included? | Response to comments received |
|---|--|
| Stop housing problem tenants in quiet areas. | We allocate our properties using our Allocations Policy or for new build properties we use our Local Lettings Plan. These both attempt to ensure that we offer properties to the applicant with a need for the particular housing and that the applicant is capable of sustaining a tenancy. In the event that there are any tenancy management issues, we will take action in proportion to the issue and will use the various tools available to us. |

| Is there something that you think should be removed? | | |
|--|-----------|-------------|
| Response | Number | % |
| Yes | 0 | 0 |
| No | 23 | 76.67 |
| Don't know | 7 | 23.33 |
| Don't want to answer | 0 | 0 |
| Total | 30 | 100% |

| Comments returned | Response to comments received |
|---|---|
| All very complicated but I suppose all steps must be taken before making someone homeless. | <p>The Evictions Policy does contain a considerable amount of complex information. This is required in order to explain the framework within which the policy operates and clarify the criteria which the policy adopts. We will only use eviction as a last resort and we will take all steps available to us to try and avoid an eviction.</p> <p>In the event that a person is made homeless, we have statutory duties towards that person which are set out in housing law.</p> |
| Everyone found dealing drugs from a council house should be struck off and never given a council house again. | The changes include a new streamlined process for eviction where someone within the Council tenancy has been convicted for drug dealing. This will allow us to use a quicker process due to the fact the conviction has already been proven in court. |
| There seems to be too many opportunities given to the offender before eviction would take place. People should be glad they have been given a roof over the heads and look after it, especially given it is not their property. | Moray Council have a legal duty to provide support services and ensure every possible alternative action has been taken before taking eviction action. |