



HELPTHEAGED WE WILL[®]

Help the Aged in Scotland

Last updated October 2009

Please note

This factsheet is aimed at people aged 60 and over who live in Scotland

Noise and neighbour nuisance – what you can do

This factsheet provides information about how to deal with noise or nuisance from neighbours and gives a list of what can be considered antisocial behaviour.

It describes how the local authority should now be the first point of contact for any situation where outside help is needed. It gives details of local authorities' anti-social strategies including telephone helplines, noise teams, community mediation schemes and community wardens.

For anyone living in England, Wales or Northern Ireland, a similar Factsheet 9, *Noise and Neighbour nuisance – what you can do* is available by telephoning: 0800 00 99 66 (free call) or write to Age Concern and Help the Aged FREEPOST (SWB 30375), Ashburton, Devon TQ13 7ZZ.

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Introduction

The term antisocial behaviour covers a wide range of behaviour with different levels of intensity. It can be of a serious criminal nature including drug dealing, physical violence and racial or elder harassment. It can also include things that are not crimes, but which can reduce your quality of life, such as noise, verbal abuse, vandalism, litter and dog fouling. Appendix 1 gives a list of what is considered to be anti-social behaviour. Sometimes, the problem can be a simple matter of thoughtlessness and disputes can build up from what were simple disagreements. The approach taken to deal with each problem will depend on the nature of the behaviour.

If you don't get results from the courses of action suggested below there are a number of other courses of action using older legislation such as the *Environmental Protection Act 1990* and *Civic Government (Scotland) Act 1982*. You may also need to consider taking private action yourself (see section 9). Other common problems such as harassment, trees, planning and common repair problems are dealt with in section 9.

1. Keep a diary

Keep a note of when and where the anti-social behaviour is occurring and what is happening. This diary will be helpful to anyone trying to help you. Encourage your neighbours to keep a diary too if they are also affected as this can provide corroborating evidence.

2. Deciding on the best course of action

Where the anti-social behaviour is a matter of thoughtlessness or arises from a misunderstanding, then informal approaches can often help establish better neighbour relations. Some suggestions for making a positive and helpful approach is given in section 3. However, if you have concerns about approaching the person, or the anti-social behaviour is more serious, then you should consider more formal solutions instead. For more formal approaches to inconsiderate behaviour:

- Call the local authority and ask to speak to the anti-social behaviour team (see section 4).

- Call Environmental Health in your local authority, particularly if you have a noise or cleanliness problem.
- Call the landlord if the person giving you the problem is a tenant (see section 5).
- Call the private housing section of the council if you are having problems with private landlords (see section 5).
- Consider using Community Mediation (see section 3.3).

Sometimes though, you may feel that the anti-social behaviour is deliberate, more bad natured or even criminal. In these cases, approach the Police. Where you feel intimidated in any way or need immediate action, you should also call the Police (see section 6.1) or neighbourhood wardens (see section 6.2).

3. Informal approaches

3.1 Approaching your neighbour

If the problem you are suffering arises from inconsiderate behaviour, you may be able to make an informal approach to whoever is causing the problem. Problems may be due to difficulties in communication or differences in lifestyle. Try and speak to your neighbour in a calm and friendly way and explain what the problem is. You may find they are unaware that their behaviour or the noise they are causing is disturbing you.

Some points to consider:

- think about what you want to say and what outcome you want to achieve before you approach your neighbour;
- be prepared for you neighbour to be affronted and maybe even angry – you might well be too if you felt you were being criticised – but you would probably also change your ways later;
- try to stay calm and don't shout, even if the other person shouts at you. If you become too emotional or angry, walk away rather than make the situation worse;
- explain clearly what the problem is and how it is affecting you.
- don't interrupt the other person when they are talking. Listen to what they have to say;
- don't argue over what has already happened. Try to concentrate on how to improve matters in the future;

- be prepared to compromise and try to achieve a “win win” situation - “ If you do “A”, I will do “B” – and “B” might be just to promise not to get so upset in the future!. If your neighbour becomes unreasonable you should leave immediately and if you are threatened, or feel threatened, you should contact the Police.

However, sometimes it may be difficult to talk to the person concerned, particularly if you are suffering serious harassment or abuse. For more information about dealing with serious problems of this type, see section 7.

