



NOTES OF VIDEO MESSAGING MEETING HELD ON 16th JUNE 2020

Present: William Derrick, Moira Robertson, Hugh McClung, Philomena McClung, Robert Cairney, Anna Johnston

Leza Lafferty (Independent Tenant Participation Officer)

Lorraine McGillivray (Leader Safer Communities Team, Stirling Council)

Gillian Findlay (Housing Services, Stirling Council)

Mags not present

Unable to join: Alex Lamb, Thomas & Kathy Brown, Delia Waddell, Duncan Faichney

William welcomed everyone to the meeting, and thanked Lorraine and Gillian for their attendance.

Anti-social Behaviour:

Leza had collated queries re. anti-social behaviour from STA members and had forwarded these to Lorraine prior to today's meeting; these are attached as an appendix.

Hugh:

- To his queries Hugh added that in some recent responses from ASB team Covid-19 has been used as a scapegoat.
As Chair of Braehead Community Council, Hugh is meeting with Police Scotland this afternoon. He has been advised that there is no priority as far as police are concerned for anti-social behaviour unless there is a danger to life and limb.
As stated in his queries Hugh said that a new approach is needed for those perpetrators who are owner/occupiers against tenants, and tenants against owner/occupiers, and suggested the use of noise equipment installation.
The whole ASB strategy needs to be re-written – with tenant involvement from the onset.

Response from Lorraine:

- Lorraine thanked STA for inviting her to come along to today's meeting.
- There have been changes recently in what Safer Communities Team are responsible for and Lorraine does understand the frustrations of tenants.
- In Spring of 2019 Lorraine had realized that the amount of resources allocated for anti-social behaviour was insufficient. There are now 4 investigative officers and a senior officer and Lorraine is hoping for successful resolution as soon as possible.
- Lorraine agreed that the strategy is out-of-date. The previous team leader had been off sick, then lockdown came into effect, then he left. A new team leader will commence on 13th July 2020 and one of his first jobs will be a review of the strategy.

Response from Gillian:

- Gillian explained that the process of issuing verbal warnings and written warnings, right through to ASBOs for eviction, can only be dealt with and action taken by the ASB team if diaries are kept as evidence. Police involvement is important and they can take action – even if they don't do that, their report can be considered as evidence. If there have been no ongoing issues in 6 months it would be treated as a new case but previous information would be taken into account.

Lorraine:

- Lack of visits at the present time is due to Covid-19 restrictions but officers are still working. Once lockdown is relaxed officers will again be out and about, hopefully in July.
- In a new approach to strategy, the Safer Communities Team meet regularly with Police Scotland and have undertaken high-visibility operations.

Philomena:

- Philomena expressed disappointment that talking to neighbours is not happening when a dispute arises. Lorraine offered to look into the case Philomena was referring to and will get details from her after the meeting.
- Philomena felt that Covid-19 is being used as an excuse but Lorraine emphasized that everyone has to stick to the guidelines until restrictions end.

Lorraine:

- Lorraine's first priority is to have the ASB strategy updated.

Moira:

- In response to Moira's first question (see appendix) Lorraine clarified that Safer Communities Team would carry out the investigations and report back to Housing Services. Gillian added that legally getting a case through the courts is up to the Legal Team and it is very difficult to get outcomes regarding anti-social behaviour, although tenancy agreements do state that anti-social behaviour is not acceptable.
- In response to Moira's second question Lorraine said that Safer Communities Team work very closely with Housing Services regarding the most effective way to work together. Gillian said that discussions have been held regarding Housing Services adopting a more generic model.
- Moira's third question had been in relation to the ASB strategy being reviewed. This is going to be done. Gillian suggested setting up a Strategy Group with involvement from all necessary parties, including tenants. This was agreed, with Moira stressing that there needs to be enough tenant involvement to make it worthwhile.
- Moira's fourth question had been regarding what input Housing Services would have to the review. Lorraine said that Housing Services would be fundamental to the review, along with Police Scotland and tenants. Gillian confirmed this.
- When we asked at Housing Advisory Group about the letters which were being sent out we were told that was up to the Safer Communities Team and Housing Services had no input. Gillian said that the new letter states that a conviction is not necessary, but stressed that reasonableness needs to be taken into account.

Moira thanked Lorraine and Gillian for their comments.

