



## ESTATE MANAGEMENT POLICY

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# **Estate Management Policy**

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## Estate Management Policy

### 1.0 Introduction

1.1 Cadder Housing Association (the “Association” or “we”) is a registered social landlord. The Association was formed in 1993 and was successful in acquiring stock from Scottish Homes in 1994. There were 107 units in the initial stock transfer, with a further 647 acquired in 1998 through a competitive stock transfer process with other local housing associations. The Association now owns and manages 1054 units, 648 in ownership and it provides a factoring service to 402 owner-occupiers.

1.1.1 The Association operates on a ‘not for profit’ basis and is run by an elected Management Committee, consisting mainly of local residents who employ a staff team to manage the Association on a day to day basis.

### 1.2 Key Aims and Principles

This document outlines the Association’s Estate Management Policy. In line with legislative and good practice requirements the underlying principles are for it to be:

- Consistent** - We will strive to attend to the management of all estate management issues in a similar manner.
- Pro-active** - We will establish working practices, monitoring and audit systems to manage the estate in a pro-active manner.
- Effective** - We will ensure that the estate management services that we provide enhance the attractiveness of our area, as well as contribute to a clean, safe and secure environment for all Cadder residents to live.
- Efficient** - We will strive to achieve challenging targets in all aspects of the estate management service, for example value for money, service delivery and performance.
- Responsive-** We will ensure that our estate management service is responsive to the needs and aspirations of all Cadder residents. We will take account of their views in the review of the estate management policy and service areas. In addition, we welcome their views and ideas on how we can improve the estate management service

**Accountable -** We will take responsibility for managing and monitoring the delivery of the estate management service throughout the Cadder area. This will include taking a lead role in liaising with our contractors, partners and agencies that undertake estate management tasks on behalf of the Association and/or Cadder residents.

**Non-Discriminatory –** We aim to observe equal opportunity requirements to ensure equality of treatment for all tenants and service users without discrimination or prejudice based on a person's gender, sexual orientation, race, ethnic origin, nationality, religion, age, disability, illness, social or financial status.

### 1.3 Definition of Estate Management

1.3.1 Estate management refers to the management of our properties, surrounding areas and provision of services, which aim to provide our tenants and residents with the quiet and safe enjoyment of their homes and neighbourhood.

1.3.2 Estate management has been defined as:

'All aspects of estate upkeep including management of open spaces, litter issues, supervision of caretaking staff and routine inspections of estates'. (*Clapham et al*)

1.3.3 Estate Management covers a range of activities, which include: -

- Liaising with tenants and owner-occupiers on all aspects of their tenancy agreement and deeds of condition.
- Taking enforcement action where there is non-compliance against the terms of the tenancy agreement/ deeds of condition, for example, warnings, legal action etc.
- Ensuring areas are kept tidy and maintained, for example gardens, open spaces, backcourts, closes etc.
- Investigating and resolving neighbour complaints and disputes.
- Investigating and repossessing abandoned tenancies.
- Maintenance and repair of our properties.

- 1.3.4 This policy focuses on the management and maintenance of our estate, although, it will not include detailed information on other estate management related policies, for example, abandonment, repairs and maintenance, anti-social and neighbour nuisance behaviour.
- 1.3.5 The Association's estate management services are provided to all residents and are mainly funded through rental payments and owner occupier services charges. The Association's estate caretaking service undertakes all backcourt maintenance, landscape maintenance, close cleaning, backcourt bulk removal, de-littering and various other ad-hoc works. The estate caretaking service ensures that the Cadder estate is maintained to a high standard, which all residents benefit from.
- 1.3.6 The provisions of this estate management policy will outline how the Association will manage the estate, as well as the expectations placed on tenants, owners and service users.
- 1.3.7 Our Vision is to make Cadder an attractive place for people to live with good quality housing and local environment, as well as deliver services that meet their needs. This policy and our management of the Cadder estate is of real significance in achieving our Vision.

## **1.4 Equal Opportunities**

- 1.4.1 We will not unfairly discriminate against any person within the protected characteristic groups as contained within the Equality Act 2010. To ensure equal access to the information contained in this policy for all, we are happy to provide copies in Braille, in larger print, translated into other languages or on tape to you or anybody that you know.
- 1.4.2 As with all Association policies and practices, the Association will adhere to Outcome 1 of the Scottish Social Housing Charter (*Equalities*):

'Social Landlords perform in all aspects of their housing services so that every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services'.

- 1.4.3 An Equality Impact Assessment accompanies this policy.

## **1.5 Consultation**

- 1.5.1 Consultation with the community and resident participation has always been one of the key aspects of the way in which the Association operates. We therefore, welcome the new statutory provisions of the Housing (Scotland) Act 2001, which require all social landlords to take tenants' views into account when formulating key service policies.

1.5.2 At present there are two strands to policy consultation within Cadder: -

Firstly, we believe it is important to inform all tenants and service users when a policy review is due, together with some information on the proposed changes by the Association.

Secondly, to invite feedback from tenants on (i) how well they feel the proposals address the needs of the community and (ii) whether there are any particular amendments they would like to see.

1.5.3 The Association's Resident Participation Strategy was approved by the Management Committee in August 2015 and outlines our commitment to providing information and consulting with residents on our policies and in particular, the ones that materially affect them.

1.5.4 The Association will take account of feedback from tenants, service users and relevant external agencies in the review of this policy and advise Committee of the outcomes of this exercise.

## **1.6 Health & Safety**

1.6.1 The Association will observe the provisions as contained within the Association's Health and Safety manual to ensure the wellbeing of staff in delivering the estate management policy.

## **2.0 Aims & Objectives**

2.1 The aims and objectives of this policy are to: -

- Ensure our tenants and residents live in well managed and maintained housing, providing a secure, safe, clean and tidy environment.
- Ensure that the Association protects its investment through the estate being maintained to a high standard.
- Maximise repairs expenditure through planned and reactive repairs to ensure the upkeep and maintenance of the properties and the estate.
- Provide quality estate management services that are responsive to the needs and aspirations of all Cadder residents.
- Ensure that tenants and owners adhere to the conditions of their tenancy agreement and deeds of conditions.
- Establish close working relationships with stakeholders to ensure that the Cadder area is a clean, safe, secure and well maintained area.

- Minimise the number of void properties received, through the provision of well managed and maintained areas and properties.

### **3.0 Achieving Aims & Objectives**

To achieve the aims and objectives of the Estate Management Policy, the Association will:

- Work closely with tenants, other residents and any community groups.
- Consider service suggestions from Committee, staff or customers.
- Monitor the performance of the Estate Caretaking service in relation to the execution of required tasks.
- Seek views of tenants and residents in relation to the Association's estate management service.
- Ensure staff carry out frequent estate inspections.
- Update tenants and residents of relevant activities / works.
- Work with other agencies to help maintain the upkeep and appearance of the Cadder estate.
- Ensure required information is made available to Committee.
- Reinforce tenancy and deed of condition terms to tenants and owner occupiers where required.
- Ensure that the requirements of the tenancy agreement are explained to all new tenants at missive stage and new tenancy visits.
- Respond effectively to issues.
- Act proactively to prevent issues arising / escalating.
- Review relevant outcomes from the Resident Satisfaction Survey.

### **4.0 Partnership Working**

4.1 The upkeep and management of the Cadder estate will also rest with other organisations, such as:

4.1.1 Glasgow City Council, which has responsibility for:

- The upkeep of public roads, sewers, pavements and lighting.
- Maintaining qualifying individual gardens under the Assisted Garden Maintenance Scheme.
- Maintaining Council owned open spaces
- Collection of household and bulk refuse / recycling
- Fly-tipping
- Pest Control and Advice
- Dog Fouling / Control



- Abandoned Vehicles
- External graffiti removal
- Stair Lighting (on behalf of the Association)

4.1.2 Community Safety Glasgow, which has responsibility for:

- Community patrols to monitor and deter activities, such as anti-social behaviour, littering and dog fouling
- Promoting and resourcing the Council's Environmental Task Force (Clean Glasgow Campaign)
- Hotspot Intervention – Engaging in locations affected by youth disorder
- 'Recreate' – A volunteer service for ex-offenders, who are allocated environmental tasks, such as landscaping, painting, de-littering and gardening works.

