

ADOPTION OF NEW STATUTORY ENFORCEMENT POWERS FOR PRIVATE SECTOR HOUSING FOLLOWING CONSULTATION:

Report of the Executive Director (Housing and Communities) recommending the adoption of a policy and procedure for calculating the level of financial penalty as an alternative to prosecution for certain specified offences.

The Private Sector Housing Team is responsible for enforcing various legislation to ensure property standards and maintaining the mandatory licensing scheme for eligible Houses in Multiple Occupation.

The enforcement powers currently available are predominantly under the Housing Act 2004, which include a variety of Formal Notices and the instigation of prosecution proceedings.

The Housing and Planning Act 2016 introduced the ability for the council to issue Civil penalties of up to £30,000 as an alternative to prosecution for certain offences. The aim was to support the majority of landlords who provided well maintained homes, and avoid unnecessary regulation, but also to reduce the amount of criminal landlords who knowingly rent out unsafe and substandard accommodation.

Following consultation with the Landlord forum and Managing Agent partners the majority were against the imposition of the new powers, however it was sent to over 400 recipients and only eight responses were received. There were also some minor errors that were brought to the Officers attention which were amended in the final draft of the policy.

Following a brief discussion, members congratulated the team for the many successful prosecutions that they have had so far and agreed the new policy would help improve standards further.

RESOLVED:

- (1) That Cabinet Housing Panel members note the responses to the consultation.
- (2) That Cabinet Housing panel members recommend to Cabinet that the policy and procedure for calculating the level of financial penalty set out at Appendix A is formally adopted.