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Housing rights enhanced by neighbours from hell?

26 May 2023



The experiences of Epsom and Ewell's nearby Surrey Borough Councils help to enhance public understanding of the rights and responsibilities of local residents and our Council. This report of **Chris Caulfield** from our BBC LDRS partner is the subject of today's editorial.

A woman whose mental health suffered at the hands of "intimidating" anti-social neighbours was refused higher priority status by a council's housing team, a local government watchdog said.

The woman, named only as Ms B, raised the complaint about how **Reigate and Banstead Borough Council** dealt with her housing application – even after she provided medical evidence from her doctor about the impact of her neighbours' actions.

It would also emerge that the council's housing team failed to pass her case on to its medical advisor – despite claiming the decision was based on their feedback.

Ms B first contacted the council in 2021 seeking a larger housing association home and was placed in band c – medium priority. In June 2022, she then submitted a letter from her GP saying she "would greatly benefit from a house move away from disruptive neighbours" and that the "situation had affected her mental health and she needed high intensity psychotherapy".

On September 26, 2022, she then submitted a fitness for work note from her GP, documents relating to her therapy, three police incident letters , and a letter from social prescribing. On 26 October 2022, the council reviewed her status and ruled she "did not have any medical priority and sent her a decision by email".

The council said this was based on advice from its own medical adviser – however it later admitted that it "erroneously said the case was passed to the Medical Adviser when it was not".

The decision read: "Following careful assessment, we have concluded that your application should not be awarded any additional priority on medical grounds."

Finally on November 23, 2022, on advice from her ward councillor, Ms B sent a statement explaining the anti-social behaviour and harassment experienced. It detailed incidents from 2017 but said problems escalated in December 2021, "mainly involving damage to her car but also some intimidating behaviour".
Eventually the council reviewed her case and, at the beginning of January 2023, increased her priority to band b – and backdated it to November 23 the 2022.

The ombudsman found the council to be at fault, with the authority now agreeing to backdate her new priority to September 26 2022 , as well as pay her £150 for her time and trouble – and to improve its procedures for the future.

The council now has three months to review its housing allocation review procedures to ensure decisions are accurate, contain reasons, and provide a right of review where appropriate. They must also remind staff that they should make further enquiries when they receive information about changes in circumstance.

A spokesperson for Reigate and Banstead Borough Council said: "We accept the Ombudsman's findings and we have worked with them to resolve the complaint and have fully complied with the mutually agreed actions."

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