



## Public Document Pack

# Uttlesford District Council

Chief Executive: Peter Holt

## Housing Board

**Date:** Thursday, 8th February, 2024

**Time:** 12.30 pm

**Venue:** Council Chamber - Council Offices, London Road, Saffron Walden,  
CB11 4ER

**Chair:** Councillor A Coote

**Members:** Councillors S Barker, A Dean, G Driscoll, C Fiddy, R Freeman,  
P Lees (Vice-Chair), C Martin, B Regan and M Tayler

**Tenant and Leaseholder Panel Representatives:** John Cotier (Chair) and Susan  
Ovel (Vice-Chair)

## **AGENDA**

- 1 Apologies for Absence and Declarations of Interest**  
To receive any apologies for absence and declarations of interest.
- 2 Minutes of the Previous Meeting** 5 - 8  
To consider the minutes of the previous meeting.
- 3 Ending Introductory Tenancies** 9 - 14  
To consider the report on Ending Introductory Tenancies.
- 4 Damp and Mould Leaflet** 15 - 22  
To consider the Damp and Mould leaflet.
- 5 KPI's and Performance Matrix** 23 - 25  
To discuss KPI's and Performance Matrix.
- 6 Update on UNSL (papers to follow)**  
To consider the report from the Director of Housing, Health and Communities.
- 7 Update on Resources in Housing (verbal item)**  
To consider verbal update by Director of Housing, Health and Communities.
- 8 Renters Reform Bill** 26 - 41  
To consider the Renters Reform Bill.
- 9 Forward Plan** 42  
To consider the Forward Plan.

**For information about this meeting please contact Democratic Services**

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**HOUSING BOARD held at COMMITTEE ROOM - COUNCIL OFFICES,  
LONDON ROAD, SAFFRON WALDEN, ESSEX CB11 4ER, on THURSDAY, 7  
DECEMBER 2023 at 12.30 pm**

Present: Councillor A Coote (Chair)  
Councillors S Barker, G Driscoll, C Fiddy and P Lees

Officers in attendance: K Clifford (Director of Housing, Health and Communities),  
C Edwards (Democratic Services Officer) and J Snares  
(Housing Strategy and Operations Manager)

## **HB1 APOLOGIES FOR ABSENCE AND DECLARATIONS OF INTEREST**

Apologies for absence were received from Councillor Tayler and S Ovel, Vice Chair of the Tenant and Leaseholder Panel.

There were no declarations of interest.

## **HB2 MINUTES OF THE PREVIOUS MEETING**

The minutes of the meeting held on 19<sup>th</sup> January 2023 were approved as an accurate record.

## **HB3 UPDATE ON REGULATORY FRAMEWORK FOR HOUSING**

The Director of Housing, Health and Communities presented the report.

In response to various questions raised, it was stated that:

- Access to the property in this context did not relate to the Council trying to gain entry, but to the regulator, who had the right to enter a property and carry out repairs when a Landlord had not fulfilled their duties. The regulator would then pass the charges onto the Landlord.
- Data protection was not covered in this report it was within the Council's Governance.
- The individual standards would be circulated to Housing Board Members and an action plan would be brought to the next meeting.

## **HB4 TENANT SATISFACTION MEASURE SURVEY RESULTS**

The Housing Strategy and Operations Manager presented the survey results.

She made the following points:-

- The overall satisfaction rating had gone up to 81% in October 2023 from 71% in February 2023.
- Complaints handling had improved from 27% to 44%.

- There had been 503 people contacted for the survey but as it was anonymous they did not have a breakdown of the responses or how many complaints had been made.

The Director of Housing, Health and Communities said that there would be key performance indicators that could be brought to the meeting in the future which would give a more definitive view of complaints and how they were handled, as well as data from the Complaints Handling Code which would be available early next year.

The Chair said that it would provide standardised information as it would all be judged on the same basis.

In response to questions from Members regarding the mould and damp issues, Officers confirmed that everyone had been contacted who had either reported mold and damp issues or had taken part in the stock condition survey.

The Director of Housing, Health and Communities said there was guidance provided about the prevention of mould and damp but this had to be handled carefully to avoid judgement on anyone's lifestyle. She said there were grants available to help to provide ventilation where needed.

## **HB5 UPDATE ON RENT SETTING**

The Director of Housing, Health and Communities introduced the report. She said that the mistakes had been rectified and all the rent refunds had been completed in August. She said that there were now robust processes in place to ensure that the same issues did not occur again.

She thanked all Officers for their hardwork in recalculating rents and sending out letters to all the residents that were involved.

Members noted the updates provided and that the Regulator would be updated as per the recommendations within the report. They agreed to approve the adoption of the Rent Setting Sign Off procedure and for it to go forward to Cabinet.

RESOLVED that:

The Housing Board approved the adoption of the Rent Setting Sign Off procedure and agreed that it should go forward to Cabinet for approval.

## **HB6 TENANT AND LEASEHOLDER PANEL - NEW CHAIR AND VICE CHAIR**

The Chair of the Tenant and Leaseholder Panel apologised that the Vice Chair was not able to come to the meeting.

HB7

## **INDEPENDENT HOUSING OMBUDSMAN'S SCHEME COMPLAINTS HANDLING CODE SELF ASSESSMENT**

Members noted that the Complaints Policy would be reviewed further and recommended the approval to Cabinet of the self assessment of the Housing Ombudsman's Complaints Handling Code.

RESOLVED that:

The Housing Board recommended to Cabinet the approval of the self assessment of the Housing Ombudsman's Complaints Handling Code so that it could be published on Uttlesford District Council's website and made available to tenants.

HB8

## **TIMELINE FOR COMPLETION OF THE HOUSING REVENUE ACCOUNT BUSINESS PLAN**

The Director of Housing, Health and Communities said that it was important to ensure the accuracy of the rent figures that were added to the business plan. She proposed a meeting in mid January to consider this in more detail.

She made the following comments: -

- Cabinet would be asked to approve the rent standards uplift of CBI + 1% which was 7.7%.
- It was important to maximise the rental income in order to provide the best service and to have the funds to carry out repairs.
- The proposal had been discussed at the tenant panel and after a robust discussion had been approved.
- The Service Charge was still being calculated, there was some on going concern about heating charges, however these were likely to come down slightly this year as the high prices had been predicted early and therefore projections were included in last year's charge.

