

Allerdale Borough Council

Overview and Scrutiny Committee – 17 December 2021

Private Sector Housing Enforcement

Portfolio holder	Councillor Mike Johnson Economic Growth, Community Development and Placemaking portfolio
Report from	Sharon Sewell (Chief Officer Place and Governance)
Wards affected	All
Is this a key decision	No

1.0 The reason for the decision

- 1.1 The Council referred the amended motion accepted at Council on 28 July 2021 for consideration by the Overview and Scrutiny Committee. The Overview and Scrutiny Committee considered this referral and determined that a separate report should be considered at a future meeting of the Committee.

2.0 Recommendations

- 2.1 That the Committee notes the report and officers presentation.

3.0 Background and Introduction – Private Sector Housing Enforcement Policy

- 3.1 The Private Sector Housing Enforcement Policy sets out the way in which the Council intends to secure effective compliance with legislation to ensure that all private sector housing within the Borough is healthy, well managed and safe.
- 3.2 The Council's existing Policy was adopted in 2018.
- 3.3 The Council has a statutory duty and powers to deal with poor housing conditions and the Private Sector Housing Enforcement Policy sets out a clear framework in which to do this.
- 3.4 The Private Sector Housing Enforcement Policy will be refreshed to ensure new legislation that has been introduced is included.

3.5 The recent reorganisation has strengthened the Housing Team with an additional Housing Technician post. The new team has been formed along with a new Housing Manager and as the team develops and the necessary training has taken place, procedures will be reviewed to ensure effective and consistent Housing Enforcement.

4.0 The Private Rented Sector in Allerdale

4.1 Whilst the size of the private rented sector in Allerdale is below the national average, it has grown in the last decade. At the time of the 2001 census there were 3,900 households living in the private rented sector in Allerdale (9.8% of housing stock), by 2011 the census showed that this had risen to 4,850 (11.4%) and the Stock Condition Survey 2016 estimated that this sector is now at 16%.

4.2 At present, private sector landlords are not required to register their tenanted properties with the local authority. This makes it difficult to get a true picture of the distribution of privately rented properties and also the number of landlords operating in Allerdale.

4.3 The Housing Study 2016 identified that the highest percentage (15.3%) of private rented dwellings is in the North Lakes Strategic Housing Market Area (Keswick, Derwent Valley, Crummock and Boltons) followed by Cockermouth 14% and Wigton 11.4%.

4.4 Tackling health and safety hazards in homes is an important issue both in terms of the quality of housing stock in Allerdale but also in terms of the contribution this makes to health and well-being.

4.5 The Allerdale Housing Stock Condition Survey 2016 found that private rented stock (21%) has relatively more Category one Hazards than owner occupation 9.7%. It also found that rates of non-decency for private rented stock (29.2%) is higher than for owner occupied (20.3%). Keswick and North Allerdale were found to have the highest proportion of properties with Category one hazards and levels of non-decency.

4.6 Currently the Housing Technicians work is mostly re-active. The Officers will manage complaints through liaising directly with the Private Sector and Social Housing landlords to address concerns and advise on their role and responsibilities in respect of expected standards in line with the legislations and towards their tenants, and the role of the Council in using powers and taking enforcement action where necessary.

4.7 Once a complaint is received about the condition of a property the tenant is advised of the process and the expected outcome. Prior to any Housing Health and Safety Rating System inspection the Council is required by law to give the landlord 24 Hours' notice of our intention to inspect the property. This is sent via a letter but where telephone contact details are provided a call will be made to the landlord to explain the process.