3.2 Support from other neighbours

If other neighbours are having the same problem, two or three of you could make a joint approach to whoever is responsible for the nuisance. If you are a council or housing association tenant you could also raise this issue at the residents’ group meeting. You should contact your housing officer who will provide you with details of when the group meets.

3.3 Mediation

Community mediation is designed to help with neighbour problems. Both parties must be willing to take part. An independent mediator will listen to the views of both you and your neighbour to try to help you to reach an agreement or compromise. Some courts also have mediation schemes designed to avoid the use of court action. These can be useful if you have disputes over, for instance, payments for common repairs or damage.

A list of mediation schemes is given in section 10. The Scottish Mediation Network can tell you about mediators in your area. (See section 10).

4. What your council can do to help

If the problem cannot be resolved by these methods, then more formal action from the council may be necessary. Your local council has legal powers to take action against noise and health hazards which are deemed to be a statutory nuisance. The Antisocial

Behaviour (Scotland) Act 2004 gives further powers to both local authorities and the police to deal with noise and neighbour nuisance.

The types of action that can be taken include:

- sending out noise teams to measure noise and asking for it to stop;
- seizing sound equipment;
- serving fixed penalty notices for a range of offences including repeat noise offences, vandalism, drunken behaviour, litter etc.
- Negotiating “Acceptable Behaviour Contracts”;
- serving antisocial behaviour orders with powers of arrest if broken;
- use of parenting orders;
- issuing closure orders – to close premises that are the focus of constant antisocial behaviour while more long term action is taken;
- seizure of vehicles (including motor bikes and quads) where there are repeat offences of joy riding or off road riding;
- dispersing groups who are causing significant, continuous and serious anti-social behaviour.

Local authorities are also being encouraged to take preventative action. For instance:

- setting up community safety partnerships;
- better liaison between police, environmental health officers, housing officers etc.;
- community warden schemes;
- establishing Community Mediation Schemes;
- out of hours services for “hot spots.”
- registration of private landlords with powers to take over management of privately rented properties where landlords are negligent in the management of their properties.

Many local authorities will have a telephone help line. These may change from time to time as new services are added. Call your local Council’s general number and ask for the anti-social behaviour team. This service may be called by other names such as the “Community Relations Team”.

5. Landlord responsibilities

Your council, and any housing association or private landlord can take measures against their own tenants who breach their tenancy conditions. Most tenancy agreements have clauses which prohibit tenants from creating a nuisance. This might cover damage to property, continual shouting and screaming, and rubbish dumping. Landlords can also apply to the courts for eviction orders against their tenants in certain circumstances (see section 5.1 below).

The *Antisocial Behaviour (Scotland) Act 2004* (see section 4) has required private landlords to register with the local council since 31 March 2006. This should make it easier to trace landlords when necessary. If landlords fail to manage their properties properly, the council can force them to use professional property management agents.

5.1 The Housing (Scotland) Acts 1987, 1988 and 2001

These Acts allow council, housing association and private landlords to apply to the courts for eviction orders against tenants who breach their tenancy agreement by causing a nuisance. They also include anti-social behaviour by joint tenant or someone living in or visiting the house. Depending upon a person's type of tenancy, grounds for possible eviction include:

- acting in an antisocial manner or pursuing a course of antisocial conduct;
- pursuing a course of harassment;
- being convicted of using the house or allowing it to be used for immoral or illegal purposes;
- being convicted of an offence (punishable by imprisonment) committed in the house or in the locality;
- causing a nuisance in the house or its vicinity.

Remember though, that it may not always be appropriate for a landlord to take such serious action as to evict someone and deprive them of their home for minor cases of poor behaviour. Even where it is appropriate to evict, full court procedures need to be followed through and these take time.

5.2 Houses in multiple occupation

Problems may occur where houses are let to groups of people. Houses in Multiple Occupation (HMOs) may need to be licensed but this will depend on the number of people living in the property and where the property is located. Contact the HMO section of the Council for help. This may be based in the Housing or Environmental Health Department.

6. Using the Police or Neighbourhood Wardens

6.1 The police

When to involve the police

In certain circumstances it may be appropriate to contact the police with nuisance problems. Some types of nuisances are criminal offences, for example vandalism, a breach of the peace, threats and harassment. Under common law almost all offences which cause public disturbance may be defined as a breach of the peace and the police should be involved. You can contact the police if you are seriously disturbed by loud music or noisy parties.