HB9

## **UNSL UPDATE**

The Director of Housing, Health and Communities pointed out a mistake in paragraph 12 the date should read January 2024. She also agreed to check the date that the report had previously been discussed at Scrutiny Committee.

In response to various questions raised, it was stated that:

- In order to deal with the backlog and bring down the length of time it was taking to process voids, UNSL had been asked to complete the voids within 30 days. This work had been mainly completed by Contractors and had caused an increase in costs to £16,000 per property, whereas the industry benchmark was £7,000.
- Uttlesford District Council are aware that the costs are too high and were monitoring the spend.
- Elderly residents can request a room a year to be decorated, it was not carried out as a matter of routine.

**DEVELOPMENT UPDATE**

The Housing Strategy and Operations Manager gave an update of current development:-

- Thaxted Road had been handed over in April and was in the 12 month defect period.
- Great Chesterford, 13 houses were handed over last December and it was coming to the end of the 12 month defect period.
- Takeley Garage Block in Beech Close and the redundant Day Centre – a planning application for 8 flats at an approximate cost of £1.3 million would be submitted.
- Woodland Park in Dunmow – 9 had been completed in July and phase 2 of 10 apartments were due to be completed in March 2024. Total cost of £3.5million funded partly by 'right to buy' receipts.
- Tye Green, Wimbish – a 4 bed house was being built and due to be completed in June 2024.
- Bungalow at The Mead in Thaxted this was a purpose built bungalow for one disabled tenant, and should be ready in August/September 2024.
- A garden plot at High Easter had been withdrawn.
- Parkside, 24 apartments for the over 60's near Abbey Lane planning permission had been granted, with an estimated cost of £4.5million hopefully including a Homes England grant of £1.4million towards the cost.
- Alexia House in Great Dunmow, 24 apartments for the over 60's. The planning application would go to the Planning Committee early in the new year. Estimated cost of £4million with a £1.5million social housing grant.
- The new communal area at Walden Place was near to completion, meaning that the grade 2 listed building could be sold separately with a valuation of approximately £1million.
- Ashdon, All Saints Close – looking to gain planning permission for 12 houses but due to the access, Highways have said the site can only take a maximum of 5 units. Therefore the viability of developing the site at the present time will be reviewed.

*Councillor Lees left the meeting at 1:50pm.*

**HOUSING KEY PERFORMANCE INDICATORS**

The Director of Housing, Health and Communities said that there needed to be a discussion about which of the performance indicators to monitor going forward. She agreed to circulate the current indicators so that Members could identify those that were useful and meaningful.

*The meeting finished at 1.55 pm .*



**Committee:** Housing Board

**Agenda Item**

**Date:** 8<sup>th</sup> February 2024

**Title:** Introductory Tenancies

**Author:** Judith Snares,

Item for information

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## Summary

1. The Housing Act 1996 gave local authorities the discretion to grant introductory tenancies to all new social housing tenants.
2. Uttlesford District Council (UDC) currently offers 12 month introductory tenancies, which can be extended up to 18 months. The purpose of an introductory tenancy is to identify whether a tenancy can be sustained.
3. If the tenant/s adheres to the conditions of the tenancy agreement, following a review, they are offered a secure council tenancy at the end of the term of the introductory tenancy.
4. If the tenant/s are unable to manage their tenancy effectively, they may be granted an extension of a further 6 months or steps can be taken to bring the tenancy to an end. An introductory tenancy should be easier to end than a secure tenancy as it affords the landlord mandatory possession.
5. The Tenancy Standard 2012, published by the Regulator of Social Housing, legislates that all social housing providers should publish a Tenancy Policy which sets out what types of tenancy they will grant.

## Recommendation

6. Housing Board recommends that Cabinet approves the ending of introductory tenancies and the granting of secure tenancies to all new tenants.
7. Housing Board recommends the approval and adoption of the revised Tenancy Policy.
8. Housing Board recommends that Cabinet approves the issue of new secure tenancies to all tenants currently on introductory tenancies unless there is current enforcement action being taken to end the tenancy.

## Financial Implications

9. Savings in administration costs and officer time for monitoring and reviewing introductory tenancies.

10. With time efficiencies being created within the team, a rolling programme of tenancy audits will replace the process of reviewing introductory tenancies. This will be more beneficial as we can triangulate data to inform our programme and prioritise audit visits to target property condition issues, under-occupation, tenancy fraud and progressing cases of ASB.

## Background Papers

None

## Impact

Communication/Consultation	Tenant and Leaseholder panel /members
Community Safety	None
Equalities	Yes, all new tenants and tenants currently on introductory tenancies will be offered tenancies on the same basis as current secure tenants
Health and Safety	None
Human Rights/Legal Implications	Yes, all new tenants and tenants currently on introductory tenancies will be offered tenancies on the same basis as current secure tenants
Sustainability	Yes, more sustainable tenancies and communities by giving people security from the outset of their tenancy
Ward-specific impacts	None
Workforce/Workplace	Yes, removes the need for time-consuming administration of introductory tenancies

## Situation

11. The Housing Act 1996 gave local authorities the discretion to grant an introductory tenancies to all new social housing tenants.
12. Uttlesford District Council (UDC) currently offers 12 month introductory tenancies, which can be extended up to 18 months. The purpose of an introductory tenancy is to identify whether a tenancy can be sustained.

