

PRIVATE SECTOR HOUSING ENFORCEMENT POLICY CONSULTATION RESULTS

Committee: Operational Services Committee

Date: 12th Sept 2022

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1.0 ISSUE

- 1.1 To inform members of the Draft Private Sector Housing Enforcement Policy consultation responses.

2.0 RECOMMENDATION(S)

- 2.1 That the Operational Services Committee approves for implementation the East Cambridgeshire, Private Sector Housing Enforcement Policy 2022.

3.0 BACKGROUND/OPTIONS

- 3.1 The Operational Services Committee on 13th June 2022 considered the draft East Cambridgeshire District, Private Sector Housing Enforcement Policy, which outlined the proposals for Housing Enforcement within East Cambridgeshire.
- 3.2 It was agreed that the policy should be subject to a consultation period of 8 weeks.
- 3.3 The consultation document was sent to 91 landlords and managing agents as well as being posted on the Council's website. The Council received 8 responses regarding the policy. The detailed results and comments are provided in Appendix 2.
- 3.4 In summary the responses considered the policy would help the Council make consistent and fair enforcement decisions and the majority felt that the penalty matrices were fair and proportionate.
- 3.5 General comments included "Good work and encouraging for us tenants", "there needs to be a more proactive approach to checking up on rented properties" and "the policy sounds good on paper but does it have the budget and manpower for it to actually work? How will tenants be made aware of this? Will there be any way of explaining this to vulnerable people or whose English is poor?"
- 3.5 One respondent did not agree with the proposed penalty matrix for Housing Act offences but no explanation was offered. A separate respondent did not agree

with the proposed penalty matrix for Electrical Safety Standard offences but offered no further explanation.

- 3.6 Two respondents did not agree with the proposed level of penalty for an offence under the Minimum Energy Efficiency Regulations. No explanation was offered by one respondent but comments from the second respondent advised that obtaining an EPC should be the responsibility of the person living at the property. It was also suggested that if a prospective tenant would like to know the EPC of a property which had none then they should arrange this for themselves in order to make the decision about moving into a property.
- 3.7 Although supportive of the Policy another respondent made comments about the risk of losing landlords from the rental market due to the swathe of current requirements on them, requesting a lighter touch enforcement.
- 3.5 Considering the comments about the need for proactive measures the East Cambridgeshire Housing Stock Modelling Report 2021 will continue help to identify those more vulnerable or in poor quality housing, thereby enabling targeted initiatives to be developed. A recent example is the identification of Woodditton ward as potentially having the highest proportion of energy inefficient homes and the direct mailing and promotion of the grant funding scheme that could be available to occupiers, for energy efficient improvements to be made.
- 3.6 The Housing Stock Model data will continue to be used to reach out to those most likely to be in need, in addition to ensuring strong links are maintained with other Council Departments and partner organisations who provide support to people in their own homes. Improvements and updates to the website information available for landlords and tenants with concerns about property condition will be made.
- 3.7 To answer the concerns about provision of a valid EPC, the Regulations are clear. For relevant property owners, landlords and agents costs for provision of the EPC must not be passed on to the actual or prospective tenant.
- 3.8 Commenting on the view that there is a risk of losing landlords the Council must use its enforcement powers in a manner which is proportionate to risk, expedient and efficient as well as consistent and fair. A lighter touch may be applicable in certain circumstances and the new Policy aims to identify situations when this may be applicable, whilst targeting those who wilfully and seriously disregard the safety and wellbeing of tenants.

4.0 ARGUMENTS/CONCLUSIONS

- 4.1 Environmental Services are committed to improve enforcement procedures whilst responding to new legislation.

4.2 The response to the consultation indicates that the introduction of East Cambridgeshire District, Private Sector Housing Enforcement Policy is supported with no changes.

5.0 FINANCIAL IMPLICATIONS/EQUALITY IMPACT ASSESSMENT/CARBON IMPACT ASSESSMENT

5.1 This report has no additional financial implications.

5.2 Initial Equality Impact Assessment (INRA) previously completed.

5.3 A Carbon Impact Assessment found no positive or negative carbon implications arising from the update to the Private Sector Housing Enforcement Policy 2022.

6.0 APPENDICES

6.1 Appendix 1 - Final Private Sector Housing Enforcement Policy
Appendix 2 – Consultation responses

<u>Background Documents</u>	<u>Location</u>	<u>Contact Officer</u>
Housing Act 2004 Housing and Planning Act 2016 All associated Regulations	Room SF203 The Grange, Ely	Karen See Position: Senior Environmental Health Officer (01353) 616304 E-mail: Karen.see@eastcambs.gov.uk