



**To Leaders of Stock-holding
Local Authorities
and Chief Executives of Larger Housing
Associations**

The Rt Hon Grant Shapps MP
Minister for Housing and Local Government

**Department for Communities and Local
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15 August 2011

Dear Leaders and Chief Executives

**EXTENDING SOCIAL LANDLORDS' POWERS TO SEEK POSSESSION FOR
CRIMINALITY AND ANTI-SOCIAL BEHAVIOUR**

Following the disgraceful looting and rioting across England in recent days, I am writing to let you know that we are today extending the scope of our consultation on strengthening the hands of landlords to effectively tackle anti-social behaviour and criminality (see www.communities.gov.uk/publications/housing/antisocialbehaviourconsult) which I announced on 3 August.

Our proposals for a new mandatory power of possession for serious, housing related anti-social behaviour remain unchanged, but, as the Prime Minister indicated last week and I set out on 10 August, we are now in addition proposing that the existing discretionary ground for possession for anti-social behaviour and criminality is broadened.

I want to ensure that where social tenants or members of their family are found guilty of serious anti-social behaviour or criminality of the sort we've witnessed in recent days, that will categorically provide a ground on which a social landlord may seek possession of the property.

We know that the threat of eviction can act as a powerful driver of improved behaviour. It cannot be right for that sanction to apply only to criminal behaviour towards neighbours or in the locality of the property as it does at the moment. Where a social tenant or a member of their household decides to wreak havoc in someone else's community, social landlords should have the same scope to take action.

Responses from a number of local authorities to the recent rioting and looting have made clear that there are concerns that the scope of the current discretionary power of possession for anti-social behaviour and criminality is not wide enough. Those responding to our consultation document of 3 August are asked therefore not to respond on the basis of the original text in paragraph 2.3 or to the original Question 1 but instead to the following proposal and question which have now been incorporated into the consultation document:

2.3 We propose that this discretionary ground for possession for anti-social behaviour and criminality should remain available in all circumstances, including where a mandatory power is available. We are aware however, particularly, in the light of recent rioting and

looting, that a number of landlords consider that it would be helpful to extend the scope of the discretionary ground, so that serious anti-social behaviour and criminality beyond the immediate neighbourhood of the property can clearly be taken into account.

We are therefore proposing to include additional provisions in Ground 2 of Schedule 2 to the Housing Act 1985 and Ground 14 of Schedule 2 to the Housing Act 1988 so that the court may grant possession where a tenant or member of their household has been convicted of violence against property (including criminal damage and offences such as arson), violence against persons at a scene of violent disorder or theft linked to violent disorder. There would in these circumstances be no requirement that the offence had been committed in the locality of the dwelling house, subject to it being committed in the United Kingdom.

Question 1: Do you agree that we should extend the scope of the current discretionary ground for possession for anti-social behaviour and criminality in this way?

Our 3 August consultation document remains unchanged in all other respects, except that we are extending the consultation to Monday 7 November to allow consultees 12 weeks to respond to these further proposals.

A handwritten signature in black ink, reading "Grant Shapps". The signature is written in a cursive, flowing style with a period at the end.

GRANT SHAPPS MP