13. Out of approximately 2700 council tenancies, UDC currently has 178 tenants (as of 19<sup>th</sup> December 2023) on introductory tenancies. In the past year, 9 have been extended for a further six months and none have been ended.
14. There has been recognition by the Government of the importance of housing stability for those who rent in the social housing sector and as the giving of introductory tenancies is discretionary, it is felt that by the removal of this type of tenancy we will be giving people security and stability from the start of their tenancy.
15. Evidence has demonstrated the importance of social housing tenants feeling that they have a long-term commitment to their community without the fear of a tenancy review leading to uncertainty and even potential termination of their tenancy. This is especially true with an introductory tenancy as there is no discretion of the courts to deny eviction. It is important that tenants and their households can settle into their new home and feel part of their local community.
16. Introductory tenancies need to be formally reviewed before the end of the 12-month period and can then only be extended for another 6 months. These reviews are an administrative burden for the housing management team and although a small number are extended, there have been hardly any tenancies ended by this process. The reality is that where there are concerns over the management of a tenancy, such as rent arrears or anti-social behaviour, these are being addressed not at the review stage but as part of the day-to-day work carried out by housing officers. Issues with a tenancy can occur at five months or five years and the actions that officers take to address and resolve matters are the same, whatever the length or security of the tenancy.
17. The ending of a tenancy is always a last resort and only happens when all other means have failed, and this is the case whether a tenant is an introductory tenant or a secure tenant.
18. It is therefore considered that it will be a better use of housing officer time if this mostly administrative task is removed, a new programme of tenancy audits for all tenants is adopted and all new tenants are granted a secure tenancy from the start of their tenancy.
19. The Tenancy Policy has been updated to reflect the ending of introductory tenancies.

## **Risk Analysis**

Risk	Likelihood	Impact	Mitigating actions
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2. Council tenancies may not be checked or reviewed on a regular basis.	1.Low likelihood due to the mitigating actions	2.Mitigaing actions in place to reduce the potential impact	The Housing Service will implement a rolling programme of tenancy audits where tenants are visited at home and their circumstances checked. This helps ensure that we know our tenants and can deal with any issues. Housing Officers will be able to concentrate more time on these checks by removing an administrative process that has marginal outcomes.
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1 = Little or no risk or impact

2 = Some risk or impact – action may be necessary.

3 = Significant risk or impact – action required

4 = Near certainty of risk occurring, catastrophic effect or failure of project.



## **Uttlesford District Council – Tenancy Policy 2024**

### **1. Background**

- 1.1 This tenancy policy fulfils the requirements of the Tenancy Standard 2012, as set out by the Regulator of Social Housing, to adopt and publish a tenancy policy. It has been subject to consultation with tenants and Members of Uttlesford District Council.

### **2. Context**

- 2.1 This Policy outlines Uttlesford District Council's approach to tenancy management, including interventions to sustain tenancies and prevent unnecessary evictions. The policy also sets out the type of tenancies we will grant and the circumstances in which we will grant tenancies of a particular type.

### **3. Aims of the Policy**

- 3.1 The aims of this policy are to:

- To act to support and sustain tenancies;
- Supporting the development of new homes and sustainable communities across Uttlesford;
- Make the best use of the available social housing stock.

### **4. Sustaining Tenancies**

- 4.1 We will ensure that all new tenants are provided with clear information concerning the terms of their tenancy agreement and of the consequences of failing to keep to those terms.
- 4.2 We will intervene at an early stage when we become aware of breaches of tenancy agreements. Following investigations, we will seek to ensure that tenants receive appropriate support to help them keep their home.
- 4.3 Tenants in supported and sheltered housing will have a support plan identifying the type of support needed and these will be reviewed regularly. We will refer vulnerable residents in general needs housing to floating support services or other support services, where applicable.
- 4.4 Where tenants have rent arrears, we will seek possession only where all preventative methods, such as financial inclusion advice, have been reviewed and exhausted.

### **5. Taking Account of the Needs of Vulnerable Residents**

- 5.1 An equality impact assessment (EIA) has been undertaken on this policy, taking account of the different strands of diversity. The EIA will be reviewed whenever this policy is reviewed. The EIA will be available on the Uttlesford Council Website.

### **6. Type of Tenancy to be Granted**

- 6.1 We will provide new tenants with a written agreement (a Tenancy Agreement) that sets out their rights and responsibilities and our rights and obligations. This will be fully explained at the sign-up interview.
- 6.2 We will grant secure tenancies to new tenants in all types of Uttlesford District Council permanent accommodation, including properties let at Affordable Rents. These could be applicants who are transferring from within Uttlesford District Council or from a Registered Provider or who have completed a mutual exchange.
- 6.3 Where Uttlesford District Council properties are let as emergency temporary housing, such as in cases of homelessness, tenants will be granted Non-Secure temporary tenancies.

### **7. Rents**

- 7.1 Tenancies will be let at rents in accordance with the Council's Rent Policy.

### **8 Succession Rights**

- 8.1 Succession rights are as detailed in our Tenancy Agreement.

- 8.2 Succession rights for tenants whose tenancy started **before** 1 April 2012 are as follows:-

- i. If you are a sole tenant and are married, then your spouse will automatically succeed to the

tenancy provided he or she is living in the property at the date of your death. If you are not married or are separated and your spouse does not live in the property, then if a close relative (as defined by the Housing Act 1985) is living with you at your death and has been living with you for the whole of the twelve (12) months immediately before your death then that person will automatically succeed to the tenancy. These provisions do not apply if you acquired the tenancy yourself upon the death of another person (survivorship or a previous succession). In such a case no-one can succeed, and the tenancy will come to an end. If the successor is a close relative (not your surviving spouse) we may require the successor to move to a smaller property if the existing property would be under-occupied.

- ii. If you are joint tenants, on the death of either of you, the tenancy will automatically pass to the survivor.
- iii. Wherever there is a change in the identity of the tenant on death (either because of a succession referred to in sub-paragraph 8.2.i above or because the property passes to a surviving tenant as referred to in sub-paragraph 8.2.ii) there can be no further succession to the tenancy.
- iv. Subject to very few exceptions a secure tenancy may not be assigned. Some of the permitted exceptions give rise to a situation where the person taking the tenancy will be deemed to have succeeded to it to prevent the possibility of a further succession occurring.

