

Handley Park Petition

Item for Decision: Members received at a previous meeting a petition from residents of Handley Park, Sixpenny Handley and asked for a follow up report at their next meeting.

Contributors Chief Executive
Contact Officer Neil Farmer, Head of Community Services

Financial Implications: Approved revenue budget provision.

Council Priorities: [COM2](#) [COM3](#) [COM4](#) [PER1](#)

Recommendations: **It is RECOMMENDED that the actions of the Council's Officers be noted.**

1. Applicable Lead Member Area(s)

1.1 Community

2. Crime and Disorder – Section 17 Implications

2.1 Behaving in an anti-social matter is unlawful and can lead to a formal prosecution and criminal conviction.

3. Equalities Implications

3.1 All citizens have an equal right to be respected and treated equally.

4. Risk Implications

4.1 There are no risk assessment issues appertaining to this report.

5. Introduction

5.1 This Committee received a petition, see Appendix 1 to this report, at its meeting held on the 18 February 2009 and asked that a follow up report be presented to its next meeting.

5.2 This report reaffirms what Members were told at their 18 February 2009 meeting.

6. Background

6.1 The Council's Anti-Social Behaviour Officer, Mr Bob Bailey, has been dealing with what is in effect a neighbour dispute for over two and a half years between various residents living within Handley Park, Sixpenny Handley. His predecessor was also involved in this case.

6.2 Mr Bailey has spent many hours working with the numerous parties involved and other agencies in what is a complicated case.

7. Progress to Date

- 7.1 In October last year Mr Bailey managed, after many months of trying, to set up a Restorative Justice meeting between all parties. It took some time as all parties needed to be present.
- 7.2 The purpose of this type of meeting was to encourage those who have caused harm to acknowledge the impact of what they have done and gives them an opportunity to make reparation. It offered those who have suffered harm the opportunity to have their harm or loss acknowledged and amends made.
- 7.3 Conflict between people is inevitable, and when it occurs, restorative justice can help to restore the balance in a just and fair way. In resolving the harm done it works to prevent it happening again. In this case all parties feel they are being caused harm.
- 7.4 At the restorative justice meeting which the petitioners refer to, it was not possible to reach an agreement between the parties as the gentleman referred to in the petition left the meeting in a distressed state.
- 7.5 What was agreed at the meeting was that Mr Bailey and the site manager would continue to try and resolve this difficult case. In the last six months Mr Bailey has worked with the East Dorset Housing Association, Citizen's Advice Bureau and the Police in trying to voluntary re home one of the parties. To date this has not been possible.
- 7.6 Both the site owner and the Council have taken legal advice, which is that, at this time there is insufficient independent evidence to bring about either a successful Anti-Social Behaviour prosecution or site eviction. The medical condition of the resident the petitioners refer to is such that legal matters are complicated further. The complainants have been made aware of these facts.
- 7.7 This is an extremely difficult case and this Council is but one of a number of agencies seeking to find an amicable solution. The Council will continue to play its part in trying to find that solution but it must not take sides in what is first and foremost a neighbourhood dispute.

8. Appendices

- 8.1 Appendix 1 – Petition

9. Background Papers

- 9.1 None

RESIDENTS
HANDLEY PARK
SIXPENNY HANDLEY
WILTS SP5 5PL

EAST DORSET DISTRICT COUNCIL					
FILE:	23 JAN 2009				
	IN	OUT		IN	OUT
HCS			AM		
HPHS					
HTS					

16th January 2009

To The Head of Department,

It is with deepest regret we write to inform you that we the named residents of Handley Park have sent a letter to Mr & Mrs Medcalf the site owners of our intent of withholding the increase in our ground rent of £9.00 per calendar month commencing January 2009, until such time as Mr John Mann of 18 Handley Park is dealt with.

