

PRESS RELEASE

21st April 2005

Banned from own home



Photograph of Assheton House available

A suspected Ashton drug dealer has been banned from his home after a Court heard he had been using his flat as a market place for drugs.

New Charter's own surveillance team investigated allegations over five weeks, and watched as Paul Owen of Assheton House had a string of callers to his fifth floor flat. A police raid found quantities of heroin in Owen's flat, and he was arrested.

New Charter applied for an ex-parte injunction to exclude the tenant from his own home, using new powers – only the second time this has been done in England. The landlord was concerned that Owen's dealing and nuisance would continue if he was bailed and returned to the flat.



business for neighbourhoods

Sitting at Tameside County Court, District Judge Stockton initially agreed to order Owen not to use the flat for immoral or illegal purpose. Despite the controversial nature of the ban, the judge was then persuaded by New Charter that the circumstances of the case demanded an exclusion order under s.153C of the Housing Act 1996 (as amended).

Owen is immediately barred from entering the block of flats at Assheton House until another hearing scheduled for Thursday 5th May 2005.

But the matter is unlikely to end with the ban.

Group Chief Executive Ian Munro said: “This is the first time we have used the (*s.153C*) powers to exclude a tenant from his own home. It’s a dramatic step, but a necessary one, and I’m pleased the judge has supported our action. I’m determined to make sure the vast majority of our tenants live their lives free from the serious nuisance that drug dealers bring to neighbourhoods. We now plan to get Owen more permanently excluded from our property.”

NOTES FOR EDITORS

1. New Charter took the whole council housing stock of Tameside Metropolitan Borough Council in Greater Manchester on 27th March 2000. With a turnover of almost £60million a year and a workforce of 800, New Charter is one of the country’s largest Registered Social Landlords, and is regulated by The Housing Corporation, a Government watchdog. It now owns 14,700 homes.
2. Paul William Owen, d.o.b 03.09.1965.
3. Action to obtain an ex-parte injunction was made pursuant to s.153 of the Housing Act 1996 (as amended). This legislation was activated at the end of June 2004.



4. An Injunction was granted to New Charter on 14th April 2005. Owen must not:
 - a. engage in conduct that causes or is likely to cause nuisance and annoyance to any person which, in turn, affects the housing management functions of the landlord.
 - b. specifically engage in the supply or attempted supply of a substance prohibited by the Misuse of Drugs Act 1971.
 - c. enter or be present in the property known as Assheton House, Water Street, Ashton-under-Lyne or from instructing or encouraging any other person from entering the building on his behalf.
5. **iN business for neighbourhoods** is a long-term project to improve housing associations' performance, and challenge negative perceptions of the sector and its customers. The project was launched at the National Housing Federation's annual conference in 2003. To date, 75 per cent of the sector's stock – over 1.4 million homes – is managed by associations who have joined the initiative and made fresh commitments to neighbourhoods, customers and excellence.

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