8.3 Succession rights for tenants whose tenancy started **after** 1 April 2012 are as follows:-

- i. If you are joint tenants, on the death of either tenant, the tenancy will automatically pass to the survivor.
- ii. Wherever there is a change in the identity of the tenant on death, either because of a succession as referred to below or because the property has passed to a surviving joint tenant there can be no further successions to the tenancy.
- iii. The following provisions do not apply if you acquired the tenancy yourself upon the death of another person. In such a case no-one can succeed to the tenancy and the tenancy will therefore come to an end.
- iv. If you are a sole tenant and are married, in a civil partnership, or living with a partner as if you were married or in a civil partnership, then your partner will automatically succeed to the tenancy provided he or she is living in the property as their only or principal home at the date of your death.
- v. If at the time of death your spouse or partner is not living with you then an immediate family member who is living with you will be allowed to succeed to the tenancy. This is providing they meet all the succession rights set out under the Housing Act 1985 Part IV, have been living in your household as their only or principal home for at least the **three** years preceding your death and are judged to be in housing need as defined by the council's allocations policy.
- vi. If an immediate family member is eligible to succeed but the property is under-occupied they will be made one offer of suitable alternative accommodation. If the successor tenant refuses to move, then the Council would take Court action to seek possession under Ground 15A of Schedule 2 of the Act.
- vii. If there is more than one family member who is eligible to succeed, in the absence of agreement between the parties who should succeed, the Council will decide who should succeed to the tenancy. There can be no joint succession.
- viii. Subject to a very few exceptions a secure tenancy may not be assigned. Some of the permitted exceptions give rise to a situation where the person taking the tenancy will be deemed to have succeeded to it to prevent the possibility of a further succession occurring.

## 9. Policy Review

9.1 This Tenancy Policy will be reviewed every three years or earlier to address legislative, regulatory, best practice or operational issues.

## 10. Associated Policies

The Rent Policy  
The Allocations Policy

Adopted Date;



## Uttlesford District Council

# Preventing damp and mould in your home



# Preventing damp and mould in your home

## Contents

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# Causes of damp and mould

The top causes of damp and mould are:

- **Poor ventilation**
- **Leaking pipes and gutters**
- **Structural problems**
- **Cracked or missing roof tiles**
- **Poor insulation**
- **Poorly sealed window frames**
- **Condensation**
- **Too much household clutter**



It should be noted that these causes are often not mutually exclusive, and that some or all of the causes may be present in any particular case.

Condensation is the most common cause of damp and forms when warm, moist air comes into contact with a cold surface.

Left untreated, condensation can lead to mould growth on walls, ceilings, windows and furniture.

It is usually found in the corners of rooms and also occurs where there is poor circulation such as behind wardrobes and beds, especially where they are pushed against external walls.

Rising damp occurs when a property doesn't have adequate damp proofing or there is a breach in the property's structure. It's caused by moisture rising up in walls. You can spot rising damp in your home by looking for tide marks or salt stains. This tends to rise around one metre from the ground.

Penetrating damp comes from issues on the exterior of a property, for example from its:

- |                  |                    |                                 |
|------------------|--------------------|---------------------------------|
| • <b>roof</b>    | • <b>brickwork</b> | • <b>pointing</b>               |
| • <b>windows</b> | • <b>doors</b>     | • <b>Leaking rainwater pipe</b> |

Water can build up inside walls and lead to damp and mould growth if a property isn't kept in good repair.

# Where does moisture in the home come from?



Our everyday activities add extra moisture to the air inside our homes.

To give you an idea of how much moisture can be produced each day, on the right are some examples.

As a landlord, we have a responsibility to fix the causes of damp and mould where it is a repair or defect, but we do ask our tenants to work with us in preventing the build-up of damp and mould by ventilating and heating homes.

Two people at home for 16 hours  <b>3 Pints</b> (1.7 litres)	Drying clothes indoors  <b>9 Pints</b> (5.1 litres)
A bath or shower  <b>2 Pints</b> (1.1 litres)	Cooking and boiling a kettle  <b>6 Pints</b> (3.4 litres)
<b>18 Pints</b> (1.1 litres)	Washing dishes  <b>2 Pints</b> (1.1 litres)
	Using a paraffin or bottled gas heater  <b>3 Pints</b> (1.7 litres)

# What can you do to prevent damp and mould issues

## Minimise moisture in the air

- Cover pans when cooking and switch on extractor fans
- Dry washing on a clothes rack in the bathroom and open the window or put extractor fans on and close the door
- Wipe condensation off windows and windowsills
- If possible, move furniture away from walls and radiators to allow air to flow between them
- Wipe down walls and tiles after showers and baths
- Keep steam from kettles away from underneath cupboards
- Keeping heating on a low temperature for longer periods - this will help to heat your home more evenly and efficiently than turning on heating in short, hot blasts
- Do not turn off extraction fans
- Avoid washing large loads of clothes which will need drying in the home, instead wash smaller loads to ensure air moisture is kept to a reasonable level for extraction fans to cope with



# Improving ventilation and heating your home



- Close kitchen and bathroom doors when cooking and using the bath or shower, even if you have an extractor fan
- Open windows when using a tumble dryer and make sure the hose goes outside if possible
- Clean vents and extractor fans regularly and make sure they are not blocked by furniture
- If you have trickle vents on your window frames, make sure they are open
- Open windows for 5-10 minutes when getting up, to let fresh air in and let warm moisture out
- Try to keep your home properly heated to a temperature of at least 18 degrees Celsius. It helps to provide a low heat all day and also decreases bills if you maintain a steady temperature
- Avoid heaters that use bottled gas or paraffin as they produce lots of moisture and they are not allowed under your tenancy agreement

# Dealing with damp and mould

For small and isolated areas of damp and mould, you can:

- treat them by wiping down affected areas with a fungicidal wash. Make sure you use a product that has a Health & Safety Executive (HSE) approval number
- Use a fungicidal paint or wallpaper paste after treatment
- Dry-clean clothes that have damp/mildew on them
- Shampoo carpets that have damp and mould on them

If there are several areas or larger areas of mould in a room, or the problem is re-occurring, contact us to arrange an inspection and we will;

- subject to access, we will inspect your property within five working days wherever possible
- arrange a fungicidal wash and identify any remedial works that need to take place to prevent mould from returning
- we will inform you what works are necessary and when they will be completed
- we will provide advice and guidance as appropriate

For more information, visit our website:

**[www.uttlesford.gov.uk/](http://www.uttlesford.gov.uk/)**

**dealing-with-damp-and-mould-in-your-home**



## Contact us

We encourage our tenants to let us know of any issues with condensation/damp/mould as soon as possible - they will be given a high priority.

Email

**[repairs@uttlesfordnorse.co.uk](mailto:repairs@uttlesfordnorse.co.uk)**

Telephone

**01799 510510**

## Help and support

We're acutely aware the cost of living crisis is likely to make problems with damp and mould worse, as people struggle to heat their homes.