Contacting the Police – without using 999

You can find the number of your local police station under Police in the business section of your telephone directory. Use this number to report incidents, speak to your local officer or get information about the local policy on dealing with anti-social behaviour. If you are worried that the Police may call at your door, so identifying you as the person reporting the problem, you may either ask the Police specifically not to call at your door or you can call Crimestoppers on 0800 555111. Crimestoppers is a nationwide service which enables callers to give information anonymously about people committing crimes. It cannot give immediate assistance.

If you need immediate emergency assistance, call 999

Police powers to deal with anti-social behaviour

Under the *Civic Government (Scotland) Act 1982*, the police may require a person making a noise giving 'any other person reasonable cause for annoyance' to stop. No specific noise level has to be proven; the police can take immediate action. The noises covered are:

- sounding or playing musical instruments;
- singing or performing;
- operating any sound producing device.

It is an offence for a person to persist in making a noise once cautioned by the police.

The *Crime and Disorder Act 1998* provides powers for the police to seize noise making equipment which is disturbing neighbouring households. The police are able to confiscate equipment for 28 days immediately if someone fails to stop the noise when asked to do so. The owner can then ask for the return of the equipment, but will have to collect in a way which suits the police, and pay whatever charge the police consider reasonable to cover their costs.

However, if the playing of loud music becomes a regular occurrence over a period of time, you may require further action to be taken by the police leading to court action. This means you must persist in contacting the police, keep records of occurrences and inform visiting police officers of your previous complaints.

The *Antisocial Behaviour (Scotland) Act 2004* gives the police further powers, and introduces a duty to work with the local council to tackle problems in the community.

Police now have the power to prevent groups of people from coming together in certain areas. This power of dispersal can only be used if it is believed that the presence or behaviour of groups has distressed members of the public, where the antisocial behaviour has become significant, persistent and serious, and when it is felt that use of the power will provide respite to those who have been alarmed. The sort of repeated incidents where this power could be used include:

- gang fights in an estate;
- groups targeting sheltered accommodation or other vulnerable groups;
- drug dealing;
- drinking in streets, parks, etc.

6.2 Neighbourhood or Community Wardens

You can report nuisance or harassment to a neighbourhood warden provided there is a Neighbourhood (Community) Warden Scheme available where you live. Wardens provide a semi-official presence in residential areas and have a duty to promote community safety, environmental improvements and housing management. They will assist you with investigating your complaint and, if necessary, refer the matter to the police. They may also act as independent witnesses of antisocial behaviour. You can ask your council or local police whether there is a scheme available in your area. Sometimes you may be referred to a community safety team who may be able to be more pro-active in preventing anti-social behaviour e.g. by getting young people involved in activities.

7. Other common problems and who to contact

This section is intended to provide general information and you should take further advice before starting any action.

7.1 Harassment

Behaviour which might be called harassment may be prosecuted under the common law relating to assaults, threats and breach of the peace. The *Protection from Harassment Act 1997* prohibits a person from pursuing a course of conduct which amounts to harassment. Harassment is not defined in the Act, except that it includes causing the person alarm or distress. For example, it might include verbal abuse, threats or vandalism specifically directed against you.

People from a minority ethnic background can be the victims of racial harassment which is directed against them specifically because of their race. Under the *Crime and Disorder Act 1998* racially aggravated harassment is an offence. The court must take account of any established racial motivation in any offence when determining the appropriate sentence. The *Criminal Justice (Scotland) Act 2003* makes similar provisions for a court to consider whether an offence has involved any element of religious prejudice.

The perpetrator must have been harassing you over a period of time not just one incident. If you are being harassed you should report

each incident of harassment to the police as it happens in order to build up the evidence.

If you believe those responsible are tenants you should contact the landlord of the property whose responsibilities are described in section 5. If you are a council or housing association tenant, your landlord may be able to assist you in moving if this is what you want and it would solve the problem.

Under the *Protection from Harassment Act 1997* you can also take your own civil action in cases of persistent harassment. A civil or criminal court may award damages, and can make a 'non-harassment order', a breach of which is a criminal offence.

7.2 Trees

If your neighbour's tree hangs over your property, you can ask the tree owner to trim it back. If this is not done, you have the right to trim the tree back to the boundary line but you must offer the trimmings back.

Before you start cutting, you should check with your council to see if the tree has a tree preservation order on it. If it does, you could be fined for cutting it. Trees in conservation areas are automatically protected.

