

## SOUTH HOLLAND DISTRICT COUNCIL

**Report of:** Portfolio Holder for Housing and Health and/or Executive Director - Place

**To:** Policy Development Panel Wednesday, 19 September 2018

**(Author:** Phil Stacey Housing Options Manager)

**Subject** Private Sector Housing Enforcement policy

**Purpose:** To update members on changes to legislation and to provide a policy framework to enable Private Sector Housing Enforcement

### **Recommendation(s):**

- 1) That the Policy Development Panel note the changes to legislation affecting Private Sector Enforcement and endorse the policy

### **1.0 BACKGROUND**

- 1.1 The Housing and Planning Act 2016 has brought in a series of changes to legislation that SHDC need to enact. These include licencing of HMOs and measures to tackle rogue landlords. They will also operate within the additions brought in by that Act to the enforcement regime, including the financial penalty procedures and banning orders.

### **2.0 OPTIONS**

- 2.1 That the Policy Development Panel note the changes to legislation affecting Private Sector Enforcement and endorse the policy
- 2.2 Option 2:- Do nothing

### **3.0 REASONS FOR RECOMMENDATION(S)**

- 3.1 SHDC needs to have an enforcement policy that is compliant with current legislation.

### **4.0 EXPECTED BENEFITS**

- 4.1 SHDC recognises the importance of the private rented housing sector in providing valuable good quality accommodation and meeting housing need. SHDC is aware that the majority of landlords maintain their properties to a good standard, however there are some who neglect their responsibilities and put their tenants at risk due to the poor condition of their properties. Substandard housing can have a profound impact on mental and physical health of its occupants, and poorly maintained property also negatively impacts on its surrounding neighbourhood. The adoption of this policy will enable SHDC to educate and tackle these

issues and improve the standards of Privately Rented accommodation in SHDC

## **5.0 IMPLICATIONS**

### **5.1 Carbon Footprint / Environmental Issues**

5.1.1 It is the opinion of the report author that there are no implications.

### **5.2 Constitution & Legal**

5.2.1 If enforcement action is considered necessary there would be legal implications in taking these matters forward.

### **5.3 Contracts**

5.3.1 It is the opinion of the report author that there are no implications.

### **5.4 Corporate Priorities**

5.4.1 There is a strong link between enforcement and our corporate priorities, notably 'to have pride in South Holland by supporting the district and residents to develop And thrive.

### **5.5 Crime and Disorder**

5.5.1 Tackling rogue landlords should make a contribution to wider efforts to address anti-social behaviour.

### **5.6 Equality and Diversity / Human Rights**

5.6.1 It is the opinion of the report author that there are no implications.

### **5.7 Financial**

5.7.1 Enforcement options include; for example- rent repayment orders, civil penalty notices and licencing fees all of which can generate income for SHDC

### **5.8 Health & Wellbeing**

5.8.1 There is a positive link between increasing the supply of housing, along with investing into the condition of private housing in the district and the broader Health and Wellbeing agenda.

### **5.9 Risk Management**

5.9.1 There are risks to the authority associated with certain courses of action designed to enforce in the privately rented sector; for example prohibition notices may result in an increase in homelessness.

### **5.10 Safeguarding**

5.10.1 It is the opinion of the report author that there are no implications.

5.11 Staffing

5.11.1 Five Private Sector Housing Officers are available. Private Sector Enforcement is a generic function across all these officers

5.12 Stakeholders / Consultation / Timescales

5.12.1 There are no known implications for stakeholders.

**6.0 WARDS/COMMUNITIES AFFECTED**

6.1 All Wards

**7.0 ACRONYMS**

7.1 None

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Background papers:- None

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**Key Decision: No**

**Exempt Decision: No**

**This report refers to a Mandatory Service**

**Appendices attached to this report: None**

Appendix A South Holland District Council Private Sector Housing Enforcement Policy