Visit our website if you need support to reduce your energy bills and energy consumption:

**[www.uttlesford.gov.uk/cost-of-living](http://www.uttlesford.gov.uk/cost-of-living)**

Performance Indicator	Q2 2022/23 Performance	Q1 2023/24 Performance	Q2 2023/24 Target	Q2 2023/24 Performance	Aim of PI	Status	Short Trend	Long Trend	Q2 2023/24 Performance Note	Last Update
<b>Corporate Core Indicators (CCIs)</b>										
<b>CCI 13</b> (NHSG 42) Council Housing: Gas Safety - % domestic dwellings on programme with valid LGSR gas safety certificate (max)	99.00%	99.00%	100.00%	99.59%	Maximise				<b>Numerator:</b> 1,960 <b>Denominator:</b> 1,968 The outturn of 99.59% has not met target but is within 10%. There are 8 out of compliance, all have been referred to legal/housing.	2022/23
<b>CCI 14</b> Council Housing: % properties compliant with Carbon Monoxide and smoke detector regulations (max)	N/A	99.40%	100.00%	99.60%	Maximise				<b>Numerator:</b> 2,508 <b>Denominator:</b> 2,518 The outturn of 99.60% has not met target but is within 10%. CO monitors are checked by Dodds, if a cert states that a property does not have a CO monitor a works order is raised to fit one. Out of 2,518 properties 10 are out of compliance.	Q2 2023/24
<b>CCI 15 (HSG 84)</b> Council Housing: Asbestos Management - % of High Priority recommendations outstanding from current and previous risk assessments (min)	N/A	0%	0%	0%	Minimise				<b>Numerator:</b> 0 <b>Denominator:</b> 0 General Asbestos Note: Surveys carried out for all blocks, reinspection programme being created. Knight Park added to register as a Post 2000 build so not survey required. Willow House added to register as a Post 2000 build so not survey required.	Q2 2023/24
<b>CCI 16 (HSG 83)</b> Council Housing: Water Hygiene - % of High Priority recommendations outstanding from current and previous risk assessments (min)	3%	0%	0%	0%	Minimise				<b>Numerator:</b> 0 <b>Denominator:</b> 0 The outturn of 0.00% has met target.	Q2 2023/24
<b>CCI 17</b> (NHSG 85) Council Housing: Fire Safety - % of High Priority recommendations outstanding from current and previous risk assessments (min)	0%	0%	0%	0%	Minimise				<b>Numerator:</b> 0 <b>Denominator:</b> 0 The outturn of 0.00% has met target.	Q2 2023/24
<b>CCI 23 (KPI 08a)</b> Council Housing: Average re-let time in days (all re-lets including time spent in works) (min)*	61	87	35	79	Minimise				<b>Numerator:</b> 7,402 days <b>Denominator:</b> 94 lets An average of 67 days were spent in works and 12 days accounted for the lettings process. In quarter 2 we had to re-advertise and re-offer 9 sheltered flats, several multiple times. The average lettings days for sheltered properties was 23 days compared with an average of 7 lettings days for non-sheltered properties.	Q2 2023/24
<b>CCI 18</b> (HSG 87) Council Housing: Lift Safety - % lifts with an-in date safety inspection (LOLER) (min)	100%	98.11%	100.00%	98.15%	Maximise				<b>Numerator:</b> 53 <b>Denominator:</b> 54 The outturn of 98.15% has not met target but is within 10%. 2 new lifts as Knight Park have been added to the Zurich LOLER examination list by Peter Lock/Amber Smith. Lift fully certified at handover. 30 Watt Close – Sold so removed from programme. John Dane Player Stairlift. LOLER examination – new lift ordered on 15/09/23. 1 New lift added at Willow House.	Q2 2023/24
<b>CCI 19</b> Council Housing: Damp & Mould - % reported damp & mould cases responded to (within 14 days/ 7 days )	N/A	30%	100%	5%	Maximise				<b>Numerator:</b> 3 <b>Denominator:</b> 59 The outturn of 5.08% has not met target. In Q2 three mould washes were completed within 14 days of the notification date out of 59 completed in that quarter. No internal UNSL surveys were completed within 14 days of the notification date. UNSL currently do not have dates of when Savills surveys were completed. This figure therefore only reflects mould washes.	Q2 2023/24
<b>Key Performance Indicators (KPIs &amp; PIs)</b>										
<b>PI 16</b> Number of households living in temporary accommodation (min)	26	22	18	26	Minimise				Bed and Breakfast: 7 Uttlesford District Council: 14 Private sector: 5 There has been an increase in the use of B&B this month, this is a reflection of the reduction in our homelessness prevention activity. The Accommodation Officer is on long-term sick and we do not have cover for this post. We have avoided increased use of bed and breakfast by accessing private rooms in shared houses. This is not an ideal solution. We need to ensure that we are engaging applicants through their personal housing plans to ensure their housing options and offers of support are maximised. We can continue to explore opportunities for settled accommodation in the private sector using the homeless prevention fund.	Q2 2023/24
<b>Housing Service Level Indicators (HSGs)</b>										
<b>HSG 04 (a)</b> % New Tenants visits completed within 6 weeks (max)	90%	100%	100%	93.20%	Maximise				No. NTV to be completed = 61 (although 2x properties called within 6 weeks but not been able to get hold of tenant/s yet, therefore 59 used for statistical purposes) Completed within 4 weeks = 34 (57.6%) Completed within 5 weeks = 9 (15.3%) Completed within 6 weeks = 12 (20.3%) Completed within 7+ weeks = 3 (5.1%) Total within 6 weeks = 51 (93.2%) Not done = 1 (1.7%)	Q2 2023/24
<b>HSG 05</b> Percentage of rent lost through dwellings being vacant (GN & HFOP) (min)	3.03%	3.81%	2.00%	3.85%	Minimise				<b>Numerator:</b> £166,462.06 dwelling void loss <b>Denominator:</b> £4,328,270.52 dwelling debit This figure includes long term sheltered voids at Parkside and Alexia House that are awaiting redevelopment.	Q2 2023/24