Local authorities have powers to deal with trees on private property that are in a dangerous condition. If you are concerned about the condition of a tree you can contact your local authority (usually planning or technical services department) and request that a check is made on the condition of the tree.

There is no specific law in Scotland covering high hedges.

7.3 Parking space

If you live on a publicly maintained road, you do not have any rights to the section of road or pavement outside your property (unless there are local parking restrictions giving you a right to a particular space or a space is set out for someone who has a mobility need). This means that you do not have the right to park there yourself or prevent anyone else from doing so. However, you have a right of access to your driveway and if someone else's car is parked in such

a way that it blocks access to and from your property you can stop the owner parking there. Contact the parking section of your local authority. The local authority and the police have wide powers to remove vehicles that are illegally parked, causing an obstruction on the highway or which are abandoned.

7.4 Common property and amenities

Responsibilities for maintenance and repairs of common property and amenities (such as drains and pipes, drives etc.) are usually outlined in the property's title deeds.

If you live in a tenement and your title deeds provide no indication of how decisions are to be made, then provisions in the *Tenements (Scotland) Act 2004* apply to you. A tenement is defined as a building which comprises two or more flats, which are divided horizontally and at least two of which are in separate ownership. This covers blocks of flats, residential or otherwise, as well as large houses which have been divided, but excludes terraced properties and semi detached houses.

The Tenements Act sets out clearly who is responsible for what and how costs should be shared. The Act also makes provision for a management scheme and a simple majority decision-making process for repairs to common property. The owners of the majority of flats can decide to carry out common repairs, to require that the cost be paid in advance, to install an entry-phone system and to ensure all owners have adequate buildings insurance. It is important to note though that many of the provisions of the Act only apply where there is nothing in the Title Deeds or the Title Deeds are unworkable.

The Tenements Act is explained in more detail in *Common Repairs Common Sense* available free or online from Consumer Focus Scotland. (See section 10.2 for contact details).

If you live in another type of property, such as an estate with common landscaping and the Title Deeds are not clear about responsibilities, it might be best to settle in advance how costs will be shared between the owners and agree the course of action. You may need to get a surveyor's report (and estimates from a builder) on the part of the property needing repairs. It is essential that you consult and get the consent of the other parties at each stage when costs are incurred. To avoid the problem occurring again in the future, you

should consider seeing a solicitor and getting the Title Deeds amended. You can start this process with the agreement of just 25% of owners on large estates.

Your Deeds may also set out rules about what your neighbours can and can't do with their property. For instance, there may be restrictions on using the property for business, or stipulations that it may only be used for housing only one family. Take action promptly if this is the case as, if a neighbour starts to break the conditions of the Title Deeds and you let them do so for just 5 years, then the change can be made official by default. You may need to consult a solicitor.

7.5 Planning Permission

If you are concerned about a change of use of property, or proposed building work next to your property you can contact the planning department of the local authority to object to a planning application. Adjacent neighbours should be notified before planning consent is granted and notices should have been placed on nearby lampposts. You can also check whether permission has been granted in the past or whether its terms and conditions have been complied with. When considering an application for planning permission, planning authorities need to consider the noise implications of any development, for example conditions can be placed on the opening hours of bars and clubs (see section 10). Also check your title deeds (see above) as these may place restrictions on how the property is to be used.

7.6 Children

Noisy children in themselves are not a noise nuisance, but noisy behaviour can sometimes be distressing or disturbing. If you experience a problem of noise created by children you should first attempt a conciliatory approach to your neighbour. A mediation service may also be able to help.

8. Private legal action

You may consider taking private legal action, especially if the council cannot or will not take action against a nuisance. However, you should be aware that this can be complex. For many types of

nuisance, such as noise, the normal rules of evidence apply, which means you require corroboration from more than one source.

Taking private legal action can be expensive, so it is highly advisable to seek advice from a solicitor before proceeding. If the case is dismissed you will normally incur your own costs and may incur the costs of the other party.

A Citizens Advice Bureau may also be able to advise you. You can find out how to contact your local Citizens Advice Bureau from your telephone directory. You can also take advice from a solicitor but you will have to pay for this unless you qualify for legal aid. A Citizens Advice Bureau should be able to advise you more about whether you are likely to be able to get legal advice.