4.1.3 Police Scotland, which has responsibility for:

- Patrolling the Cadder estate
- Deterring and detecting anti-social behaviour and other forms of criminal behaviour
- Liaising with residents and the Association to be informed of community issues
- Engaging in operational and strategical tasks with the Association

4.1.4 The Association has formed successful partnerships with a number of employability agencies. These partnerships have produced successful outcomes for the individuals, the referring agency and the Association. This collective resource helps to maintain the Cadder estate to a very high standard, whilst providing best value to our tenants and residents in respect of estate management services. These programmes have helped individuals return to a work environment and enhance their employability prospects. The Association has given a number of these persons full time apprenticeships.

## **5.0 Legal and Good Practice Framework**

5.1 The Estate Management Policy meets with relevant legislative and good practice requirements, which includes:

- 5.2 The Scottish Social Housing Charter, which sets the standards and outcomes that tenants and other customers who use our services can expect. The relevant Outcomes associated to this policy are:

*Charter Outcome 1: Equalities*

*Social landlords perform in all aspects of their housing services so that:*

*Every tenant and other customer has their individual needs recognised, is treated fairly and with respect, and receives fair access to housing and housing services.*

We will achieve this objective by processing any complaints and comments about our estate management services. We will speak to the complainant and ask them what outcome they are looking for as a resolution. This way we will take into consideration their individual needs. We have customer care policies and procedures and staff training to ensure that staff understand the importance of and can put in to practice skills that let customers know our aim is to treat them fairly and with respect. Our staff are also made aware of current equalities legislation and good practice so that they behave fairly to our customers.

*Charter Outcome 2: Communication*

*Social landlords manage their businesses so that:*

*Tenants and other customers find it easy to communicate with their landlord and get information they need about their landlord, how and why it makes decisions and the services it provides.*

We will use one to one conversations, telephone, email, our website, translators, interpreters and advocates where the customer wants this to ensure that everyone finds it easy to communicate with us using their chosen mode of communication. Similarly any information which is appropriate to be made available to customers can be provided in a variety of formats to meet particular needs.

*Charter Outcome 3: Participation*

*Social landlords manage their businesses so that:*

*Tenants and other customers find it easy to participate in and influence their landlord's decisions at a level they feel comfortable with.*

We will use the communication methods outlined above to enable our customers to participate in and influence our decisions. As well as this we will use focus groups and surveys and will work with residents groups in order for people to be able to influence our decisions.

*Charter Outcome 6: Estate Management, Anti-Social Behaviour, Neighbour Nuisance and Tenancy Disputes*

*Social landlords, working in partnership with other agencies, help to ensure that:*

*Tenants and other customers live in well maintained neighbourhoods where they feel safe.*

We will work with other agencies such as the Scottish Police, social work and support agencies, to tackle issues which are of concern to our residents so that as far as possible they live in well maintained neighbourhoods and feel safe.

- 5.3 The Housing (Scotland) Act 2001 incorporates the Scottish Secure Tenancy Agreement, which outlines the obligations of the tenant and the Association in relation to the tenancy.

The Act also contains the grounds for repossession should there be continued and/or a serious breach of the Scottish Secure Tenancy Agreement.

- 5.4 The Association will observe the provisions of the Human Rights Act 1998. In particular, articles 1 and 8 are relevant to the management of our estate:

- Article 1 states that every person is entitled to the peaceful enjoyment of their possessions, except in the public interest and subject to law;
- Article 8 states that each individual has the right to respect for home life, privacy, the home and correspondence

- 5.5 The Association will observe The Equality Act 2010, which applies to everyone who provides a service to the public and is based on all persons having the right to be treated with fairness, dignity and respect.

- 5.6 The aims and principals of achieving positive estate management performance and outcomes for our customers and wider community are enshrined in the Association's Strategic Objectives for 2016-19:

- I. Provide a high quality housing service that is continually responsive to the expectations of our tenants and other customers;
- II. To engage and build relationships with our customers to ensure our services and activities meet their needs and aspirations of our tenants and other customers;

- III. To invest in our people to ensure they have good knowledge and skills to excel in their role within the Association;
- IV. Pursue development, regeneration and wider role initiatives in close working with key partners with the aim of improving Cadder, as well as the quality of life and living conditions of tenants and residents in Cadder; and
- V. Maintain the financial viability of the Association through sound business planning, control and achievement of best value in all that we do.

## **6.0 Tenants & Owners**

### **6.1 Tenants**

6.1.1 The Scottish Secure Tenancy Agreement which forms part of Housing (Scotland) Act 2001 outlines tenants' and the Association's responsibilities in relation to the tenancy and the Association's boundary of operation. Areas related to this policy include:

- Use of the house and the common parts
- Cleaning of stairs
- Storage
- Respect for others (neighbours)
- Repairs, maintenance, improvements and alterations
- Keeping of pets
- Upkeep of garden
- Disposal of household refuse
- Ending the Tenancy

### **6.1.2 Viewings**

Prospective tenants will be advised of tenancy obligations and services provided, when viewing properties with staff.

### **6.1.3 Tenancy Sign-up**

The Association will provide new tenants with a comprehensive summary of their responsibilities as a tenant during the sign-up process for their tenancy. This information will include their estate management duties and responsibilities. We will also provide details of the services provided by the Association. This will be supported by the new tenant signing a Good Neighbour Agreement, whereupon the new tenant undertakes to be a considerate neighbour (tenant) through such actions as keeping noise to a minimum; properly disposing of household refuse; maintaining the garden (if applicable); ensuring any pets do not cause nuisance. A Tenant Handbook will also be provided

at the sign-up stage. The Association's Tenant Handbook is currently subject to review.

#### 6.1.4 New Tenant Visits

The Housing Services Officer will carry out a settling in visit to all new tenants of the Association within six weeks of the date of entry. The purpose of this meeting is to ensure that:-

- The Housing Services Officer is known to the new tenant
- Establish a good landlord / tenant relationship
- The tenant has settled into his/her home
- To give further advice and information in relation to any tenancy related matter
- To answer any queries that the tenant may have about the condition of let or the house they have been allocated

#### 6.2 Owner Occupiers

6.2.1 The Deeds of Conditions outline the owners and landlord's responsibilities in the management of common areas.

6.2.2 The Written Statement of Services (WSoS) provided to owner occupiers under the Property Factors (Scotland) 2011 Act. The WSoS sets out:-

- The basis of the Association acting as Factor
- Services provided and liable shared costs information
- Charging arrangements
- Complaints process
- Information on how the Association can be removed as factor

6.2.3 A Written Statement of Service will be issued to all new owner occupiers, which outlines the responsibilities of both the Association and property owner.