Robert:

- Robert said that since he had submitted his comments to Leza (for passing to Lorraine) he had spoken to Craig who had told Robert that he should receive the stage 2 response in a couple of days. It was actually done that same day.
- Robert had spoken to a police officer at the weekend and was told that statements would be required – this was the first time Robert had been advised that this was a necessity.
- Robert has been told that his situation is nothing to do with the police and should be being dealt with by the Safer Communities Team.
- Regarding Robert's complaint about being told to present as homeless, this had been checked and it appeared that Robert had actually been told to contact Allocations Team, not Homeless Team.

- Lorraine was not party to Craig's conversation with Robert or to the Stage 2 response but is happy to look into this and get back to Robert. She had understood that Daniel had been in constant touch with Robert. Robert gave dates of contacts made by Daniel which was not constant.
- Lorraine totally understands that anti-social behaviour does not always happen during normal working hours and her team is restructuring at the moment. Hours will be changed. Team only has two sets of sound monitoring equipment so there does have to be a programme of when this can be made available. However there is an app that could be used on the complainant's own devices during lockdown.
- Moira wondered why the anti-social behaviour team could not visit in the same way as Stirling Council tradesmen are doing during the pandemic. However, Lorraine pointed out that since lockdown it had only been permissible for essential work to be carried out.
- As Robert's problem is ongoing it was suggested that it might be a good idea if a meeting could be held with Craig, Lorraine, Gillian and Robert. Robert would like Leza to attend as well.
- Hugh supported Robert – the officer had not told Robert about sound monitoring equipment it was both Willie and him that had told Robert to ask for it. Notes should be available for the victim to see and comment on. Professional witnesses could be used for corroboration.
- Anna said that she had received an email stating that her evidence was a great help and yet Robert was told it was inadmissible.

William:

- Lorraine had said that the team had 4 dedicated officers and a team leader in place but communities are not aware of what is going on. Lorraine said there are also 16 enforcement officers who try their best to be out and about in communities but resources are limited.
- William asked if Community Councils have an update from enforcement officers on what is going on in their specific community.
- Lorraine would like to think the review of the strategy will enable people to be aware of what is going on.

Strategy:

Leza asked Lorraine if the ASB strategy is on the Stirling Council website. Lorraine advised that it had been taken down as it was out-of-date. She will send a copy of the strategy to Leza who will circulate it to STA members. Tenants will be involved with the review from the start.

William thanked Lorraine and Gillian for coming along to today's meeting and for their input. Lorraine and Gillian left the meeting.

Report from Hugh:

Hugh had circulated the response to his freedom of information request regarding the land at Graystale Road. He was not happy that it had been Estates and Commercial Property who had put the land up for sale – this should not have happened as Estates and Commercial Property cannot be allowed to dispose of properties on the HRA register.

Hugh had also circulated the response he had received from Stephen Clark (Chief Officer – Housing). Although Stephen had not been in post at the time of the incident he had responded on behalf of the Council and had admitted that there had been no consultation with tenants or Housing Services staff.

Land is now no longer for sale. It had been up for sale to Persimmon Homes and Hugh felt that if it goes up for sale again it must be brought to Housing and Environment Committee.

Stephen said that staff are aware of processes but admits that a mistake had been made. Steps have been taken to ensure that no such situation will arise in the future. A meeting will be arranged with STA and other RTO to discuss future arrangements regarding consultations to ensure the level of tenant involvement is clear to all parties.

Hugh had not been happy with the way the freedom of information request had been handled. Hugh had raised the question last year at Housing Advisory Group and Isabel McKnight had said that she would look

into the matter. Craig Russell had also said that he would check. This implies that senior officers were unaware of the correct procedure and Hugh suggested that the STA should contact the Ombudsman. However, as Moira pointed out, FOI cannot comment on what was said at any given time, only on what actually happened. As Stephen's response gives assurance that such a situation will never happen again Moira did not feel that contacting the Ombudsman was necessary – this was agreed.

William and Anna also expressed their satisfaction with the way Stephen had handled the situation. Moira thanked Hugh for handling this situation.

Notes of last meeting:

Anna had circulated notes from 19th May 2020 to everyone.

Matters arising from the notes:

Open Door – Leza reported that this needs changed again owing to the changes in the situation re. Covid-19. She is meeting the Communication Team later today.

Twitter – Robert is still working on this.

Notes from May meeting were accepted as a true record by Robert and seconded by Hugh.