Further information about getting legal advice is available in Age Concern Factsheet 43s, *Getting legal advice* (see section 11). It is also possible that your home insurance policy may cover you for legal fees - you will need to check your insurance policy details.

8.1 Complaints to the Sheriff court

If you **do** wish to take action yourself on noise, you can do this through a Sheriff Court under section 82 of the *Environmental Protection Act 1990*. You must first give your neighbour written notice that you intend to take court action. You should be able to get further advice about how to proceed from the officials at the court. If your case is successful in a Sheriff Court, you may be able to get compensation for the discomfort you have suffered.

8.2 Interdicts

You can take civil action for nuisance at common law by seeking an interdict in the Court of Session or Sheriff's Court. An interdict is a special order from the court and can either require someone to do something or prohibit them from doing something. For example, an interdict might prohibit someone from playing loud music at certain times or require them to cut back a hedge which is growing into your garden. Breach of an interdict is a criminal offence and can be punished by fines or imprisonment.

9. Legislation in detail

9.1 Environmental Protection Act 1990

Under this Act (as amended by the *Noise and Statutory Nuisance Act 1993*, and the *Environment Act 1995*), councils have a duty to deal with any noise they consider to be a statutory nuisance. The Act lists various statutory nuisances. It will usually be the environmental health department of your local council which will deal with problems such as noise. Their powers are best suited to dealing with on-going predictable noise, or nuisance such as commercial or industrial activities. The police (see section 6) have powers to deal with noise from car horns, noisy vehicles, disturbances, rowdy behaviour, loud parties and music which is loud enough to require immediate action.

If you complain about noise or other nuisance to your council, it has a duty to investigate your complaint. You may be asked to keep a diary recording the nature and time of the nuisance over a period of time. If it is a problem of noise, an officer may visit to measure the level of noise. There is now a 'permitted level' above which an offence is committed under the *Antisocial Behaviour Act 2004*. However it is possible for noise which is not an offence under this Act to be a nuisance or prejudicial to health, and so be a statutory nuisance. The environmental health officer must decide if the law is being breached according to specific circumstances.

After its investigation a council may send out a letter of warning. It also has the power to serve an abatement notice, which is a legal notice requiring the person responsible to stop the behaviour causing the nuisance. Breach of an abatement notice is a criminal offence and can result in prosecution of the person offending.

9.2 Civic Government (Scotland) Act 1982

Under this act it is possible for local authorities to deal with 'annoyance' which might include domestic noise, rubbish dumping and dog nuisance. You will have to keep a diary in order to produce records about how this has affected you. The law also requires corroboration, so you would be unlikely to succeed without confirmation from another party. This Act also gives powers to the police to combat the noise that is causing annoyance (see section 5).

9.3 The Antisocial Behaviour (Scotland) Act 2004

The *Antisocial Behaviour etc (Scotland) Act 2004* states that someone is engaging in antisocial behaviour if they:

- act in a manner that causes or is likely to cause alarm or distress
- or**
- pursue a course of conduct that causes or is likely to cause alarm or distress to at least one person not of the same household as them.

The Act further clarifies that:

- conduct includes speech;
- 'A course of conduct' must involve conduct on at least two occasions;
- 'Likely to cause' has the effect that someone other than a victim of antisocial behaviour can give evidence of its occurrence. This enables the use of professionals as witnesses where, for example, the victim may fear intimidation.

The Act gives powers to both councils and the police to deal with antisocial behaviour, and makes provisions for dealing with noise nuisance. The council and chief constable have a duty to prepare a strategy for dealing with trouble in the area, in consultation with other interested parties, such as registered social landlords (housing associations).

A noise offence is based on exceeding an objective measured sound level value - 'the permitted level'. This level will be lower at night than during the day. The intention is to deal swiftly with domestic noise that is unacceptable to neighbours. This noise offence is not the same as a statutory nuisance, and in some cases it may be more appropriate to use the provisions under the laws in section 9.1 to deal with a noise disturbance.

If you complain to the council about noise it will normally be an environmental health officer who will carry out an investigation. Your local council may have set up a noise nuisance service which could operate up to 24 hours a day, seven days a week. The hours and type of service will depend on local needs.