### 7.0 Early Action and Prevention

#### 7.1 Estate Inspections

Through programmed estate inspections, the Association will identify estate issues. Housing Services and Technical Services staff will jointly visit 10% of properties on a weekly basis. These inspections will check:

- common landscape areas
- common entrances, closes, stairs and landings
- backcourts (bin areas, grass)
- individual front and back gardens
- common fabric

- 7.1.1 During these inspections, Housing Services staff will attempt to engage with a resident from each close visited to seek comment on the Association's estate management service and ask for any service suggestions. These engagements will help to address any service failings. All inspections will be recorded, actioned and saved to file. Properties and inspection dates will be confirmed through a property inspection register.
- 7.1.2 The co-attending Technical Services Officer will be responsible for progressing identified repairs on a reactive / planned maintenance basis.
- 7.2 Estate based staff from the Association's Housing Services and Estate Caretaking departments will observe and attend to issues that rest with our main estate partner, Glasgow City Council, when carrying out their duties on a day to day basis. Such issues will include domestic refuse / bulk collection; landscape maintenance; street sweeping; assisted gardens; street lighting and road / pavement defects. The Association has good localised relationships with Glasgow City Council's Land & Environmental Services staff and will make use of these contact arrangements to address issues.
- 7.3 The Association's estate management activities are supported by its estate caretaking operatives, who clean and wash all closes once weekly. These visits help identify any heightened risks within closes, such as bulk items in landings; broken windows, etc., which when identified are reported immediately to the Chargehand Estate Caretaker for suitable attention. The Chargehand Estate Caretaker will inform Housing Services staff of such issues, to allow for follow up action to be taken to prevent issues recurring.
- 7.4 The Chargehand Estate Caretaker will liaise with Housing Services staff during the formation of the planned estate caretaking summer and winter work programmes each year. This approach will ensure that all estate works that are within the capacity of the caretaking section are addressed and help prevent problems arising. Housing Services staff will liaise with the Chargehand Estate Caretaker on an ad-hoc basis throughout the year to attend to any reactive issues, such as graffiti, litter, broken glass, etc.
- 7.5 Estate Communications
- 7.5.1 The Association will provide information and profile estate management issues through its newsletters and website. The Association's newsletter is issued to all Cadder properties.
- 7.5.2 The Association acknowledges its responsibilities to consult with tenants and service users on policy reviews and service issues. We will use circulars as one method to consult with our tenants and service users.

7.5.3 Where required, we will communicate with residents on a separate basis in relation to any particular issue affecting certain properties, such as dog fouling; tree work; vandalism, etc. We will ensure that all such correspondence has named officer details for customer service purposes. Staff will also carry out house visits to support investigations.

## 7.6 Community Safety Glasgow

7.6.1 Community Safety Glasgow (CSG) is an arms-length organisation of Glasgow City Council. CSG works in partnership with Police Scotland and City Council departments and aims to make Glasgow a safer and cleaner city. The Association has procured the services of CSG's Community Relations Unit since 2010 and receives support for more serious / complex anti-social behaviour cases.

7.6.2 Housing Services staff will also liaise with CSG's Locality Services Department when estate issues, such as fly-tipping, loitering, are identified. The Housing Services Officer will issue a 'Hot-Spot' referral to CSG, within which details of the issue and any supporting information will be provided. CSG will then be tasked with monitoring the referred problem location by means of vehicles patrolling with CCTV. CSG will in turn keep the Association updated of any outcomes and where necessary, also liaise with Police Scotland.

7.6.3 The Association will also work with CSG's Community Enforcement Officers to tackle dog fouling within the estate. CSG's Community Enforcement Officers are legally permitted to enforce the relevant provisions of the Environmental Protection Act and Dog Fouling Scotland Act to detect and prevent littering and dog fouling. Persons found guilty of breaching either of the Acts are issued with a Fixed Penalty Notice, whereupon non-payment could result in the fine amount being increased and a criminal record being created.

## 8.0 Estate Management Issues

8.1 Estate Management covers a range of issues on behalf of both the Association and tenants / residents. The main areas are as follows:

### 8.2 Gardens

8.2.1 It is a condition of the Cadder Scottish Secure Tenancy Agreement (section 2.10) that all tenants who have a garden which is exclusive to the tenancy, must keep the garden tidy and free from rubbish. All new tenants who are allocated a property will have their responsibilities in maintaining a garden to a reasonable standard explained to them in full. The Association will maintain all gardens attached to empty homes until such time as the keys have been given to the new tenant.

8.2.2 Gardens will be subject to regular inspections by Housing Services staff, particularly during April – September each year. Where gardens are found to be in need of upkeep, staff will make contact with tenants through personal contacts and letters. Staff will endeavour to ascertain if the tenant has any reason for not maintaining the garden to an acceptable standard for any reasons, such as age or disability. Where this is determined, Housing Services staff will make the tenant / resident aware of Glasgow City Council's Assisted Garden Maintenance Scheme, which is available when:

- The householder is a registered Council Tax Payer
- The householder is over 70 years of age
- The householder has a medical condition that prevents them from maintaining the garden
- There are no able bodied persons between the ages of 16 and 69 in the household

The Association holds application forms for the City Council's Assisted Garden Maintenance Scheme.

Resources allowing, qualifying gardens submitted to Glasgow City Council's Assisted Garden Maintenance Scheme will be maintained by the Association's estate caretaking service until such time as being fully adopted for upkeep by Glasgow City Council's Land & Environmental Services department.

8.2.3 The Association has a range of garden letters, from first warning to imposition stage, whereupon the tenant is advised that the Association intends to cut the garden and any hedging on a specified date, with costs being recharged to the tenant. The tenant will be advised of the amount to be charged, which will be determined by the Association's Chargehand Estate Caretaker. Housing Services staff will take pictures of the garden before and after works, which will be saved to the tenant's file.

8.2.3.1 The first garden letter advises the tenant that their garden is considered to be in a poor condition and that a follow up inspection will take place 14 days hence. If issued, the second letter advises that the garden has again being inspected and has been found to remain in a poor condition and of a further inspection date. The second letter also advises the tenant of the possibility of the Association cutting the garden / hedging and recharging the tenant. If issued, the third letter advises the tenant that the Association intends to cut the garden on a specified date, with costs being recharged.

8.2.4 Subject to available resources, tenants and other residents will have the option of arranging for the Association's estate caretaking service to cut their garden on a one-off or seasonal basis. Housing Services staff will make residents aware of this option through all communications. Costs for such requests will be determined by the



Association's Chargehand Estate Caretaker and will be confirmed in writing to the tenant / resident by Housing Services staff. Advanced payment will be required.

- 8.2.5 Consideration could be given to an application being made to Glasgow Sheriff Court for a Specific Implement being put in place to instruct the tenant to cut the garden / hedging to an acceptable standard. If the tenant failed to adhere to the Order, the Association could return to court to seek compensation to remedy the situation. Given the legal costs that the Association would incur and the likely difficulty in recovering monies from the tenant, this option would only be considered in an extreme situation and would require consideration from the Housing Services Manager.
- 8.2.6 The Association may also consider raising a court action under Ground 8 of Schedule 2 of the Housing (Scotland) Act 2001, in which an order would be sought to compulsorily transfer the tenant. The Association would have to demonstrate that nuisance or annoyance was being caused to neighbours and that suitable alternative accommodation would be made available to the tenant. Where a compulsory transfer application was not considered to be suitable, the Association could consider pursuing an eviction action under Ground 1 of Schedule 2 of the Housing (Scotland) Act 2001. This consideration would only take place in the most extreme of cases and would require discussion with the Housing Services Manager.
- 8.2.7 As enforcement options are limited, where an owner occupied garden is not being maintained, Housing Services staff will liaise with owner to try and remedy the situation. This would include the offer of the Association's estate caretaking service cutting the garden / hedging at a cost to be paid in advance by the home owner. The Association would also make the owner occupier aware of the City Council's Assisted Garden Maintenance Scheme.
- 8.2.8 Where a hazard or impediment is considered to be caused by the condition / content of an owner occupied garden, the Housing Services Officer will liaise with Glasgow City Council's Environmental Health Department, who will make considerations under the Environmental Protection Act 1990. Such considerations could also be made for Association tenanted gardens.
- 8.2.9 To encourage tenants and owners to maintain their gardens, the Association holds an annual garden competition, which encompasses all gardens in the community. An event is held for winners, with prizes awarded. The competition also recognises well maintained balconies.

### 8.3 Common Close Areas

- 8.3.1 The maintenance of the common close is the responsibility of all residents. Section 2.8 of the Cadder Scottish Secure Tenancy

Agreement confirms that the tenant is expected to keep common parts clean and tidy in conjunction with other tenants and owner occupiers. The Deed of Conditions confirms that owner occupiers are responsible for shared common upkeep and maintenance costs. The Association's in-house close cleaning service assists and reduces the residents' responsibilities, where a weekly clean of the close will be undertaken, which will be the subject of a reasonable service charge. Residents will be expected to clean up spillages, litter etc. in the period between the weekly clean of the close.