Chair's Report:

William had seen a post from Leza about Boots the Chemist providing assistance to anyone experiencing domestic abuse problems. He visited Boots to check that this was in fact in place and found out that Boots take the person experiencing the abuse into a private room and arrange for him/her to visit the appropriate organization. William was given a brochure which he will arrange to have posted on the STA Facebook page.

Secretary's Report:

Anna had nothing to add to the e-mails which she had received since the May meeting and which she had forwarded to everyone.

Treasurer's Report:

Balance £4,884.43.

Moira received an e-mail from Kiswebs to advise that they had not received payment of their invoice for Domain Renewal due in March. Moira called Donna to say that she had posted the cheque to Kiswebs and Donna did say that she would check as they had not been in to their office during lockdown. Donna will contact Moira to let her know.

Hugh had received estimates for pens and pencils with STA logo and details on. Anna felt that purchase should be left until later as there are obviously no plans for events in the near future. This was agreed. Moira suggested the STA purchasing a printer for William. This was agreed as a necessity and Robert offered to arrange to order and purchase the printer – he will obviously be refunded.

Tenant Participation Officer's Report:

- Leza has been working with Council and with TPAS on updating their websites, Facebook pages, etc.
- Luke from Homelync had asked Leza if he could attend our next meeting on 18th August 2020. This was agreed and Luke's attendance will be arranged once we know if the August meeting will be online using Microsoft Teams or a round-the-table meeting.
- TPAS have been hosting Webinars for TP officers. Next one is on 16th July 2020.
- Leza will arrange to set up a Repairs Group meeting in August – probably using Microsoft Teams.
- Leza will forward information put on Facebook directly to Robert because he does not have a Facebook account.

Report from Housing Advisory Group:

- Redevelopment of property on Glasgow Road – property used to be a YMCA building which was used for homeless and single people. It has drifted by the wayside and has become derelict. Proposal to HAG to demolish the building and replace it with 10 flats and maisonettes at a cost of £300,000. It is at planning stage at the moment and will come back to tenants later.
- RRTP – update received on progress so far. There is a shortfall and Hugh had enquired who would pay for that – he was advised it would be paid from the General Fund. Hugh does not think the policy is going to meet the needs of homeless and will contact the Chief Housing Officer.
- Hugh had been surprised that the meeting had been chaired by Chief Housing Officer, especially when Councillor Tweed was in attendance. It was agreed that the Portfolio Holder should chair future HAG meetings.

Any other business:

- Robert suggested that a meeting could be held in July – solely to discuss the anti-social behaviour strategy update. This will be held on 7th July at 10.00 using Microsoft Teams.
- Moira had seen a post on Stirling Council’s Facebook page which had stated that they were the “greenest” local authority due to their installations of solar panels. Quite a few comments from tenants indicated that their solar panels were installed but not connected. Moira contacted Gregor Wightman who emailed the explanation of why some tenants had not yet been connected in Whins of Milton. All other tenants who are not connected have failed to honour a pre-arranged appointment or answer calls or letters. They will be contacted again once the contractors are back at work.
- Anna was thanked for answering directly to comments made on STA Facebook page..
- Robert suggested making tenants aware of when STA online meetings are being held. Leza said that Council are trying to promote similar, although Moira thought there could be a problem in establishing whether someone wishing to attend was a Council tenant. Leza offered to check this and then send invite and agenda. Anna was asked to put this on Facebook page, and do a Facebook poll asking if they would like to get involved.
- Hugh is meeting with the Housing Minister on 24th June to discuss what lockdown has meant for tenants groups and individuals. Email Hugh with any points you may have.

Date of next meeting:

Tuesday 18th August 2020 at 10.00 am (likely to be an online meeting again but this will be confirmed).

Questions/concerns from Stirling Tenants Assembly re; Anti-social issues

Robert

My main concern is why I was even advised to look into homeless as this is impossible as I'm shielding and that I have been made to feel that I'm a prisoner in my own home. This has been ongoing continuously every day and even worse since the police have been involved and to the point Craig Russell says on the test call last week he was going to call me and speak with me but he has still never done anything. I also have a stage 2 complaint with the council which I'm awaiting the response from. I'm just fed up with it all and I feel like they are just waiting for me to reach breaking point before any further action is taken. What is the council definition of unsafe in your own home - is it only threat of violence as it seems it's nothing to do with physical abuses.

