

Cabinet - 3 November 2020

Recommendations from the People and Health Overview Committee meeting held on 27 October 2020

Housing Standards Enforcement Policy and Statement of Principles for determining Financial Penalties 2020-2-25

The Committee considered a report by the Interim Executive Director of People - Adults on the Housing Standards Enforcement Policy and Statement of Principles for determining Financial Penalties 2020-2025.

The Portfolio Holder for Housing and Community Safety introduced the report by explaining that the Housing Standards Team had responsibility for responding to poor housing conditions and had a range of enforcement powers to ensure that accommodation provided was safe and met the minimum standards. The new policy was not significantly different from those of the previous sovereign councils.

It was noted that officers were carrying out more pro-active enforcement work with regard to empty properties and now had capital to progress compulsory purchase orders (CPO) when owners were reluctant to bring empty properties back into use. This approach meant that more owners were engaging with officers without the need for CPOs. Members also noted a project was underway across Dorset whereby letting agents were encouraged to assess and market properties correctly with an Energy Performance Certificate (EPC) and improve them if they failed to meet the Minimum Energy Efficiency Standard. A project of targeted enforcement was also commencing in Weymouth to tackle aspects of the poor private rented sector.

With regard to the risk assessment for the policy being low, it was explained steps to mitigate risk and ensure the correct procedures were followed. Hence the risk was identified as low.

Members noted that of the 300 formal complaints received in 2019-2020, 40 resulted in formal notices being served and only 10-15 of them resulted in notices for work to be carried out. Many of the formal complaints were resolved informally but there were cases where the tenant's perception of the problem was high when the risk to health was low. There was the chance that these are cases typically received as complaints by local councillors.

Members suggested that statistics around informal and other action which were currently not recorded and which would reflect positively on the service and policy should be collected. In response officers confirmed that information about informal actions which led to improvements was captured and that this could be shared with members following the meeting.

With regard to whether information gathered by people visiting properties was being shared, it was explained that the project in Weymouth, funded by the Department for Communities and Local Government, helped identify high risk properties which would then be inspected to ensure improvements were undertaken. The information gained through the project could be used in other areas at a future date. It was recognised that more could be done to cross reference information in order to target enforcement activity.

A member asked whether the team were included in the work of the Safe and Independent Living (SAIL) scheme whereby agencies visiting people's homes could ask other agencies to assist a person or family in need of support. It was confirmed that the team were part of this scheme. and there was good join up between directorates and other partners.

With regard to whether a tenant might be put in a worse situation whilst improvements were being made, it was explained that enforcement action took into account the views of the tenant and the owner in order to arrive at the appropriate decision as to whether the tenant could remain safely in the property or an alternative needed to be found.

It was highlighted that the recommendation referred to the People and Health Scrutiny Committee rather than the Overview Committee and this change was noted.

The Committee supported the adoption of the policy.

Recommended

That the Cabinet adopt the Housing Standards Enforcement Policy and Statement of Principles for determining Financial Penalties 2020-2025.

Reason for Recommendation

In April 2020 all existing Housing Enforcement Policies novated to the new Dorset Council. These policies remain in force until 31st March 2021 or until a new policy supersedes them.

The formation of Dorset Council on the 1 April 2019 required that the Council adopt one new Enforcement Policy and Statement of Principles for determining Financial Penalties across the new council area.

The new policy is not significantly different from those of the original sovereign councils. They have been amalgamated and updated to reflect changes in legislation and good practice.