9.4 The Crime and Disorder Act 1998 and the Criminal Justice (Scotland) Act 2003

Under these Acts, councils, registered social landlords (housing associations) and police have powers to tackle serious nuisance which constitutes antisocial behaviour. Either the landlord or the police, in consultation with each other, can apply to a Sheriff's Court for an Antisocial Behaviour Order (ASBO). ASBOs are intended to deal with criminal or serious behaviour and not minor disputes between neighbours. They are not intended to address behaviour that is merely different, or behaviour that is the result of a mental disorder. They can be made against people living in all kinds of housing - owner occupied or rented, but are not restricted to housing situations. They can be used to address antisocial behaviour wherever it occurs.

An application for an ASBO is a significant action and can take a considerable time. Interim ASBOs were introduced by the *Criminal Justice (Scotland) Act 2003* to allow more immediate protection from antisocial behaviour pending the outcome of an application for an ASBO. Because ASBOs are a serious matter, your local authority may attempt to get the perpetrator to sign up to an Acceptable Behaviour Contract (ABC) first of all and only serve an ASBO if the ABC is broken.

The orders can be made against an individual or a group of individuals (perhaps a family) whose behaviour causes alarm, distress or harassment to someone not living in the same household. Their aim is to protect people from further antisocial acts. An ASBO will prohibit the named individuals from certain types of behaviour for either a fixed or indefinite period of time. If the order is broken this is a criminal offence and the perpetrator can be arrested.

The *Antisocial Behaviour etc. (Scotland) Act* extended the use of ASBOs to children from the age of 12 years upwards. Such will involve the Children's Hearing system, which focuses on the care and welfare of children and young people at risk.

The *Crime and Disorder Act 1998* also provides for additional powers for the police to combat noise nuisance (see section 5).

10. Further information

For information about services in your area, contact your local council, check their web site or look at www.antisocialbehaviourscotland.com which will also link you to local community mediation services, community wardens and noise nuisance teams.

Sound Advice on Noise, Don't suffer in silence

Free booklet from: Scottish Government, Environment and Natural Resources, Victoria Quay, Edinburgh EH6 6QQ.

<http://www.scotland.gov.uk/Publications/2001/03/8527/File-1>

10.1 Planning

Contact Planning Aid for Scotland for advice and help on understanding or objecting to a planning application being made near you. Planning Aid for Scotland, 11a South Charlotte Street, Edinburgh, EH2 4AS

<http://www.planning-aid-scotland.org.uk>/Tel 0845 603 7602

10.2 Tenements Act - Common property and tenement issues

Common Repair Common Sense, (HomePointer 44): A home owners guide to the management and maintenance of common property, available free. This book is currently being up dated and will be available shortly from Consumer Focus Scotland tel 08454 04 05 06 www.consumerfocus.org.uk . In the meantime, the book can be downloaded from

http://www.communitiesscotland.gov.uk/stellent/groups/public/documents/webpages/hmcs_006465.pdf

Management and Maintenance of Common Property: Guidance on the Tenements (Scotland) Act 2004 and the Title Conditions (Scotland) Act 2003 for Housing Professionals. Available online only from www.scotland.gov.uk

10.3 General advice

Environmental Protection UK has useful leaflets on Neighbour Noise and Noise Nuisance. Both can be obtained by sending a large stamped addressed envelope to Environmental Protection UK c/o Glasgow City Council, Environmental Protection Services, 231

George Street, Glasgow, G1 1RX. www.environmental-protection.org.uk

The leaflets can also be downloaded.

Neighbour Noise
[http://www.environmental-protection.org.uk/assets/library/documents/Scottish Neighbour Noise leaflet April 08.pdf](http://www.environmental-protection.org.uk/assets/library/documents/Scottish_Neighbour_Noise_leaflet_April_08.pdf)

Noise nuisance in Scotland -
[http://www.environmental-protection.org.uk/assets/library/documents/Noise Pollution Scotland Nov07.pdf](http://www.environmental-protection.org.uk/assets/library/documents/Noise_Pollution_Scotland_Nov07.pdf)

Website: www.NSCA.org.uk

10.4 Mediation Services

SACRO

This national organisation runs mediation services and can advise if there is one in your area. Contacts: 29 Albany Street, Edinburgh EH1 3QN. Tel: 0131 624 7270. Fax: 0131 624 7269.
www.sacro.org.uk

Scottish Mediation Network and Scottish Mediation Register

18 York Place, Edinburgh, EH1 3EP Telephone: 0131 556 1221
<http://www.scottishmediation.org.uk/>

Community Mediation Services

Aberdeen Community Mediation, Sacro, 110 Crown Street, Aberdeen, AB11 6HJ. Tel: 01224 560 570. Email: info@aberdeen.sacro.org.uk