HSG 09 Percentage of BME applicants on the housing register	12.90%	12.70%	7.40%	12.90%	Maximise	✓	↑	↑	<b>Numerator:</b> 176 <b>Denominator:</b> 1,360 176 from minority ethnic groups (note: 60 not stated), 1360 total on register. Figures for monitoring purposes.	Q2 2023/24
HSG 16 (a) Average re-let time in days (major works units, including time spent in works) (min)	N/A	N/A	42	89	Minimise	●	↓	↓	<b>Numerator:</b> 3,229 days <b>Denominator:</b> 36 lets 79 days were spent in works and 10 days were with the lettings process. The lettings time has increased because 2 of the major voids were sheltered flats that needed to be readvertised 18 times and 3 times. One property was refused twice before it was sent back to voids for additional works. Another four properties were refused at least once and had to be reoffered. The average days with lettings for non-sheltered major voids was 6 days whereas the major sheltered voids average lettings days was 31 days due to the sheltered properties that needed to be advertised multiple times before they were let.	Q2 2023/24
HSG 21 (a) Homelessness: Number of people accepted as being owed the full housing duty under current homelessness legislation *	7	9	15	9	Minimise	✓	↓	↓	<b>Count:</b> 9 The reduction seen into quarter 1 has been maintained into this quarter. This is likely explained by the stability in the flow of people presenting as homeless. A reduction in this figure is a reflection of how effectively we have minimised time in homeless accommodation. It's important to be meeting this target as the service explores how to tackle the increased pressures sustained in the last 3 years.	Q2 2023/24
HSG 22 Average length of stay in B&B accommodation for families with children under 18 (Days) (min)	40	41	10	57	Minimise	●	↓	↓	<b>Numerator:</b> 396 (total number of nights in B&B) <b>Denominator:</b> 7 (number of families placed in B&B) The reduction in the use of B&B for families plateaued this quarter in respect of the number of families placed (it reduced by 1). We have been intensively working with a migrant family whose stay was more than 4 times that of any other (they were ineligible for the housing register). They were assisted into settled accommodation in September. Accounting for the unusual circumstances with this one family, there was a further 25% reduction in the use of B&B for families this quarter with an average stay of 31 days. We are consistently looking to improve our services to the migrant families with the help of other services; the majority of this cohort have benefitted from the existing additional resources. Moreover, we need to maintain a reduction in the general use of B&B for families. Our Accommodation Officer is currently absent long-term so, the Team have been working together to manage the demand. We have sourced self-contained private temporary accommodation and have utilised additional Council stock on a temporary basis. Our aim is to secure settled accommodation for families in the private sector using the homeless prevention fund.	Q2 2023/24
HSG 35 Percentage of Pre-Void Inspections completed by Housing Officers on all voids that can be pre-inspected for the period (max)	92%	93%	100%	92%	Maximise	▲	—	—	Of the 50 properties that could have been inspected 35 inspections were done, 11 were not inspected for valid reasons and 4 were not inspected when they should have been = 92% Breakdown of the 11 inspections not done for valid reasons: 4x Tenants died. 4x Tenants moved to residential care. 1x Tenants would not allow access for visit. 1x Tenant had MH issues and did not return to property from hospital. 1x Tenant moved due to DV. Breakdown of the 4 inspections not done when should have been: 4x Transfer not visited in last 3 months.	Q2 2023/24
HSG 44 (a) Homelessness: Number of people presenting as homeless (max) *	88	50	100	98	Maximise	▲	↑	↑	<b>Cumulative count:</b> 98 There was a dramatic upturn in the number of approaches into this quarter last year. The numbers have remained very consistent since that time, this quarter there were 48 approaches. The main reason for homelessness has been the end of private sector tenancy. Many people are also having to leave homes they have shared with family or friends.	Q2 2023/24
HSG 44 (b) The number of cases where homelessness has been prevented or relieved in accordance with the Homelessness Reduction Act (max)*	49	26	120	48	Maximise	●	↓	↓	<b>Cumulative total:</b> 48 <b>Q2 count:</b> Prevention: 6 Relief: 16 The 50% increase in prevention work in Quarter 1 was attributed to the success attained with the resources available to Ukrainian refugees. Approaches from this demographic peaked last quarter when sponsors had expected placements to end. Therefore the increase in prevention work has not been sustained. Although, we have had success housing almost one third of our applicants into settled privately sourced accommodation. We now need to consider how to increasingly facilitate these solutions before someone loses their home (half of these applicants were owed a relief duty) to improve the prevention outcomes for our applicants	Q2 2023/24
HSG 48 Average re-let time in days (standard re-lets) (min)	47	90	21	72	Minimise	●	↓	↓	<b>Numerator:</b> 4173 days <b>Denominator:</b> 58 lets 59 days were spent in works and the remaining 13 were with the lettings process. The 13 days with lettings were due to 7 sheltered flats needing to be readvertised multiple times. 1 property was ready with no prior notice so we were unable to arrange a sign up in time and one property had a 2 week delay on sign up as the tenant was working abroad and the ready to let date was put back 2 weeks. Had the property been ready when it should have been then the tenant could have signed up.	Q2 2023/24
Norse Indicators (NHSGs)										
NHSG 51 (a) Average turnaround time for standard voids (min)	25	55.4	10	34.2	Minimise	●	↓	↓	<b>Numerator:</b> 1,301 <b>Denominator:</b> 38	Q2 2023/24
HSG 51 (b) Average turnaround time for major voids (min)	58	66.5	28	80.4	Minimise	●	↓	↓	<b>Numerator:</b> 1,527 <b>Denominator:</b> 19 Void KPI's are now split by standard and major. The above data covers major voids (major includes "whole house" data).	Q2 2023/24



