

PRESS RELEASE

Immediate release

27th October 2009

Headphones or jail for Gangsta Rap fan

A judge ordered a Mossley man to wear headphones unless he wanted another spell in prison.

Benjy Hughes played music at such loud volumes that neighbours could hear every word. And his love of Gangsta Rap meant the offensive lyrics boomed out during afternoons and evenings.

New Charter successfully obtained an ex parte injunction on 15th September to restrict Hughes from playing his music at excessive volume and causing nuisance in the neighbourhood. But almost 30 instances of Hughes ignoring the injunction were logged by neighbours and New Charter staff.

Hughes failed to attend the hearing in early October to defend his actions and New Charter satisfied the judge that the injunction should be confirmed. Because of further breaches, Hughes was arrested on 13th October and a judge remanded him to prison for a week to face trial.

Last Tuesday (20th October), Hughes admitted all breaches of the injunction. He told District Judge Craig Osborne he had failed to appreciate the severity of the matter and apologised to the court, neighbours and New Charter.

DJ Osborne gave Hughes a three-month prison sentence, suspended for 18 months. And in what is believed to be a unique move, he forbade the playing of any music at the property other than through headphones.

Managing Director of New Charter Homes Tony Powell said: "Our action is usually aimed at the tenant, as they are responsible for the actions of their family and visitors. In this case, we believed the evidence clearly pointed to Hughes as the offender, so we sought an injunction against him.



“We are pleased the judge has sided with neighbours who just want peace and quiet. Although it’s common advice to use headphones, we think the judge’s insistence on them is a first. Hughes must comply with the terms of the injunction or face another spell in prison.”

NOTES FOR EDITORS

1. New Charter formed in 1999 as the new landlords to own and manage homes transferred from Tameside council in Greater Manchester. With a turnover of £70million a year and a workforce of 840, New Charter is one of the region’s largest registered providers of social housing, and is regulated by the Tenant Services Authority, a Government watchdog. By incorporating Gedling Homes, the Group owns 18,600 homes. It was named in the Sunday Times best 100 companies to work for in 2009.
2. Benjamin Hughes, 183 Waterton Lane Mossley, dob 8.11.84
3. The terms of the injunction granted to New Charter Homes Limited at Tameside County Court on 20th October 2009 forbid Benjamin Hughes (whether by himself or by instructing or encouraging or permitting any other person):
 - (1) from engaging or threatening to engage in conduct causing, or which is capable of causing nuisance, annoyance or disturbance to any person residing in, visiting or otherwise engaging in a lawful activity in the locality of Waterton Lane, Mossley and which directly or indirectly affects the housing management functions of the Claimant.
 - (2) From using abusive, insulting or threatening language or behaviour towards any person within the locality of Waterton Lane, Mossley, in particular Clive Hall and Sharon Hall.
 - (3) From engaging in conduct which places any person with a right to reside, visit or otherwise engage in any lawful activity in the locality of Waterton Lane, Mossley, in particular Clive Hall and Sharon Hall, in significant risk of harm.
 - (4) Not to play any music other than through headphones.
4. **iN business for neighbourhoods** is a long-term project highlighting housing associations’ performance. As social businesses, housing associations do not make profit. They offer homes for rent and sale at prices local people can afford. Housing associations provide more than homes - they help create places where people want to live. Wherever you see the **iN business for neighbourhoods** sign, something great is happening in the area. Housing Associations who display this logo are committed to their customers, the neighbourhoods they work in and strive for excellence in everything they do.

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