Dumfries and Galloway Community Mediation Service, Sacro, 75 Buccleuch Street, Dumfries, DG1 2AB. Tel: 01387 731 270
Email: info@dumfries.sacro.org.uk

Dundee Community Mediation, Sacro, Suite E and F Market Mews, Market Street, Dundee DD1 3LA. Tel: 01382 459 252
Email: info@dundee.sacro.org.uk

East Lothian Community Mediation Services, Sacro, 18 Bridge Street, Musselburgh, East Lothian, EH21 6AG. Tel: 0131 653 3421. Fax: 0131 653 3071. Email: info@eastlothian.sacro.org.uk

East Renfrewshire Community Mediation Service, Sacro, c/o Thornliebank Depot Control Room, 190 Carnwadric Road, Thornliebank, G46 8HR. Tel: 0141 577 3202

Edinburgh Community Mediation, Sacro, 21 Abercromby Place, Edinburgh, EH3 6QE. Tel: 0131 557 2101
Email: info@edincm.sacro.org.uk

Fife Community Mediation, Sacro, 2 Hill Street, Kirkcaldy, Fife, KY1 1HX. Tel: 01592 641 618. Email: info@fife.sacro.org.uk

Highland Community Mediation, Sacro, Suite 1 and 2, 84-90 Academy Street, Inverness, IV1 1LU. Tel: 01463 716 325
Fax: 01463 716 326. Email: info@highland.sacro.org.uk

Irvine Community Mediation, Sacro, 146 High Street, Irvine, KA12 8AH. Tel: 01294 314 020. Email: info@irvine.sacro.org.uk

Orkney Community Mediation, Sacro, 4b Laing Street, Kirkwall, Orkney, KW15 1NW. Tel: 01856 875 815.
Email: info@orkney.sacro.org.uk

Angus Community Mediation Service, Sacro, 81 High Street, Monifieth, Angus, DD5 4AA. Tel: 01382 537 007.
Email: Hou_mediation1@angus.sol.uk

Perth Community Mediation Service, Sacro, Suite D Moncrieff Business Centre, Friarton Road, Perth, PH2 8DG. Tel: 01738 445 753. Fax: 01738 627 563. Email: info@perthcm.sacro.org.uk

Stranraer Community Mediation, Sacro, Unit 4 Castle Court, 8 Castle Street, Stranraer, DG9 7RT. Tel: 01776 706 683
Email: info@stranraercm.sacro.org.uk

Glasgow's Mediation Service, Nye Bevan House 2, 20 India Street, Glasgow, G2 4PF. Tel: 0141 287 9498
Email: mediation@drs.glasgow.gov.uk

Sacro Reparation and Mediation Project (Hamilton & Motherwell), 11 Merry Street, Motherwell, North Lanarkshire, ML1 1JJ.
Tel: 01698 230433. Email: contact@nslanarkshire.sacro.org.uk

Shetland Citizens Advice Bureau Mediation Service, c/o CAB, Market House, 14 Market Street, Lerwick, Shetland, ZE1 0JP.
Tel: 01595 694696. Fax: 01595 694283
Email: sicab@zetnet.co.uk

South Lanarkshire Mediation Service, Brandongate, 1 Leechlee Road, Hamilton, South Lanarkshire, ML3 OXB. Tel: 01698 452 773

Stirling Council Mediation Service, Community Services, Stirling Council, Viewforth, Stirling, Stirlingshire, FK8 2ET.
Tel: 01786 442 968. Fax: 01786 443 410.
Email: gibsonb@stirling.gov.uk

Scottish Public Services Ombudsman

This service looks at complaints about public services, such as local authorities. Contacts: 4 Melville Street, Edinburgh EH3 7NS.
Tel: 0800 377 7330 .Fax: 0800 377 7331.
Email: ask@spsso.org.uk.
Website <http://www.spsso.org.uk/>

10. Further information from Age Concern and Help the Aged

Elder Abuse and the law in Scotland.

