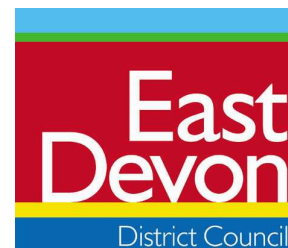




INVESTOR IN PEOPLE



News Service

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AS COURT GRANTS COUNCIL POSSESSION ORDER AND ASBO...

Time finally runs out for Exmouth's 'neighbour from hell'

AFTER years of causing misery to people living nearby with noise, fighting, all-night parties and anti-social behaviour, time finally ran out this week for Littleham's 'neighbour from hell'.

East Devon District Council successfully applied to Exeter County Court for a possession order # for the one-bedroom flat occupied by 48-year-old Richard May (also known as Richard New).

At the same time, Judge John Nelligan granted EDDC an Anti-Social Behaviour Order (ASBO) ## banning May from the Littleham area of Exmouth for a period of two years. This was the first time the Council has obtained such an order. Both orders come into effect on Friday 29 June and mean that May must move out of his flat at 12 Roseway. And he will be arrested if he sets foot inside the boundaries of the former council estate of Littleham.

To ensure that people in the community know what Richard May looks like, Police have issued a photograph of him, which is intended to discourage him from breaking the ASBO.

The decisions mean that neighbours who have suffered years of misery – witnessing domestic disturbances, loud music, all-night-parties, fighting in the street, broken windows, damaged doors, frequent visitors and threatening behaviour will soon be able to sleep more soundly in their beds.

The only neighbour who was prepared to give evidence in court told the Judge that May had made her life a misery – and that of other residents. She said she had taken to sleeping away from her home when possible and had to wear industrial ear-defenders in order to be able to sleep through the noise from May's flat. She added: "My sofa vibrates with the noise coming from his flat".

Enough is enough

A spokesman for EDDC said after the landmark court decision: "It is not easy for councils to take action against tenants who break the terms of their tenancy agreement to the annoyance of neighbouring tenants. We have to be sure that we have given offending tenants every opportunity to change their behaviour and at times it seemed that this tenant might be doing just that.

“Meanwhile, the neighbours have had to put up with more disturbances until finally we had no option but to have the tenant evicted. We are reluctant to force anyone to leave their home, but this was a case of enough is enough. We thank the residents for their patience and their fortitude.

“The vast majority of our tenants are good neighbours and law-abiding citizens. But any that break the terms of their tenancy agreements should take this as a warning that we will take action. This case is a good example of what can be achieved by working closely with neighbours and the Police”.

Time finally ran out for Richard May on Friday 15 June – his 48th birthday – when a judge who had heard the catalogue of incidents at the property dating back to 2001 called lawyers together to announce his decision.

The court had heard from Police and EDDC witnesses on Wednesday 13 June how the flat had been the scene of an horrendous series of disturbances dating back to only a few months into May’s tenancy. The last straw was in February this year, when police were called three times in one night.

Police called

He moved into the flat with his partner in April 2001 and by September of that year trouble had started. It continued at frequent intervals over the intervening years, even after his partner moved out, with police called to the property on numerous occasions to sort out disturbances, fighting and anti-social behaviour. EDDC Environmental Health Officers served Noise Abatement Notices on May and he received a number of letters threatening that the Council would apply to the court for a possession order.

At times, the letters seemed to have done the trick, as things went quiet for a few days or even a few weeks. But it was not long before trouble resumed and neighbours were again having to tolerate banging doors, loud music and all-night parties. An interim ASBO was granted in April of this year.

The Judge told May, whose neighbours had pressed for action against him: “The Council has gone to considerable trouble in marshalling the case, but only one tenant was prepared to come to court”. And he added that May had shown “not one utterance of remorse or sorrow”.

Ends

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EDITOR’S NOTES

The Possession Order was granted under Schedule 2, Ground 2 of the Housing Act 1985 – nuisance and harassment.

The ASBO was granted under Section 1 of the Crime and Disorder Act 1998.