### 8.3.2 The Association's close cleaning standards are:

Weekly:-

We will clean all floor coverings in the common close, as well as access paths and stairs, porch areas. This weekly clean will ensure all floor areas are free from debris, dirt and spillage. This will entail:

- Brushing and mopping all tiled landings and stair treads
- Cleaning skirting and window ledges
- Cleaning all handrails

Four Weekly:-

We will clean all common windows and frames, access doors. This will entail:

- Cleaning all common close windows
- Cleaning and polishing wall tiles
- Cleaning and polishing any common door brasses

8.3.4 Housing Services staff will be responsible for the management of any complaints received in relation to the service. Once received, the Chargehand Estate Caretaker will be contacted immediately and be tasked with arranging an inspection of the close on the same day of the complaint being made if possible and no later than the following day.

8.3.4.1 The Chargehand Estate Caretaker will discuss the complaint with the resident and aim to resolve matters to the resident's satisfaction. The Chargehand Estate Caretaker will inform Housing Services of the outcome of the complaint and the Housing Services Assistant / Officer will confirm this in writing to the resident. All complaints will be recorded on the Association's complaints register.

8.3.5 To ensure that closes are being cleaned to a satisfactory standard, the Chargehand Estate Caretaker will ensure that a minimum of 10% of closes are post inspected each week on the same day of cleaning. Inspected closes will be recorded on an inspection register, which will be maintained by the Chargehand Estate Caretaker. Where required, the Chargehand Estate Caretaker can place individual closes on a

sustained inspection programme, which will normally be over a period of four weeks, with updates being provided to involved Housing Services staff.

Close cleaning standards will also be observed during day to day close visits by Housing Services staff and during the programmed weekly joint property inspections with the Technical Services Officer, during which resident views will be sought.

8.3.6 Section 2.12 of the Cadder Scottish Secure Tenancy Agreement clearly states that no property belonging to the tenant including bicycles, motorcycles or prams should be stored in any common parts except in areas set aside for storage. In addition, no obstacles should be placed in the common close, entrance or pathway, for example, plants, carpets, rugs etc. Section 2.12 also provides the right for the Association to remove and store items found in common areas and charge the tenant for any costs incurred in doing so.

8.3.6.1 For the purposes of health and safety to residents and visitors to closes, the management of common areas is a key feature of the Association's estate management operational activities. A high level of close inspections are carried out by staff throughout the year by means of day to day visits by staff, programmed inspections between the Housing and Technical Services Departments and weekly close cleaning visits to all closes by our estate caretaking service, who report any items being stored or issues of risk within closes to senior member of the estate caretaking team, who will in turn advise Housing Services of findings.

8.3.6.2 Where items of value / personal worth are found to be stored in close landings, Housing Services staff will attempt to make personal contact with the resident and request immediate removal of the items. Where the owner cannot immediately be identified and contacted, health and safety will be the Association's prime concern and if necessary, located items will be removed to storage to mitigate risk. Once removed to storage, Housing Services staff will continue to make attempts to trace the owner of the items and if necessary, issue a letter to all residents in the close.

8.3.6.3 Any discarded debris / rubbish found within closes will be removed that day, with appropriate follow up action being taken by Housing Services staff to identify the cause of the issue and to prevent recurrence. Where necessary, Housing Services staff will ensure that enhanced inspections of the property are carried out until it can be evidenced that the issue has been resolved. Section 4.6 of the Environmental Protection Act 1990 provides that City Council Environmental Health Officers can issue Abatement Notices on residents. The Association will liaise with City Council's Environmental Health Department if such a course of action is merited in any of its properties.

8.3.6.4 Dependent upon the nature and frequency of any rubbish / debris being improperly disposed off, the Association may also liaise with the City Council's Environmental Health Department, who may deem such activity as a statutory nuisance under the Environmental Protection Act 1990. Council officers are entitled to issue Statutory Notices on responsible persons, where identified. Persons who fail to comply with a Statutory Notice will be subject to a fine, which if unpaid may result in the matter being referred to the Procurator Fiscal for action. If a tenant is found to be responsible for such activity, the Association will take appropriate action against the tenancy.

#### 8.4 Estate Open Spaces

8.4.1 The Association owns and maintains a number of open spaces within its boundary of operation. The cost for the upkeep of these areas is borne by tenants and owners by means of rent payments and a levied estate management fee, which is approved by the Association's Management Committee each year.

8.4.2 The upkeep of our open spaces is carried out by the Association's estate caretaking team. This entails grassing cutting, de-littering, pruning shrubs / bushes, weed killing and tree pruning. Open spaces will be cut on a fortnightly basis between April – September and de-littered throughout the year.

8.4.3 Glasgow City Council own areas of land within the Cadder estate. These are maintained by the Council's Land & Environmental Services Department. As with Association owned open spaces, residents are entitled to expect that these areas of land are also maintained to a satisfactory standard. Where issues of upkeep arise with Council owned open spaces, the Housing Services Officer / Chargehand Estate Caretaker will pursue with Land & Environmental Services until the matter is resolved.

8.4.4 Scottish Canals (British Waterways) also own land within the Cadder estate and are responsible for its upkeep.

#### 8.5 Backcourts

8.5.1 The Association is responsible for the upkeep of 104 backcourts and provides services to tenants and owner occupiers alike for their upkeep. The cost for the upkeep of these areas is borne by tenants and owners by means of levied rent and estate management fees, which is approved by the Association's Management Committee each year.

8.5.2 The Association, through its estate caretaking team will:-

- Cut backcourt lawns fortnightly (April-September)
- De-litter throughout the year

- Maintain shrubs / bushes (April-September)
- De-moss hard standing areas as part of its Winter Works Programme
- Clean out bin chambers once weekly (resources allowing)
- Attend to any other ad-hoc issues with backcourts

The Chargehand Estate Caretaker will ensure that all backcourts are maintained to a satisfactory standard.

8.5.3 Housing Services staff will carry out planned weekly (10%) and ad-hoc inspections of backcourts and attend to any estate issues, such as disposal of household refuse, dog fouling, vandalism. In doing so, we will liaise with residents to inform and assist the management of issues. Staff will also note and report any repair issues that are found during inspections.

## 8.6 Abandoned Vehicles

8.6.1 The Association will report abandoned vehicles to Glasgow City Council's Abandoned Vehicles Helpline and seek removal where appropriate. Staff will attempt to ascertain ownership of the vehicle.

8.6.2 Glasgow City Council has responsibility to deal with vehicles which are abandoned under the Refuse Disposal (Amenity) Act 1978 [S.3 (1) (5)]. Glasgow City Council will consider a vehicle to be abandoned when:

- The vehicle structure/glass has been damaged by vandalism as opposed to damage caused by a road traffic accident *or*
- The vehicle has unsecured doors, boot open
- The vehicle has been partially or fully burnt out

8.6.3 As abandoned vehicles may present a hazard, Housing Services staff will also notify Police Scotland. The Association will notify residents of the abandoned vehicle and the action taken as we understand that an abandoned vehicle may cause concern to residents and be an unwelcome sight outside residents' homes.

## 8.7 Parking

8.7.1 The Cadder Scottish Secure Tenancy Agreement (section 2.15), outlines that no vehicle, caravan or trailer belonging to the tenant or anyone living with him / her or visiting them may be parked on our land unless: -

- that land is set aside for parking
- we have given you written permission (we will not withhold permission unreasonably)
- it is a public road and
- it does not cause a nuisance or annoyance to your neighbours.