A briefing paper from Age Concern Scotland.
Website: www.ageconcernscotland.org.uk

The following factsheets may be of use:

Factsheet 33	<i>Crime prevention for older people</i>
Factsheet 35s	<i>Rights for council and housing association tenants</i>
Factsheet 36s	<i>Private tenants' rights</i>
Factsheet 43s	<i>Getting legal advice</i>

If you would like:

- any additional factsheets (up to a maximum of 5 will be sent free of charge);
- a full list of factsheets and/or a book catalogue

- further information or if you have questions arising from this factsheet;
- to receive this information in a different format

phone the Scottish helpline for Older People on 0845 125 9732 (local call rate), Monday to Friday, 10 am – 4 pm. It is a confidential and impartial service managed by Age Concern and Help the Aged in Scotland which helps older people and those who care for or work with older people. It provides information about community care, tax, pensions, benefits and other issues or puts callers in touch with other services which can help. E-mail: www.olderpeoplescotland.org.uk

For people with hearing loss who have access to a textphone, calls can be made by Typetalk which relays conversations between text and voice via an operator. You can phone S.H.O.P. by Textphone on 0845 226 5851.

For people whose require the access to an interpreter, they should phone S.H.O.P. on the Language line number 0845 310 9900 stating which language they require.

Age Concern and Help the Aged provides factsheets free to older people, their families and people who work with them. If you would like to make a donation towards the work of Age Concern and Help the Aged in Scotland, you can send a cheque or postal order (made payable to Age Concern and Help the Aged in Scotland) to Age Concern and Help the Aged in Scotland, Causewayside House, 160 Causewayside, Edinburgh, EH9 1PR.

Find out more about Age Concern and Help the Aged in Scotland online at www.ageconcernandhelptheagedscotland.org.uk and the Scottish Helpline for Older People at www.olderpeoplescotland.org.uk

DISCLAIMER:

Whilst we aim to produce information that is factually correct at the time this document is produced, we cannot be held liable for any errors or omissions.

No factsheet can ever be a complete guide to the law, which also changes from time to time. Therefore please ensure that you have an up to date factsheet and that it clearly applies to your situation. Legal advice should always be taken if you are in doubt.

Please note that the inclusion of named agencies, companies, products, services or publications in this factsheet does not constitute a recommendation or endorsement by Age Concern and Help the Aged. Whilst every effort is made to ensure accuracy, Age Concern and Help the Aged cannot be held responsible for errors or omissions.

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Please note change with effect from 1 April 2009

Age Concern Scotland and Help the Aged in Scotland have joined together to form a single new charity dedicated to improving the lives of older people within a charitable company limited by guarantee and registered in Scotland.

Reg. No 53343 Charity No. SC 010100
Registered Office: Causewayside House, 160 Causewayside,
Edinburgh EH9 1PR Tel: 0845 833 0200 Fax: 0845 833 0759

Appendix 1: TYPES OF BEHAVIOURS THAT CAN BE DESCRIBED AS ANTISOCIAL

Disregard for community/personal wellbeing

Noise

Noisy neighbours
Noisy cars/motorbikes
Loud music
Alarms (persistent ringing/malfunction)

Rowdy behaviour

Shouting and swearing
Fighting
Drunken behaviour
Hooliganism/Loutish behaviour

Nuisance behaviour

Urinating in public
Setting fires (not directed at specific persons or property)
Inappropriate use of fireworks
Throwing missiles
Climbing on buildings
Impeding access to communal areas
Games in restricted/inappropriate areas
Misuse of air guns
Letting down tyres

Hoax calls

False calls in emergency services

Animal related problems

Dog fouling

Acts directed at people

Intimidation/harassment

Groups or individuals making threats
Verbal abuse
Sending nasty/offensive letters
Obscene/nuisance phone calls and text messages
Menacing gestures

Can be on the grounds of:

Race

Sexual orientation

Gender

Religion

Disability

Age (including youth as well as older people)

Environmental damage

Criminal damage/ vandalism

Graffiti

Damage to: bus shelters
phone kiosks
street furniture
buildings
trees/plants/hedges

Litter/rubbish

Dropping litter

Dumping rubbish

Fly-tipping

Fly-posting

Misuse of public space

Drugs/substance misuse and dealing

Taking drugs

Sniffing volatile substances

Discarding needles/drug paraphernalia

Presence of dealers or users

Street drinking

Prostitution

Soliciting

Discarded condoms

Kerb crawling

Loitering

Pestering residents

Abandoned cars

Vehicle related nuisance & inappropriate vehicle use

Setting vehicles alight

Racing cars

Off road motorcycling/quad bikes