William

- 1, I understand that the safer community team have a wide area to cover but it has been noticed by a few communities that they are not seeing a presence of them in the community areas.
- 2, When an issue is reported to the police they are told this should be reported to the ASB team; tenants that follow this and keep logs as they have been told to, don't see any action being taken and are saying -why bother as nothing gets done any way.
- 3, How many reports have action been made since the lockdown and how many have been waiting to get anything done about their complaints.

Moira

At the HAG meeting on 21st September 2018 in the Housing Performance Report, questions were raised about ASB results. At the HAG meeting on 23rd November 2018 a report on ASB was given by John Macmillan, It says

Responding to estate management and ASB disputes is carried out by the Safer Communities team at present. The Housing Service [HS] funds 3 posts within Safer Communities, a housing officer post and 2 estate wardens.

At the HAG meeting on 18th January 2019, in the minutes from the previous meeting it says
Also, the planned redesign of the Housing Services would encourage discussions in relation to the suitability of the estate management service and ASB provision remaining within the Safer Communities or whether tenants would be better served by this element returning to HS. The CHO would be looking at the very best way to carry out Estate Management.

The Chair [Cllr. Evelyn Tweed] stated that if it was a Housing Issue then it should be the housing officer who was dealing with this as hybrid posts do not work.

John Macmillan agreed to provide a synopsis of ASB procedures to give to tenants and elected members of HAG.

Cllr. Martin Earl noted that there should be dedicated ASB staff and that this resource needed to be considered.

At the minutes from this meeting

Cllr. Evelyn Tweed referred to the action for John Macmillan above and advised that a synopsis of ASB procedures were to be provided. Lorna Cameron confirmed that this would be taken forward.

At the HAG meeting on the 11th March 2019 the ASB procedures were discussed. The next HAG meeting was on 13th May 2019 in Cornton Community Hall, and no papers were sent out for the meeting, so we have no minutes for the previous meeting. If my memory serves me right there was a lot of discussion about the ASB procedures and about the wording in the letters sent out, and the answer to any queries was that it was up to the Safer Communities Team and Housing had no input.

Since that time there has been no further discussion about ASB policy or of bringing the ASB team back into HS. The last review of ASB Strategy was in 2014 and the ASB Complaints Procedures 2015 clarified

the operational procedures for staff dealing with complaints of ASB involving tenants and residents in the Stirling Council area.

The Housing [Scotland] Act 2014 allows Social Landlords to be able to convert an existing SST to a Short SST without the need for the tenant to have had an eviction order for ASB or an ASBO.

In the ASB etc [Scotland] Act 2007 guidance for LA

Where the failure of a private sector landlord to meet acceptable management standards has a bearing on a problem of antisocial behaviour, the public authorities may need to intervene so that appropriate management actions are taken. That is the purpose of the Part 7 provisions. And the LA can issue the landlord with an anti-social behaviour notice.

So my questions are

1]Private landlords have to take responsibility if their tenants cause ASB, so what are LA landlords i.e.

Housing Services, responsibilities regarding ASB by or towards their tenants.

2]With all the changes that have taken place recently in SC Housing Services, has there been any further discussions on ASB and maybe bringing it back 'in-house'.

3]Is the ASB procedures being looked at – it is surely time for a review.

4]How will HS get to have a say in the review?

Hugh

1. ASB Strategy is grossly ineffective. Sufferers have to build up a dossier of information against perpetrators, using police as first responders, who often don't respond, as it's not a priority. Therefore, unless calls to police are corroborated, this is an ineffective process. The diary of events which victims are encouraged to procure are ineffective in court, since unless there is police evidence to support it, it cannot be used as evidence.

2. ASB perpetrators will often make their abuse during times when little or no action can be taken. Eg, loud music at night, shouting, foul language etc. Once letters from authorities are sent to perpetrators there may be a lull in that type of activity, say 3 months, then it begins again.

Victims are advised to restart a diary of events as anything before the 3months lull, is unacceptable in court since it is deemed to be irrelevant. (your ASB officer said this, not me!)

3. I have three cases to advise you of (not stating here) where inactivity by your officers are embarrassing because I am advising victims to do most of the process, ie phone Police, keep diary, phone ASB team etc.

We need to consider:

Professional witnesses

ASB team officers who will call out in the evening/night to "witness" events

A new approach to those perpetrators who are owner occupiers against tenants and tenants against owner occupiers etc., such as noise equipment installation.

We should consider a tripartite liaison group with ASB team, Social Work and Police.

Tenants be reminded of obligations to behaviour and posters to include owner occupiers in all public offices.

Rewrite strategy and include tenant reps in that facility.