- 8.7.2 There are a number of car parking bays within the Cadder estate and these operate on a non-allocated basis, unless a specific bay has been set aside for disabled parking.
- 8.7.3 The Association solely owns the land set aside for parking at the front of 34-62 Vaila Street and is responsible for its maintenance. Any requests for disabled parking spaces on this area will be considered by the Association's Technical Services Department.
- 8.7.4 Residents requiring on-street disabled parking bays are required to submit an application to Glasgow City Council. The Association has no authority or involvement in this area.

## 8.8 Household Pets & Animals

- 8.8.1 Section 2.5 of the Cadder Scottish Secure Tenancy Agreement advises that tenants have the right, subject to the following conditions, to keep domestic pet(s). A domestic pet means a cat, a dog, a bird, fish or a rodent (such as a hamster or gerbil). If a tenant wishes to keep a domestic pet(s) or any other type of animal our prior written permission must be sought and obtained. This will involve the tenant signing a declaration agreeing to abide by the conditions to keep a pet and on the understanding that any breach may result in permission being withdrawn with a requirement to remove the pet from the tenancy.

The conditions are:-

- Keeping your pet is not prohibited within the Dangerous Dogs Act 1991 or by any other law (see 7.8.8.1);
- Tenants are responsible for the behaviour of any pets owned by them or anyone living with them.
- Tenants must take all reasonable steps to supervise and keep such pets under control and ensure that it does not cause nuisance to neighbours or deterioration in the condition of the house, common area or the vicinity of the house. This includes fouling, noise or smell from pets;
- We will be entitled to require removal of the pet if causing nuisance or damage;
- Tenants are responsible for cleaning up their pet's faeces

8.8.1.1 The Dangerous Dogs Act 1991 introduced two main areas:

- 1) The Act made it a criminal offence for the owner and/or the person in charge of the dog to allow a dog to be 'dangerously out of control' in a public place or be in a place where it is not permitted to be. As a result, if a dog injures a person, it may be seized by the police. Penalties can include a prison sentence and/or a ban on keeping dogs. There is also an automatic presumption that the dog involved will be destroyed (unless the owner can persuade the court that it is not a danger to the public, in which case it may be subject to a

control order). The owner may also have to pay a fine, compensation and/or costs.

- 2) The Act banned specific types of dog including the Pit Bull Terrier, the Fila Brasileiro, the Dogo Argentino and the Japanese Tosa. Any dogs of these types are subject to a mandatory destruction order.

8.8.1.2 The Dangerous Dogs (Amendment) Act 1997 provides that the court has discretion in sentencing and is not always required to order that the dog be destroyed where an owner is found to have kept a dog in breach of the legislation (this does remain as an option for the court).

8.8.1.3 The Control of Dogs (Scotland) Act 2010 has a main aim of promoting awareness of the responsibility involved in dog ownership. The Act focuses on the "Deed not the Breed" (dealing with the problem rather than the particular breed of dog) approach in tackling irresponsible ownership. The key aim is to provide early intervention and advice to dog owners to prevent the dog becoming dangerous.

8.8.1.4 The Antisocial Behaviour etc. (Scotland) Act 2004 contains provisions relating to noise nuisance which can be relied upon in cases of excessive noise created by dogs and makes provision for a fixed penalty notice to be issued.

8.8.2 The Association will endeavour to respond to applications within 10 working days from receipt of the completed application. However, where specialist advice and guidance is required by staff in order to make an informed decision, this target may not be possible. In these circumstances the applicant will be advised of the delay and given an indication of the expected timescale for a written response. Applicants should not proceed with acquiring a pet until they have written permission to do so from the Association.

In considering an application to keep a pet, the Association will take the following factors into consideration;

- The size and type of property and its suitability for adequately accommodating the animal(s)
- Any laws or guidance relating to the keeping of the animal as a domestic pet
- If there has been any previous issues with the applicant keeping a pet in the property
- If the animal is suitable as a domestic pet
- The number and type of any pets currently being kept in the property

If approved, the tenant will be provided with a copy of the signed approval form, which will also be held on the tenancy file.

8.8.3 If a tenant fails to meet the above conditions as detailed at 8.8.1, permission to continue to keep the pet will be withdrawn. We will be

entitled to require removal of the pet(s) if permission is refused or withdrawn. In such circumstances, the tenant will be required to remove the pet from their home on a permanent basis of up to 14 days after permission has been refused or withdrawn and will be advised of the right of appeal to the Association's Housing Services Manager within this timescale. Where required, the Association will seek advice from our solicitors.

8.8.4 Housing Services staff will establish at viewings and sign-ups if new tenants have any pets and will advise of permission requirements

8.8.5 The Association provides free dog foul bags for Cadder residents.

### 8.9 Bulk Uplift

8.9.1 The Association appreciates that households will require to dispose of bulk items, such as beds, drawers, etc. from time to time.

8.9.2 Glasgow City Council's Cleansing Department provide a weekly bulk uplift service to Cadder tenemental properties on the basis that items for collection are placed at agreed front external locations within the estate. The Association's estate caretaking service currently provides resource for items in tenemental backcourts to be uplifted from and placed at the agreed front locations. Residents living in tenemental properties are encouraged to place bulk item(s) for uplift at an agreed bulk location the day prior to the Cleansing Department weekly collection. Otherwise, we will ask residents to place any bulk to the rear of the bin chamber. Residents will not be permitted to place bulk items within the close area or near to the building line / back close door.

8.9.2.1 Where the Association locates any bulk items which have been placed in an unsuitable location, we will arrange removal to a safe location. Housing Services will endeavour to identify the property where the items came from and provide advice to the resident. Where the responsible household cannot be established, the Housing Services Department will issue an advice letter to all nearby residents and carry out follow up inspections to ensure that the issue has been resolved.

8.9.3 All main door properties receive a free bulk uplift service from their properties. This service is also provided by Glasgow City Council's Cleansing Department and is available upon request (Tel: 0141 287 9700 / Web: [www.glasgow.gov.uk](http://www.glasgow.gov.uk)).

8.9.4 Glasgow City Council will not uplift the following items as part of the bulk uplift service:

- cast iron washing poles
- supermarket trolleys (contact the supermarket concerned)
- garage doors (metal)
- garden rollers



- gas cylinders (can be disposed free of charge at one of GCC's recycling centres)
- safes
- paint (can be disposed free of charge at one of GCC's recycling centres)
- oil (can be disposed free of charge at one of GCC's recycling centres)
- car batteries (can be disposed free of charge at one of GCC's recycling centres)
- storage heaters (asbestos risk)

The following items will be uplifted by the bulk uplift service, but are subject to a fee, which is levied by Glasgow City Council:

- rubble, builders waste and heavy landscape material
- waste arising from work carried out by a contractor
- sheds greenhouses and other out buildings
- tree trunks
- soil
- cast iron baths (these must be broken up into manageable sized pieces)
- central heating equipment, including boilers and radiators
- windows

8.9.5 If the item to be disposed of is in good condition and could be used again by someone else, residents can contact the National Re-use phone line (0800 0665 820). Items such as beds, sofas, tables, chairs and bikes that are in good condition and still have the necessary fire labels (for sofas and armchairs) will be considered for donation. These will be collected free by local organisations that will ensure the item stays in use rather than going to waste / landfill.

8.9.5.1 The Association may also recycle items from its empty homes, which are considered to be in good condition and do not present a health and safety risk. Where items are left in an empty house, the Housing Services Officer in conjunction with the DLO Foreman will decide if any items can be re-used, which could in turn be offered to the in-coming tenant, who may be in need of such items. Where resources allow, the Association may remove and store re-usable items, which will be redistributed to Cadder households. The Association will not be responsible for the upkeep or otherwise of items that are recycled to residents.

