

Your reference

Our reference

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Dear Sir

**DRAFT RESPONSE TO DTLR CONSULTATION PAPER ON TACKLING
ANTI SOCIAL TENANTS**

Derby Homes is an Arms Length Housing Management company wholly owned by Derby City Council, and delegated to run the housing management and maintenance services to the Council's 15500 tenants. The company is run by a Board of 15, with 5 councillor members, 5 tenant and leaseholder members and 5 independent members.

Derby's response to anti social behaviour has been vigorous for many years. We have a specialist tenancy team that includes three community watch patrols that visit nuisance hot spots every evening and can act as professional witnesses. CCTV evidence, witness support, and mediation are all well developed. Staff deal with a workload of 200 cases at any one time.

The DTLR Consultation Paper was discussed at the Board meeting on 30 May 2002. The Paper was broadly welcomed. The proposals for publishing a policy statement are sensible, and we welcome the sections on best practice. The Paper recognises the central problem of gaining the confidence of witnesses to give evidence against perpetrators of anti social behaviour. This is particularly severe in housing cases because the witnesses usually live near to the perpetrators. Delays in procedures can add to this problem. The Board supported the proposals in the Paper to speed up and strengthen legal action against perpetrators of persistent and serious nuisance.

The Board recognised that delays, and the difficulty of getting evidence from witnesses too frightened to attend court, severely hamper the actions taken against perpetrators. The Board have therefore asked for a paper to be brought to a future meeting examining the advantages and disadvantages of introductory tenancies (ITs). This issue was last considered in Derby in 1997, when consultation on a proposal to introduce ITs produced a low level of

response from tenants. Active tenants and Councillors were largely opposed to the proposal because it was seen to undermine security of tenure for all new tenants and failed to offer any help in dealing with anti social behaviour arising from more longstanding tenants.

The proposals in Alternative 1 under section 1:2:1 best reflect the views of the Board, and would meet most of the objections raised in 1997 to ITs. This approach would retain security of tenure procedures for all issues except anti social behaviour. New and longstanding tenants who cause serious and persistent anti social behaviour would both be treated the same.

For those reasons Derby Homes wishes to support the proposed change in law set out in Alternative 1 under section 1:2:1 of the paper.

The Board also welcomes proposals to strengthen and link actions under anti social behaviour orders (ASBOs) and housing law. There is a small but serious problem of owner occupiers on council estates who are perpetrators of anti social behaviour. ASBOs appear to be our main hope in dealing with this problem.

The inevitable problem that concerns Derby Homes is where will evicted tenants live? The consultation paper identifies this as an issue but is short on answers. The need to prevent anti social behaviour, to prevent homelessness arising from such behaviour and to rehabilitate anti social tenants, is evident. Derby Homes would be keen to participate in the proposed research that can help develop new models to prevent and rehabilitate anti social tenants.

Yours sincerely

Phil Davies
Director of Derby Homes