<b>NHSG 52</b> Percentage (and number) of responsive repairs which are completed right first time (max)	93%	94.02%	90.00%	91.60%	Maximise				<b>Numerator:</b> 1,918 <b>Denominator:</b> 2,094	Q2 2023/24
<b>HSG 53</b> Percentage (and number) of responsive repairs completed on time (max)	90.77%	80.01%	95.00%	80.66%	Maximise				<b>Numerator:</b> 1,689 <b>Denominator:</b> 2,094 The outturn of 80.66% has not met target.	Q2 2023/24
<b>NHSG 56</b> Percentage (and number) of responsive repairs for which appointments are made and kept (max)	91%	91.36%	98.00%	92.55%	Maximise				<b>Numerator:</b> 1,678 <b>Denominator:</b> 1,813 The outturn of 92.55% has not met target but is within 10%.	Q2 2023/24
<b>NHSG 57</b> Percentage of tenants who are satisfied with the responsive repair service (max)	85%	87.95%	95.00%	86.44%	Maximise				<b>Numerator:</b> 51 <b>Denominator:</b> 59 The outturn of 86.44% has met target.	Q2 2023/24
<b>NHSG 58</b> Percentage (and number) of calls to contact centre that were answered within best practice timescales (5 rings) (max)	69.72%	69%	80.00%	81.25%	Maximise				<b>Numerator:</b> 1,482 <b>Denominator:</b> 1,824 The outturn of 81.25% has met target. Early on during Q2 the SLA was updated to 120 seconds on CISCO, 158 calls were handled according to the previous SLA of 20 seconds. The new SLA cannot be backdated to the start of Q2 therefore the final figure is a mixture of calls answered to the SLA of 20 seconds and 120 seconds.	Q2 2023/24
<b>NHSG 59</b> Percentage (and number) of calls to the contact centre that were abandoned (min)	7.13%	9.41%	5.00%	11.93%	Minimise				<b>Numerator:</b> 247 <b>Denominator:</b> 2,071 The outturn of 11.93% has not met target.	Q2 2023/24
<b>NHSG 60</b> Average time taken to answer incoming calls to the contact centre (secs) (min)	88	87	20	106	Minimise				<b>Numerator:</b> 193,344 <b>Denominator:</b> 1,824 The outturn of 106 seconds has met target. Average speed of answer according to 20 second SLA data 00:02:22. Average speed of answer according to 120 second SLA data 00:01:09. Average of both figures 00:01:46 (106 seconds).	Q2 2023/24
<b>NHSG 61 (a)</b> Average repair cost of a minor void property (min)	£5,555.00	£3,705.65	£2,762.39	£5,135.40	Minimise				<b>Numerator:</b> 195,145.37 <b>Denominator:</b> 38 Void costs have increased. Minor voids have been affected by the capital budgets as voids that would have had a new kitchen/bathroom have instead been reconfigured to make them compliant. These voids would previously have been classified as major voids but as they do not have a new capital element they are now classified as a minor void.	Q2 2023/24
<b>NHSG 61 (b)</b> Average repair cost of a major void property (min)	£5,778.00	£10,235.98	£9,202.26	£16,458.28	Minimise				<b>Numerator:</b> 312,707.3 <b>Denominator:</b> 19 Our average void costs have increased as we have been dealing with an aging housing stock so the average void cost is high as we need to rectify the issues prior to relet. More costs are being allocated to the void budget as we are spending more money configuring kitchens and bathrooms as opposed to full replacements, so the money is not spent on the capital works budgets.	Q2 2023/24
<b>NHSG 62</b> Average cost of a responsive repair (min)	£190	£211	£140	£220	Minimise				<b>Numerator:</b> 459,723 <b>Denominator:</b> 2,094 The outturn of £219.54 has not met target.	Q2 2023/24
<b>HSG 63</b> Percentage of gas safety certificates outstanding at the end of the measured period (min)	N/A	N/A	0%	N/A	Minimise	N/A	N/A	N/A	No quarterly data available at present. PI to have data entered every month and reported quarterly.	
<b>NHSG 86</b> Electrical testing: Number of properties with an electrical installation condition report of more than 5 years old (min)	N/A	N/A	0%	N/A	Minimise	N/A	N/A	N/A	PI revised - new target identified. No quarterly data available at present. PI to have data entered every month and reported quarterly.	
<b>NHSG 88</b> % Planned and Cyclical maintenance works completed to time from agreed schedules (max)	N/A	N/A	100%	N/A	Maximise	N/A	N/A	N/A	No quarterly data available at present.	

Q2 Performance Summary

Status			Short Trends			Long Trends		
	Alert	<b>16</b> (52%)		Improving	<b>9</b> (29%)		Improving	<b>11</b> (35%)
	Warning (within 10% of target)	<b>8</b> (26%)		No Change	<b>4</b> (13%)		No Change	<b>4</b> (13%)
	OK	<b>7</b> (22%)		Getting Worse	<b>18</b> (58%)		Worsening	<b>16</b> (52%)

# Agenda Item 8

<b>Committee:</b>	Housing Board	<b>Date:</b> 8 <sup>th</sup> February 2024
<b>Title:</b>	Renters Reform Bill	
<b>Portfolio Holder:</b>	Councillor Arthur Coote	
<b>Report Author:</b>	Marcus Watts, Environmental Health Manager (Protection)	<b>Key decision:</b> No

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## Summary

1. This report updates the Housing Board on the Bill's progression through Parliament and implications for the Private Rented Sector

## Recommendations

2. None – For information

## Financial Implications

3. None

## Background Papers

4. The following papers were referred to by the author in the preparation of this report and are available for inspection from the author of the report.

White Paper – A Fairer Private Rented Sector  
<https://www.gov.uk/government/publications/a-fairer-private-rented-sector>

House of Commons Research Briefing: Renters (Reform) Bill 2022 – 23 (Oct 2023)

Renters Reform Bill 15 58/4 [\\*Renters \(Reform\) Bill \(parliament.uk\)](https://www.parliament.uk/bills/2022-23/renters-reform-bill)

## Impact

- 5.

Communication/Consultation	Nil
Community Safety	Nil
Equalities	Nil
Health and Safety	Nil

Human Rights/Legal Implications	Nil
Sustainability	Nil
Ward-specific impacts	Nil
Workforce/Workplace	Nil

## Situation

1. With the private rented sector doubling since 2004, the government has recognised the need for new legislation that addresses renters precarious lack of security. In June 2022 the Government published its White Paper “[A fairer private rented sector](#)” which purported to offer a New Deal for people living in the Private Rented Sector.
2. The White Paper outlined 5 ambitions and a 12-point plan of action to achieve those ambitions. It promised to address these through a Renters’ Reform Bill, and to “create a Private Rented Sector that is fit for the 21st century, with equal access to decent rented properties across the country and the security for tenants to make their house a home.”
3. The Bill was finally published on 17<sup>th</sup> May 2023 and at the time of writing, the Bill has gone through 1<sup>st</sup> and 2<sup>nd</sup> reading as well as the Committee Stage in the House of Commons. Multiple amendments have been tabled and it is now within the report stage. There will be a further reading stage for ministers before it then progresses through to the House of Lords.