## 8.10 Household Rubbish

8.10.1 Residents are required to ensure that household rubbish is properly disposed of within provided bins.

- 8.10.2 Section 2.13 of the Cadder Scottish Secure Tenancy Agreement informs tenants of their obligation to ensure that household rubbish is properly disposed of.
- 8.10.3 Glasgow City Council's Cleansing Department will uplift household rubbish from tenemental properties on a weekly basis (with the exception of the festive holiday period). Recycling (blue) bins are also housed in backcourts and are emptied monthly by the Cleansing Department. Resources allowing, the Association's estate caretaking service will sweep and tidy bin chambers once weekly.
- 8.10.4 Residents are not allowed to leave household rubbish on landings or elsewhere with the close area. Where this occurs, Housing Services staff will discuss with the individual resident. Where the responsible household(s) cannot be identified, Housing Services staff will make appropriate enquiries to identify the household(s) responsible and take required action.
- 8.10.5 Household rubbish and recycled items are uplifted fortnightly from main door properties.
- 8.10.6 Where a health risk or nuisance is considered to be caused by household rubbish being stored in closes, the Housing Services Officer may liaise with Glasgow City Council's Environmental Health Department, who will make considerations under the Environmental Protection Act 1990. This approach will normally only be considered when Association efforts are not seen to be resolving the issue.
- 8.11 Dog Fouling
- 8.11.1 Section 2.5 of the Cadder Scottish Secure Tenancy Agreement informs pet owning tenants of their responsibility for their pet's behaviour and of possible action, should the pet become a nuisance.
- 8.11.2 The Association is aware from day to day contact with residents and findings from our Resident Satisfaction Surveys, that dog fouling causes significant nuisance to residents.
- 8.11.3 The Dog Fouling (Scotland) Act 2003 was introduced with the main aim of providing local authorities and the Police with improved powers in tackling dog fouling, as the Scottish Government recognised that this issue was a blight on many communities. The Act:
- Makes it an offence for a person in charge of a dog to fail to remove and dispose appropriately of any excrement after the dog has fouled without reasonable excuse or the consent of the land owner/occupier
  - Requires local authorities to authorise persons to issue fixed penalty notices in respect of the offence

- Empowers authorised local authority officers and police officers to issue fixed penalty notices to any person they believe has committed an offence under the Act as an alternative to prosecution
- Makes it an offence for a person suspected of having committed an offence under the Act to fail, without reasonable excuse, to give their name and address to an authorised local authority officer
- Specifies a fixed penalty of £80

The collection of unpaid fines is a matter for the local authority to manage.

8.11.4 The Association has signed up to the City Council's Dog Fouling Charter and has this displayed on a permanent basis in its reception area. This is to demonstrate to our residents that the Association considers dog fouling to be a significant issue and also to seek community support.

8.11.5 The Association will take action against any dog owning resident who fails to remove their dog's faeces. Where a tenant or a member / visitor of the tenant's household is found to have failed to uplift their dog's faeces, we will take action against the tenancy and also notify Community Safety Glasgow (CSG), who work in partnership with the Association in the management of anti-social behaviour within the Cadder community. CSG are empowered on behalf of Glasgow City Council to issue Fixed Penalty Notices. Where an owner occupier has been identified, the Association shall issue an incivility letter and notify CSG, with a view to a Fixed Penalty Notice being issued.

8.11.6 Where dog fouling becomes prevalent in a particular location, Housing Services staff will issue a Hot-Spot referral to CSG, who in turn will be deploy Community Enforcement patrols to control / deter the issue. CSG will notify the Association of any outcomes. The Association will gather any intelligence that may identify the responsible dog owner(s) by engaging with residents and arrange for CSG to issue a letter to residents, which will inform residents of the issue and seek their cooperation.

8.11.7 The Association works in partnership with the Dogs Trust and has helped to host free microchipping events for Cadder residents.

## 8.12 Vandalism / Graffiti

8.12.1 The mitigation and response to vandalism is a key responsibility for the Association as our residents are entitled to live in a nice environment and if not controlled, could impact on our ability to let properties and rental income.

- 8.12.2 Section 3 of the Cadder Scottish Secure Tenancy Agreement describes tenants' obligations not to act in an anti-social manner and how the Association will respond to such issues.
- 8.12.3 Our management of such behaviours protects the Association's reputation, investment, the appearance and opinion held by persons living in and visiting the Cadder estate. It also helps to protect the investment made by the significant amount of residents who have purchased homes in Cadder.
- 8.12.4 The Association appreciates the importance of responding promptly to such issues, as timely interventions will assist our enquiries and reduce the likelihood of recurrences, whilst also providing assurance to residents. Forms of vandalism which present immediate risk or harm will be attended to within 6 hours. All other issues will be attended to within 3 (urgent) to 10 (routine) working days.
- 8.12.5 Housing Services staff will be responsible for making necessary requirements and notifying / liaising with residents and Police Scotland. Such partnership working with residents and Police Scotland is important, as criminal investigations / proceedings may be merited and also as to how Police Scotland allocate resources to communities, which is in part, based on locations of reported incidents of crime.
- 8.12.6 Where the identities of persons responsible for causing vandalism are established, the Association will take appropriate action. Resultant action will be dependent upon the tenure type – Association tenant or owner occupied property. In cases involving an Association tenancy, the Association will as a minimum, interview the tenant and place a written warning on the tenancy and recharge the tenant for the works required as a result of the vandalism. Where the Association establishes that a member of a private property within Cadder has been responsible, details will be forwarded to Community Safety Glasgow / Police Scotland and the owner will be invited to attend an interview with CSG and the Association. CSG's Community Relations Unit has specialist officers who manage anti-social behaviour within the private tenure sector. As with Association tenants, costs for vandalism will be recharged to owner occupiers. The Association will take photographs of vandalism caused for evidential purposes.
- 8.12.7 Where required, the Association will seek assistance from Police Scotland and Community Safety Glasgow through the deployment of community patrols.
- 8.12.8 The Association has a range of available measures that can be used to tackle vandalism (and other forms of anti-social behaviour), such as:
- Meetings
  - Written warnings
  - Issuing an Unacceptable Behaviour Notice

- Entering into an Acceptable Behaviour Contract with the tenant
- Applying for an Antisocial Behaviour Order (ASBO)
- Applying for an Interim Antisocial Behaviour Order
- Liaising with Police Scotland for a Criminal ASBO
- Eviction
- Restorative justice
- Diversion services
- Tenancy support

8.12.9 The Antisocial Behaviour (Scotland) Act 2004 provides further detail and measures as to how anti-social behaviour can be tackled.

8.12.10 The Association's response to tenancies being responsible for anti-social behaviour will be measured and proportionate. We will also provide support and advice to tenants, with an aim of correcting anti-social behaviour and engage with other agencies, such as Social Work Services.

8.12.11 The Association will notify Glasgow City Council of any vandalism to its land / properties within the Cadder area.

### 8.13 Stair Lighting

8.13.1 We will ensure that close lighting defects are attended to within 5 working days.

Where the entire close is in darkness, this will be attended to within 24 hours.

8.13.2 We will also maintain external lighting at front and rear close entrance points.

### 8.14 Hazardous Materials

8.14.1 Section 2.14 of the Cadder Scottish Secure Tenancy Agreement advises that:

'The use of heaters fired by paraffin or Liquid Paraffin Gas (LPG) will not be permitted within your home, unless the Association has provided them during an emergency. Storage of paraffin, LPG containers or other explosive or inflammable substances will not be permitted in the house or in common parts, areas or facilities of your houses'.

8.14.2 Where hazards are found to be stored or in use, the Housing Services Officer will inform the tenant / owner occupier that the liquid / material should be immediately removed from the property and that any item being fuelled by the liquid / material should be immediately turned off and not returned to use. This will be confirmed in writing to the resident no later than 24 hours of the discovery.

8.14.3 Where required, we will seek advice and support from Glasgow City Council's Environmental Health Department / Scottish Fire & Rescue.

8.14.4 If the liquid / material is found to be hazardous and the resident is uncooperative, we will also seek advice from our solicitors.

8.14.5 The Association will immediately respond to hazardous issues found on its properties, such as syringes, faeces, blood and ensure effective removal. Thereafter, we will liaise with residents and where required, Police Scotland, to try to determine the cause of the issue and take appropriate action.

