

**PETITION REQUESTING URGENT ACTION TO BE TAKEN TO ADDRESS THE ANTI-SOCIAL BEHAVIOUR ASSOCIATED WITH NO. 25 MANSFIELD DRIVE, HAYES**

<b>Cabinet Member</b>	Councillor Douglas Mills
<b>Cabinet Portfolio</b>	Community, Commerce and Regeneration
<b>Officer Contact</b>	Ed Shaylor, Residents Services
<b>Papers with report</b>	Nil

**HEADLINE INFORMATION**

<b>Purpose of report</b>	<p>This report seeks to respond to a petition received by the Council with regard to reported anti social behaviour from 25 Mansfield Drive, Hayes, Middlesex, UB4 8DZ.</p> <p>The petition was received by Democratic Services on 22<sup>nd</sup> July 2013.</p>
<b>Financial Cost</b>	Nil
<b>Relevant Policy Overview Committee</b>	Residents and Environmental Services.
<b>Ward affected</b>	Charville

**RECOMMENDATION**

**That the Cabinet Member:**

- a) **Notes the views and concerns of the petitioners.**
- b) **Discusses with petitioners whether the measures taken to date have been effective in addressing the reported anti social behaviour of the residents and by other individuals associated with the property.**
- c) **Advises petitioners that the Council does not have currently have legal grounds to close the premises, although this will be kept under review if the problems persist.**

**INFORMATION**

**Background information**

25 Mansfield Drive is an average sized terraced house operated by The Care Associates (part of Surrey Homecare Ltd) which provides supported accommodation for young people aged 16 – 18 who are leaving care. There are normally three people residing at the address.

There have been a number of reports of crime and anti-social behaviour to police and council officers associated with 25 Mansfield Drive affecting nearby residents.

For example, on 16th July 2013, police were called as a man was standing outside the front door armed with a baseball bat. He was calling the residents' names and making threats. On 28th July 2013, a stabbing incident occurred following a dispute over a dog, although fortunately the injuries were not life threatening. The owner of the dog (a non-resident) climbed in through the ground floor window and stabbed the victim under his arm.

The anti-social behaviour is of the type of shouting, fighting and abusive language between the residents audible to neighbours. Vehicles visit the premises and park outside with loud music playing so as to disturb other residents. Shouting and swearing occurs in the street between residents and visitors.

The Council officer investigating the case has spoken to Andrew Vasili, a Director of Surrey Homecare Ltd who states that he is aware of the incidents and has so far taken the following steps to control the residents' behaviour:

- Overnight supervision has been introduced three nights per week.
- Each resident now receives five to ten hours of key working support each week.
- The Care Associates' support worker is in contact with Duncan Phillips the Charville Local Policing Team Sergeant who will continue to respond to any reported incidents at this address.

The Care Associates also state that they believe as an organisation providing supported housing, that people have a right to access housing, including those with troubled backgrounds, but are happy to work with local authorities and residents to ensure that neighbours are not adversely affected by anti-social behaviour.

As the home provides housing related support rather than being a residential care home, it does not require planning permission for a change of use.

### **Reasons for recommendation**

Addressing the current reported behavioural issues of the residents at 25 Mansfield Drive by engaging with The Care Associates and greater supervision of occupants at the address should improve the quality of life of the residents of Mansfield Drive.

### **Alternative options considered**

A Closure Notice followed by a Closure Order (on application to a Magistrate's Court) under Part 1A of the Anti-Social Behaviour Act 2003, could be sought in respect of a premises that causes significant and persistent disorder or persistent serious nuisance to a community.

However, Home Office Guidance states that these powers should only be used as a last resort, where other interventions have been used or considered and rejected for good reason, and where implications, for example, for children or vulnerable adults in the premises, have been carefully considered.

It is not believed that all other interventions have yet been exhausted, although if the premises were to continue to be a persistent serious nuisance to the community (supported by police recorded incidents) and The Care Associates did not take all reasonable steps to prevent this, a Closure Order could be considered at an appropriate point in time.

### **Financial Implications**

There are no financial implications arising from the recommendations of the report.

### **Corporate Finance comments**

Corporate Finance has reviewed this report and concurs with the financial implications set out above

### **EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES**

#### **What will be the effect of the recommendation?**

The measures discussed, should reduce the impact on neighbouring residents.

#### **Consultation Carried Out or Required**

Consultation has been carried out, with the lead petitioner, other residents and the Local Police Team.

### **CORPORATE IMPLICATIONS**

#### **Legal**

There are no direct legal implications arising from the recommendation that the situation is kept under review. However, should other measures, such as further legal action, be considered, legal services should be consulted.

Although this report makes reference to the possibility of issuing a closure notice under Part 1A of the Anti Social Behaviour Act 2003, this should be considered only as a last resort, having exhausted all other options. Given that the premises in question provides housing for vulnerable young adults, the decision maker should be mindful of the Council's duties under Section 149 of the Equalities Act 2010, which requires the Council to have "due regard" to the need to eliminate discrimination, advance equality of opportunities and foster good relations between people who have different "protected characteristics". The "protected characteristics" are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

### **BACKGROUND PAPERS**

Nil