

To: Audit Risk and Scrutiny Board

On: 23rd January 2023

Report by: Lead Officer

Heading: Neighbour Disputes

1. Summary

- 1.1 At the meeting on 22nd August 2022, members of the Audit, Risk and Scrutiny Board agreed an annual programme of activity for the Board for 2022/23. This included an investigation into neighbour disputes in Renfrewshire. This report sets out the purpose, scope and timetable for the investigation into neighbour disputes.
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2. Recommendations

- 2.1 The Board is asked to:
- Approve the purpose and scope of the review.
 - Approve the provisional timescale as outlined in Appendix 1 of this report.
 - Authorise the Lead Officer to contact any organisation recommended by the Board who may have information useful to the Board and who may be potential witnesses.
 - Grant the Convenor of the Board permission to alter the timetable of the investigation regarding the availability of evidence and witnesses throughout the course of the review.
 - Authorise the Lead Officer to make the necessary arrangements to progress the review within the agreed timescales.

3. **Background**

3.1 There is no single agreed definition for what constitutes a “neighbour dispute”. For the purposes of the investigation a usable definition may be that a neighbour dispute is a “disagreement between neighbours that cause stress or friction”.

3.2 The Scottish Government and Citizen’s Advice Scotland both outline a range of neighbour disputes which do not reach a threshold where they would be dealt with through anti-social behaviour legislation. The Scottish Government and the Citizen’s Advice Bureau identify several common causes of neighbour disputes. This type of dispute would most likely be subject to mediation between the parties. These can be summarised as follows:

- Noise
- Access disputes
- Shared amenities and facilities
- Boundary disputes
- Trees and high hedges
- Pets
- Use of “domestic” CCTV cameras.

3.3 Some neighbour disputes can be classified as anti-social behaviour as defined in the Anti-Social Behaviour etc. (Scotland) Act 2004.

The Council agreed a new Anti-Social Behaviour Strategy 2022-25 in March 2022. The strategy sets out how the council and its key community safety partners will address anti-social behaviour in Renfrewshire.

3.4 The investigation will look at “low level” neighbour disputes and those that cross the threshold and need to be considered under the auspices of anti-social behaviour legislation.

4. **Purpose of the investigation**

4.1 The purpose of the investigation is fourfold:

1. Try to establish the scale and nature of neighbour disputes in Renfrewshire.
2. Set out the current arrangements and approaches the Council and other stakeholders have for responding to neighbour disputes.
3. Review the current disposals/actions that are available to the Council and others to resolve neighbour disputes.

4. Identify any other approaches, policy changes or mitigating actions that could be available to the Council within existing resources.

1. Scope of the Review

- 1.1 The lead officer will research and review the available evidence and report back to the Board at subsequent meetings. In relation to the purpose of the investigation, set out in section 4 of this report (above) the lead officer will seek evidence about the following:
 - 1.1.1 The implications of different types of tenure for the actions and mitigations available to the Council and other partner organisations to resolve neighbour disputes. This would include Council tenancy, Registered Social Landlord (RSL) tenancy, private tenancy and owner occupier.
 - 1.1.2 The severity of neighbour disputes, to consider the nature of neighbour disputes and the different levels of action and intervention which are available to help resolve them.
 - 1.1.3 The role of the Council and other key partners and the current range of support and intervention they have at their disposal to resolve neighbour disputes, including the role of the Housing and Community safety services in the Council.
 - 1.1.4 Examples of practice from other local authority areas to help identify good or best practice and to consider different policy, service or partnership approaches to support the resolution of neighbour disputes.

6. Timetable and witnesses

- 6.1 The proposal is that the investigation commences following the meeting of the Audit, Risk and Scrutiny Board on 23rd January 2023 and is progressed at subsequent board meetings. The aim is to submit a final draft report for Board approval on 18th September 2023, as set out in Appendix 1 of this report. The final report would be presented to the subsequent full Council meeting.
- 6.2 An initial review of stakeholders indicates that evidence and representation at the Board should be sought from the following services and organisations:
 - Council Housing Services
 - Council Community Safety service
 - Registered Social Landlords
 - Police Scotland

- Citizen's Advice Bureau
- First Advocacy
- Tenants and Residents Associations
- Other Scottish Local Authorities.

Implications of the Report

1. **Financial** – None
2. **HR & Organisational Development** – None
3. **Community/Council Planning**
 - Our Renfrewshire is thriving - None
 - Our Renfrewshire is well - None
 - Our Renfrewshire is fair - None
 - Our Renfrewshire is safe - None
 - Reshaping our place, our economy and our future - None
 - Building strong, safe and resilient communities - None
 - Tackling inequality, ensuring opportunities for all - None
 - Creating a sustainable Renfrewshire for all to enjoy - None
 - Working together to improve outcomes - None
4. **Legal** - None
5. **Property/Assets** - None
6. **Information Technology** - None
7. **Equality & Human Rights** - None
 - (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report because it is for initiating an investigation on behalf of the Board. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website. (Report author to arrange this).
8. **Health & Safety** - None
9. **Procurement** - None
10. **Risk** - None
11. **Privacy Impact** - None

List of Background Papers

- (a) Background Paper 1: Audit, Risk and Scrutiny Board Annual Programme.
- (b) Background Paper 2: Anti-Social Behaviour Strategy 2022-2025

The foregoing background papers will be retained within Renfrewshire Health and Social Care Partnership for inspection by the public for the prescribed period of four years from the date of the meeting. The contact officer within the service is Andrew Noble, Renfrewshire Health and Social Care Partnership, andrew.noble@renfrewshire.gov.uk.

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Appendix 1: Timetable for neighbour disputes investigation

Date of Board Meeting	Stage of Investigation
23 rd January 2023	Scoping paper to initiate investigation
13 th March 2023	Continuation of investigation
22 nd May 2023	Continuation of investigation
21 st August 2023	Continuation of investigation
18 th September 2023	Draft Final Report to Board
28 th September 2023	Final Report to Full Council