## **9.0 Interventions**

9.1 In the event that there is non-compliance either by a tenant or an owner occupier in relation to an estate management issue, Housing Services staff will take necessary action. We recognise that there will be occasions that we will have to respond to urgent issues that have a health and safety risk, within a reduced timescale.

9.2 Housing Services staff will also adopt a direct and personal approach to resolving estate management issues. This personal approach will be at the tenants / owners property which will allow for clear identification of the potential non-compliance issue. The involved staff member should follow up these visits with a letter to the tenant reaffirming the outcome of the meeting within 5 working days. In certain cases, a file note will suffice.

9.3. The Association is committed to investigating all complaints and / or non-compliance issues in the management of the Cadder area.

9.3.1 Residents can report complaints verbally or in writing. Complainant details will be strictly held by the Association. In all cases Housing Services staff will issue an acknowledgement letter within 3 working days to confirm:

- The details of the complaint
- The investigations that will be undertaken and its timescales
- The timescale for reporting the outcome of the investigations
- Then investigating staff member and contact details
- The complainants role in supporting the Association to monitor the issue

9.4 We will take the appropriate action against tenants / owners who continually breach the terms of their tenancy agreement /deeds of condition. We will have a direct and supportive approach through providing positive solutions to resolve the non-compliance issue(s).

- 9.5 The Association will, where possible, take a pro-active approach in identifying and addressing estate management issues. Options available to staff in remedying issues may include:
- Visiting the resident in person to discuss the identified issue and how it can be resolved.
  - Writing to the tenant / owner to advise / reaffirm the issue which required to be addressed. This letter will advise of their responsibilities and the ongoing monitoring of this issue by the Association. Where appropriate, the letter will also advise of assistance that may be available, such as garden maintenance assistance.
- 9.5.1 A review date should be set by the involved staff member to visit the resident to check on progress in resolving the non-compliance issue.
- 9.5.2 In the event of there being a continued breach of tenancy/deeds of condition, the Housing Services staff member should write to the tenant/owner to remind them of their responsibilities and possible further action.
- 9.5.3 If there is evidence of further non-compliance the Association will seek to conduct a formal interview with the tenant / owner in the Association's office.
- 9.5.4 The Housing Services Officer will consider the reasons for non-compliance and where appropriate, adopt a supportive approach to assist the tenant/owner with their responsibilities. This support could be assistance from the Association's estate caretaking service for a short period of time, for example a one off cut of their garden.
- 9.6 Housing Services staff will promote any services delivered by the Association that may resolve the non-compliance issue, for example, garden maintenance assistance.
- 9.7 The Association also offers a fee paying garden maintenance service to residents. This is offered on a one-off basis or for the duration of the gardening season. The service is based upon demand and available resources.
- 9.8 Housing Services staff should consider the provisions of the Scottish Secure Tenancy Agreement, where in cases of non-compliance, the Association is able to recharge the tenant for works. The Association should be able to demonstrate that this remedial action has been undertaken following a continued period of non-compliance to the terms of the agreement. Where this option is being pursued, the Housing Services Officer should advise the tenant of the cost and date that the work will be carried out, so that the Association is able to demonstrate that intention and notice had been given to the tenant.

Pictures will be taken before and after any works carried out by the Association.

- 9.9 As is provided for within the Housing (Scotland) 2001 Act, the Association will consider issuing a Notice of Proceedings for Recovery of Possession (Notice), should there be continued non-compliance and disregard for the terms of the tenancy agreement. Will shall also take in consideration, the seriousness of the breach of tenancy issue. The Notice will only be issued where all other solutions have been exhausted or the issue is considered to present an immediate risk.

The grounds for the notice will be considered from the following grounds under Section 14(1) of the Housing (Scotland) Act 2001:

Conduct:

Ground 1

Rent lawfully due from the tenant has not been paid, or any other obligation of the tenancy has been broken

Ground 3

The condition of the house or of any of the common parts has deteriorated owing to acts of waste by, or neglect or default of, the tenant (or any one of the joint tenants) or any person residing or lodging with, or any subtenant of, of tenant; and in the case of acts of waste by, or the neglect or default of, a person residing or lodging with, or subtenant of, a tenant, the tenant has not, before the making of the order in question, taken such steps as the tenant ought reasonably to have taken for removal of that person

Management:

Ground 8

The tenant (or any one of joint tenants) or any person residing or lodging with, or any subtenant of, the tenant has been guilty of conduct in or in the vicinity of the house which is a nuisance or annoyance and in the opinion of the landlord it is appropriate in the circumstances to require the tenant to move to other accommodation.

- 9.9.1 The tenant will be issued with a Qualifying Occupiers letter to request details on the household composition prior to the serving of the Notice. We will provide information on the implications of the serving of the Notice relating to:

- ❖ Legal action taken to repossess the tenancy
- ❖ Suspension of any housing transfer application
- ❖ Suspension of any right to buy the property



- 9.9.2 The Notice will then be served on the tenant(s) and known qualifying occupiers (aged 16 years and over).
- 9.10 The Housing Services Officer should seek advice and information from the Housing Services Manager and if required, the Association's solicitors, to ascertain the legal options that are available to be taken against the tenant / owner in relation to the breach of tenancy agreement / deeds of condition, which may be:
- ❖ Action of implement to enforce the contractual conditions of the tenancy agreement/deeds of conditions
  - ❖ Legal action – compulsory transfer to other Accommodation
  - ❖ Legal action – repossession of the tenancy
- 9.11 In all cases the Housing Services Officer should secure information from our solicitors on the likelihood of a successful action before proceeding with court action. The Housing Manager will interview all tenants before any court action is taken.
- 9.12 The Association will undertake a similar approach for owners to the process for tenants, but will observe the provision of the title deeds. The Association will seek advice and information from our solicitors on a case by case basis on the action that the Association can initiate should there be continued non-compliance to the terms of their title deeds. However, limited options are available to social landlords in terms of legal remedies against owners.

## **10.0 Monitoring**

- 10.1 The monitoring of the provisions of the Estate Management Policy will help ensure that our residents and the Cadder estate receives controlled, responsive and efficient services. We will ensure that our in-house resource (Housing Services; DLO and Estate Caretaking) has in place a programme of work and activities, which will in turn provide effective estate management services across our properties. The Association will seek and welcome comments from residents in relation to our management of the Cadder estate. This is line with the Association's Resident Participation Policy.
- 10.2 Property & Estate Inspections
- 10.2.1 The Technical Services and Estate Caretaking Departments will carry out a 10% audit of all estate management work completed within the area. The percentage audit may be increased where there is concern over any aspect of the work, for example quality, efficiency etc. Such works will be carried out either by the Association's own internal workforce (DLO / estate caretakers) or external contractors, where the

Association does not have the resource / specialism to attend to these matters.

- 10.2.2 The Senior Estate Caretaker will notify recurring / notable estate management issues to Housing Services / Technical Services for further investigation and appropriate action.
- 10.2.3 Housing Services staff will carry out planned weekly inspections to 10% of properties (closes). These visits (inspections) will involve customer consultation, whereby visiting staff will attempt to gather the views of a resident in each close in relation to the maintenance / estate management services provided. Each visit will be recorded, with the inspection sheet saved to the property file. This will show the issues identified and the action taken.
- 10.2.4 The Housing Services Manager will also conduct patch walkabouts with Housing Services Officers on a quarterly basis. This will consist of random properties being visited and allow the Housing Services Officers to discuss any patch issues.
- 10.2.5 Estate management inspections will be supported by the Association's estate caretakers during their weekly clean of the Association's 104 closes and bin chambers. Issues emanating from these visits will be reported to the Senior Estate Caretaker, who will in turn notify the patch Housing Services Officer.
- 10.2.6 Where staff identify estate based issues, which are the responsibility of other agencies, such as Glasgow City Council, Scottish Canals, British Telecom, First Bus, etc., these will be reported to the responsible agency and noted on the Association's Estate Management register.
- 10.2.7 Housing Services staff will aim to visit all Association tenants by March 2018. The Association has traditionally carried out home visits on an ad-hoc basis. It is recognised that the Association has not had engagement with a number of its tenants and this process will address this. These visits will allow for Housing Services staff to introduce themselves and be known to their tenants and assist with issues. The visits will also allow for repairs to be identified, which in turn will help maintain Association stock. Where tenancy issues are identified, such as property cleanliness / upkeep, the Association will seek to support the tenant through its support services staff. Follow up inspections will take place until the Housing Services Officer is satisfied that the issue(s) are resolved. Where necessary, the Association will take formal action against the tenant if suitable improvement has not been made.
- 10.2.8 Estate based staff (Housing Services; DLO and Estate Caretakers) will note and enact any issues identified during their day to day activities within the area and Association properties.