Engagement

- 4.8 The Housing Team have always provided support and advice to both landlords and tenants however this is generally when we are approached rather than any proactive engagement.
- 4.9 Landlord newsletters were sent out bi-monthly and Landlord forums were held every quarter. Unfortunately, these were put on hold due to capacity issues within the team and also the Council not being able to recruit to the EHO Housing post.
- 4.10 The Council's website has a wealth of information on and both Landlords and Tenants can access these.
- 4.11 Partnership working over the years has raised the awareness of the Housing service and the role we play to improve housing conditions and generally support people within their homes. This has been undertaken through the Allerdale Local Focus Hub and improved relationships with Adult Social Care and the Integrated Care Communities (ICCs), third sector agencies such as Age UK, CAB.
- 4.12 Referrals are often received from these agencies when they are made aware of poor housing conditions or their clients need further support and advice.
- 4.13 The services aim is to:
- Build upon the work we are doing in advising landlords of their responsibility and in doing so this is strengthening our existing relationships with Private Sector landlords through the work of the Rapid Rehousing Pathways officer, and Housing Technicians
 - Review the Council's website to ensure that all of the information and material is up to date and is accessible for landlords to use as a resource
 - Where we have limited or no relationships we will hold a Private landlord's forum and establish how best the Council can work at a more strategic level
 - Introduce regular meetings with social housing landlords operating in Allerdale to develop future ways to work strategically and understand their operational approach to addressing complaints within the Social Housing Sector.

5.0 Complaints

- 5.1 Information is being collated and will be presented to the Committee.

6.0 Resource

- 6.1 The Housing EHO post has been vacant for approximately 3 years. The current Housing Enforcement Officer was recruited via an agency following a number of unsuccessful recruitment attempts.
- 6.2 The current contract ends in March 2022 – the officer is not a qualified EHO but qualified and competent to do HHHSRS inspections and enforcement, he is

contracted through an agency to work 16 hours per week although works additional hours as necessary and is paid for from the Housing EHO vacancy.

6.3 One of the objectives of the recent re-structure was to provide additional resource, and more generic working to enhance the skills and resilience of the service. A suite of training courses have now been identified and all Officers are booked on to aid their personal development, skills and knowledge and build competency and resilience within the team.

6.4 The Housing Manager is also currently looking at alternative options in respect of the vacancy such as filling the vacancy with an experienced Housing Technician and looking at options for collaborative working with Carlisle and Copeland.

6.5 A new post of Environmental Health and Housing Manager was also created in the re-structure to provide additional leadership and support to all the teams.

7.0 Implications and Impact

7.1 Contribution to Council Strategy Priorities, Outputs and Outcomes

This will contribute to the Council Strategy themes:

- Outstanding local services
- Thriving towns and villages
- Resilient communities

7.2 Finance/Resource implications

The main implication is for staff time required to service any meetings.

7.3 Legal and governance implications

None associated with the Committee selecting its agreed course of action.

7.4 Risk analysis

A scored and mitigated risk log

Risk	Consequence	Controls required	Mitigated score
That the Committee does not determine any recommendations for service improvement.	Service improvements are not created.	Close liaison between Overview and Scrutiny and Audit Committees; internal and external advice sought as and when needed.	Low

7.5 Increasing satisfaction and service

The course of action selected should result in improvements in the service being agreed and implemented.

7.6 Equality impacts

Not for this process. Depending on which course of action the Committee selects, it may be appropriate to consider the equality impacts for the next steps.

7.7 Health and Safety impacts

None at this stage. The course of action selected should result in improvements in the service being agreed and implemented.

7.8 Health, wellbeing and community safety impacts

None at this stage. The course of action selected should result in improvements in the service being agreed and implemented.

7.9 Environmental/sustainability impacts

None at this stage. The Committee may choose to consider which will be the most effective and least impactful method to deliver its selected course of action.

Background documents available

Name of background document	Where it is available
Local Government Ombudsman decision notice	https://www.lgo.org.uk/decisions/housing/private-housing/19-017-356
Housing Enforcement Policy	https://www-cloudfront.allerdale.gov.uk/media/filer_public/c0/76/c0761a17-8d95-4e19-905c-7b6f5a21ec73/housing_enforcement.pdf

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