We have been tolerating his unacceptable behaviour and blatant flouting of site rules for 3 years. We were firstly let down badly by Blandford Police, then Wimborne Police, East Dorset District Council and the site owners for long enough. We were promised at the end of the Restorative Justice meeting which was finally held on the 21st October 2008 after being cancelled several times and caused all of us several more months of continual harassment at the hands of Mr Mann, that we would all be notified of the outcome of this meeting. As of today we are still waiting for that response which the Council and the Police have yet again failed on and the problems with Mr Mann are not going away. We are now into 2009 and still we are being harassed by the taking of photographs which he has been told on numerous occasions to stop by the Police and the Council. Extremely loud thumping music, being stared at and him thumping his punch bag in his back garden and swearing about all of us still continues.

As up until now we have always followed the correct procedure as set out for dealing with nuisance neighbours under the guidance of Mr Bob Bailey, but as we can see no progress we are now having to take a different avenue.

Hoping you can look into this as our lives are being made a total misery by this one person who will not see reason and continues to think he is exempt from making any attempt to live peacefully amongst his neighbours and has told us on many occasions he will not stop until he has driven us all off the park.

Attached copy of the letter sent to Mr & Mrs Medcalf and also our Solicitors.

Yours Sincerely,

Mr & Mrs Dodd 17 HANDLEY PARK
Mr M. BEETON 23 HANDLEY PARK
MISS D A THOMPSON { 20 HANDLEY PARK }
MRS K DORRUM { 20 HANDLEY PARK }
Mr. Mrs Tidmarsh { 30 Handley Pk }

RESIDENTS
HANDLEY PARK
SIXPENNY HANDLEY
WILTS SP5 5PL

16th January 2009

Dear Mr & Mrs Medcalf,

We are writing this letter to inform you that we shall be withholding the increase in our ground rent of £9.00 per month commencing January 2009, until such time as the necessary action that should have been taken against Mr John Mann of 18 Handley Park has been enforced and therefore also made to abide by the rules of this park. Since the Fire Inspection was carried out there has once again been no reduction in the trees and shrubbery surrounding Mr Mann,s property.

We have also recently endured a wooden pub sign being placed on his seat at the front of his property reading HALF WAY HOUSE! Along with the tarpaulin and barbed wire that also still remains. This along with one of his cars still parked in the visitors car park untaxed or M.O.T and rusting away for approx 2years, is surely breaking the law as regards to environment policies

All of these things combined say very little about the standards set on this Park Home site, especially when some of us are trying to sell our properties.

We also had our Christmas and again the New Year disturbed by the constant playing of very loud thumping music by Mr Mann.

The very latest problems we are having with Mr Mann is of him starting the engine up of his Jeep and leaving it running unattended for up to twelve minutes whilst he gets himself and his three very large dogs ready to go out. This vehicle is extremely noisy and the fumes are so bad it comes into our properties even when this time of the year all the doors and windows are closed. This has all been logged.

Along with all this we are still being harassed by constantly being photographed, with him standing on his property staring menacingly with his arms folded at anyone who dares to be doing anything in their garage. The slamming of his door every time we return home, thumping his punch bag and swearing every time any of us are heard talking outside to each other.

We have now endured this for 3years and we all regret having to take this action but feel we are left with no other option and hope no further action will be needed in the future.

Hoping this can be finally resolved and we can move on with our lives.

Copies of this letter have been sent to our solicitors and East Dorset District Council.

Yours Sincerely,

Mr & Mrs Dodd 17 HANDLEY PARK.

MISS D A THOMPSON }
MRS K DEACON } 20 HANDLEY PARK }

MR M. BEETON. 23 HANDLEY PARK.

MRS C. BERTON. (mother of Miss G. BAKER.) - 19, HANDLEY PARK -

(Trying to sell '19', and sworn at by MR J. MANN if

I ever attempt to go to my daughter's)

(I have endured him since 1994!)

Mr Mrs Tidmore - 30 Handley Park
Mr Beckley 11 Handley Park