10.2.9 Tenants and owners are encouraged to report common repairs / issues to the Association. Reporting of repairs and common issues are promoted to new tenants at missive stage and during new tenancy visits.

10.2.10 Routine estate management complaints will be acknowledged within 3 working days and investigated / attended to within 10 working days. Where any complaints require an extended period for investigation, the complainant will be advised of this. Urgent issues, such as faeces / blood spillages, fire risks, offensive graffiti will be attended to on the same day.

10.2.11 The purpose of these inspections is to ensure that the Cadder area is maintained to an acceptable standard. This will assist the Association to:

- Protect our investment
- Ensure the area is well maintained and clean
- Provide a quality estate management service
- Mitigate health and safety issues
- Ensure that tenants and owners comply with the terms of their agreements (Tenancy agreement and deeds of condition, respectively)
- Ensure that issues can be attended to promptly
- Identify proactive works
- Know our tenants / residents better

10.3 Estate management issues will be detailed within the Housing Services quarterly report, which is presented to the Association's Finance, Audit & Performance Sub Committee for perusal and comment.

10.4 The Cadder Customer Services Working Group (scrutiny panel), which is formed from Association residents, will also be presented with estate management activity areas for scrutiny and comment. This will also consist of estate walkabouts being offered.

10.5 The Association will also make Cadder Community Council aware of relevant estate management issues and respond to any matters raised.

## **11.0 Cadder Estate Services**

11.1 The below table outlines the estate management services to Cadder and responsible organisations:

<b>Service</b>	<b>Frequency</b>	<b>Responsible Organisation</b>	<b>Comments</b>
Backcourt - Bulk Uplift	Weekly	Cadder HA / GCC Cleansing Services Dept.	Bulk removed to set front uplift points within the estate by Cadder HA and collected by GCC Cleansing Services Dept.
Main Door - Bulk Uplift	Within 28 days of request	GCC Cleansing Services Dept.	Householder required to Make request to GCC.
Backcourt - Refuse Collection (Household Waste)	Weekly	GCC Cleansing Services Dept.	Bin sets swept out weekly after GCC uplift by Cadder HA
Backcourt & Main Door - Blue Bin Collection (Recycled Items)	Fortnightly	GCC Cleansing Services Dept.	
Main Door - Brown Bin Collection (Garden & Food Waste)	Fortnightly	GCC Cleansing Services Dept.	Mar-Nov
Backcourt – Grey Bin Collection (Food Waste)	Fortnightly	GCC Cleansing Services Dept.	
Backcourt - Grass Cutting	Fortnightly	Cadder HA	Apr –Sep
Backcourt – All Other Upkeep Works	Set within Summer / Winter Programmes	Cadder HA	Includes de-mossing of hard-standing areas; pruning bushes; power washing slabs; fence painting and any other ad-hoc works.
Cadder HA Open Spaces	Fortnightly	Cadder HA	Apr –Sep
GCC Open Spaces	10 Cuts (Max)	GCC Parks Dept	Apr –Sep
Assisted Garden Maintenance	7 Grass Cuts 2 Hedge Cuts	GCC Parks Dept	Apr –Sep

Close Cleaning	Weekly	Cadder HA	Windows; Wall tiles & Brasses cleaned 4 weekly
Graffiti Removal (CHA Properties) - Offensive - Non Offensive	24 Hours 10 Working Days	Cadder HA	
Graffiti Removal (GCC Properties) - Offensive - Non Offensive	2 Working Days 20 Working Days	GCC Environmental Task Force	
Dog Fouling	As Resourced by GCC	GCC Environmental Task Force	CHA will attend to dog fouling in its backcourts and assist GCC whenever possible
Street Sweeping	Weekly	GCC Cleansing Services Dept.	
Emptying of Street Bins	Weekly	GCC Cleansing Services Dept	
Close Lighting - Partial Lighting - No Lighting	9 Working Days 24 Hours	Cadder HA	Maintained by GCC's Stair Lighting Department
Street Lighting	TBC	GCC Roads & Lighting Services	
Pavement Defects	TBC	GCC Roads & Lighting Services	
Road Defects	TBC	GCC Roads & Lighting Services	
Choked Gullies	TBC	GCC Roads & Lighting Services	

Fly Tipping	24 Hours	GCC Environmental Task Force	GCC can be notified of fly tipping hot spots for monitoring by residents / CHA
Response to Estate Complaints	3 Working Days		
Common Repairs; - Emergency - Urgent - Routine	6 Hours 3 working days 15 working days	Maintenance Contractors	

## 12.0 Complaints – Estate Issues

12.0.1 Whether the tenant or service user has complained in writing, by phone or in person, the Association will write to the customer within three working days to acknowledge that their complaint is being dealt with. The Association will maintain a register of estate management issues that have been complained about. Where the issue is of a serious / urgent nature, the matter will be attended to on that day and a confirmation letter issued thereafter.

12.0.2 All complaints estate management issues (complaints) will be managed by the Housing Services Department in the first instance.

12.0.3 The Housing Services Department may require information from the Technical Services Department to facilitate the investigation and respond to the complainant. This information should be provided to the Housing Services Officer within 5 working days.

12.0.4 The Association will strive to complete its investigation into the tenant or service user's complaint (issue) within 10 working days from the date of complaint.

In the event that the staff member is unable to respond to the above timescale he/she should write to the complainant to inform them of the reason for the delay and the revised timescale to respond to the complaint. This letter should be sent before the 10 working day timescale has elapsed.

## 12.1 Complaints – Service Related

12.1.1 The Association aims to provide a first class service to all of its tenants and customers. We will therefore strive to keep service complaints to an absolute minimum, but when these are received, will also consider if we can learn from these to help improve service.

12.1.2 All service complaints will be managed in accordance with the Association's Complaints Handling Policy.

## **13.0 Auditing, Reporting & Review**

### 13.1 Auditing

13.1.1 The Association has a commitment to ensure that we achieve value for money and that there is a quality, effective and efficient estate management services in the Cadder area.

13.1.2 The Housing Services Manager will routinely assess the management of cases and the estate with staff. This will be achieved through:

- Ad-hoc visits in the area
- Joint patch visits with the Housing Services Officers
- Meetings with the Technical Services Manager
- Meetings with the Chargehand Estate Caretaker
- Progress meetings with Housing Services staff
- Housing Services Department team meetings
- Quarterly performance information
- Service Questionnaires

### 13.2 Reporting

#### 13.2.1 Committee

The Housing Services Manager will present information on the estate management process to the Finance, Audit & Performance Sub Committee on a quarterly basis, which will include:

- ❖ Number of complaints
- ❖ Issues
- ❖ Outcomes of complaints

#### 13.2.2 Stakeholders

The Association will provide information on the estate management process to our stakeholders through our newsletter and/or annual report.

### 13.3 Review

This Policy is scheduled for review in June 2019 and will take account of:

- ❖ Legislative, regulatory and good practice requirements
- ❖ Association performance
- ❖ Audits, satisfaction and consultation surveys
- ❖ Views of tenants, other customers and staff
- ❖ Stakeholder organisations