

BOROUGH OF KETTERING

Committee	EXECUTIVE	Item 11	Page 1
Report Originator	John Conway – Head of Housing	<i>Fwd Plan Ref No:</i> A13/029	
Wards Affected	All	15 th January 2014	
Title	PRIVATE SECTOR HOUSING ENFORCEMENT POLICY		

Portfolio Holder: Cllr Steve Bellamy

1. PURPOSE OF REPORT

To seek Executive Committee adoption of a new Private Sector Housing Enforcement Policy which sets out the Council's approach to dealing with sub standard housing conditions in the private sector.

2. BACKGROUND INFORMATION

- 2.1 The Council works with private sector landlords in a number of ways to promote the improvement of housing conditions and management standards for privately rented homes. For many years, we have provided grants to landlords to enable them to bring their homes up to the Decent Homes standards, provided one to one tailored advice on property defects as well as hosting more broadly targeted events such as our Landlord Information Evening last November. The overwhelming majority of private landlords want to provide decent and safe homes, but for those who fail to meet the minimum statutory requirements, the Council will take enforcement action to ensure the safety of residents in substandard homes and their visitors.
- 2.2 Therefore, the purpose of the Private Sector Housing Enforcement Policy is to set out the Council's approach to securing compliance with the law when dealing with substandard residential accommodation in the private sector. In particular, it details how and when we will use enforcement powers; ensuring compliance with statutory requirements and following best practice. Its primary aim is to protect occupants of private sector housing, and ensure consistency of approach.

3. POLICY IMPLICATIONS

- 3.1 All enforcement action will be carried out having regard to the principles specified in the Statutory Code of Practice for Regulators made under Section 23 of the Legislative and Regulatory Reform Act 2006:

BOROUGH OF KETTERING

Committee	EXECUTIVE	Item 11	Page 2
-----------	-----------	------------	--------

- Economic progress – We recognise that housing enforcement action may have an economic impact on tenants and landlords, and that intervention must therefore be clearly justified.
- Risk assessment – We will use intelligence, such as our private sector housing stock condition survey, to target resources where they are needed most.
- Advice and guidance – We will actively promote the Decent & Safe Homes (DASH) Landlord Accreditation Scheme which provides independent advice and training for private sector landlords.
- Inspections and other visits – We will focus resources where there is reason to believe that there may be significant breaches of the law and a higher likelihood of non-compliance.
- Information requirements – We will only request information from landlords or their agents when this is necessary to ensure the safety of their tenants or to address a serious public health issue.

3.2 The Policy is also based on the abiding principles of the Government's Concordat on Good Enforcement Practice by:

- Setting clear standards;
- Providing clear and open information;
- Helping businesses by advising on and assisting with compliance;
- Having a clear complaints procedure;
- Taking enforcement action that is proportionate to the risks involved;
- Ensuring that enforcement practice is consistent.

3.3 The Policy seeks to support our corporate objectives and strategies in relation to private sector housing. It should also be noted that when we take enforcement action we are often working closely with partners such as the Fire Service, Police and Border Agency.

4. RESOURCE IMPLICATIONS

4.1 The Council has the power to carry out remedial works to resolve housing defects with or without the owner's agreement and recover our costs by invoicing the owner, putting a legal charge on the property or recovering costs from the tenants' rent. However, where this is necessary, budgetary provision to cover works in default will need to be identified to cover the Council's costs.

5. CONSULTATION AND CUSTOMER IMPACT

5.1 There will be no change in current practice as a result of adopting this Policy.

BOROUGH OF KETTERING

Committee	EXECUTIVE	Item 11	Page 3
------------------	-----------	------------	--------

6. RECOMMENDATION

- 6.1 It is recommended that the Executive Committee agrees to adopt the Private Sector Housing Enforcement Policy attached to this report.

Background Papers:

Private Sector Housing Enforcement Policy
Date: 13 December 2013

Contact Officer: Sue Hottinger/
Housing Strategy & Options Manager

Previous Reports/Minutes:

Ref: Not applicable

Date: Not applicable