## Overview of the Bill

4. The Bill proposes to be the biggest shake up in Housing Legislation, particularly for the private rented sector in decades. Largely, it concentrates on contractual and lease arrangements. However, some of the key measures are listed below:

### **The abolition of ASTs and introduction of assured periodic tenancies.**

5. The introduction of assured periodic tenancies with no fixed term should ensure that tenants are more secure, protected from being forced by their landlord to agree in writing a shorter notice period than two months.

### **The abolition of Section 21 no fault evictions**

6. The committee stage has confirmed that the Section 21 eviction process will be abolished. However, the government has said this will not be implemented until the court system is able to cope with the new evictions system. There has been some criticism of the government for this as the abolition of S.21 Evictions was a conservative manifesto pledge in 2019. It is thought that court reform will take many years to complete.

### **Changes to the grounds for possession- Impact assessment**

7. There are currently 11 grounds for possession. Changes to the grounds for possession were passed. However, it was suggested that the impact of these changes should be reviewed by the government within two years of the Bill receiving Royal Assent.

### **Anti-social behaviour – a new definition**

8. A new clause places a duty on the government to produce further guidance on what constitutes anti-social behaviour – for the purpose of assisting landlords to determine when this can be used as a basis for eviction. It also proposed changes to the factors for a court to take into account when considering whether to grant a possession order on the discretionary anti-social behaviour ground of possession.

### **A ban on discriminatory practices**

9. It is proposed that the law will ban certain discriminatory practices including in advertising. These will cover banning discrimination against prospective tenants who have children (or have children to visit), those with pets or those on benefits. However, it will still be legal to take a tenant's income into account. Terms in mortgages and property insurance contracts which force landlords to discriminate against certain groups will be rendered unenforceable.

### **Rent increases**

10. The proposed new system for rent increases was agreed. There will also be a requirement for landlords and letting agents to state the proposed rent payable in advertisements for a property.

### **Widening of the definition of a landlord**

11. A new amendment proposed an extension of the definition of residential landlord (and of a dwelling) to include park home operators, private providers of purpose built student accommodation and property guardian companies.

### **Deposit disputes – the new PRS Ombudsman**

12. There is a proposal for a new Private Rented Sector Ombudsman that landlords will be required to join. Amongst other disputes and complaints against a landlord, disagreements regarding deposits will be overseen by this new body. The Ombudsman will have powers to 'put things right for the tenant' including compelling landlords to issue an apology, take remedial action and pay compensation.

### **Rent Repayment Orders**

13. RROs require a landlord or agent who has committed a relevant offence to repay rent, housing benefit or universal credit. The Bill proposes to extend this to 'superior landlords' (Typically owners) and double the maximum amount of rent that a landlord might be ordered to repay under a rent repayment order from 12 months to two years rent.

### **A new Decent Homes Standard**

14. Commitments have been given to improving living standards, strengthening enforcement when living conditions are of poor standard, or when the landlord is acting in a criminal manner, and bringing in a Decent Home Standard for Private rented homes (It already applies to Social Housing).
15. Currently the proposal is for the landlord to 'self declare' whether the property is decent, and to declare any exemptions. There will be a penalty for false or misleading information. It is unknown what, if any inspection regime will be required by the Local Authority.

### **Council Tax – tenant liability**

15. A new clause would make tenants under an assured tenancy continue to be liable for Council Tax until the end of the tenancy even if they vacate the property before it ends.

### **Homelessness prevention duties**

16. A new amendment proposed maintaining the homelessness prevention duties of local authorities to those who have received a notice to vacate a property and would extend it to notices for possession issued under section 8 of the Housing Act 1988.

### **Proposed increases in penalties**

17. The committee considered increases in the penalties which can be imposed on landlords, such as for not joining the required landlord redress scheme. Penalties of £5,000 would be increased to £30,000.

### **PRS database**

18. A key measure of the Bill was to introduce a PRS database. This has now been confirmed but the detail has yet to be determined. It will need to be accessible for Landlords, Tenants and Local Authorities. It will be mandatory for all landlords to register their property on the portal. Councils will be expected to take action against private landlords that fail to join. Most importantly, it will allow Councils to know where all the rental properties are within the authority allowing it to target known poor performing landlords.

### **Enforcement powers – County Councils**

19. One amendment would confer certain enforcement powers on County Councils which are not local housing authorities. Also, one local housing authority may be able to enforce in other areas in certain circumstances.

### **New/revised investigatory powers**

20. The Bill will give local housing authorities new and revised investigatory powers to allow them to investigate and enforce breaches of the law. It also includes a new duty on all housing authorities in England to enforce landlord legislation in their areas.
21. These powers will entitle enforcement officers to require information from both relevant and additionally any person where they suspect there has been a breach of the law. They will have powers to enter either without force, or with force if they have a warrant, any premises that are occupied for the purposes of a rental sector business. They will be able to demand and seize relevant documents. Enforcement officers will be able to obtain a warrant to enter any property suspected of being a rental property.
22. Local housing authorities will also be able to use information from tenancy deposit schemes, housing benefit and Council Tax sources to aid enforcement.
23. There will also be new requirements for Councils to report on enforcement action

### **Next Steps**

24. There is no current timetable for the report stage that will give ministers another opportunity to put forward, consider and vote on additional changes. After this, the next stage would be for the Bill to complete the same process in the House of Lords. There is time for it to receive Royal Assent and become law before the next general election. However, it is important to note that many provisions may not come into force, as it may take time to work up associated regulations, commission and develop the database and deliver on statutory guidance.
25. There is no doubt, that this act will impact on UDC. Currently, Private Rented Sector (PRS) enforcement is taken by the Environmental Health Service. This

work is limited to reactive workstreams only and there is little scope for proactive inspection the 14.5% of private rented properties within Uttlesford. This is a similar picture across most local authorities. However, it is hoped that Councils will receive the new burdens funding to support the additional work, however, there is an increasing view from Department for Levelling Up, Housing and Communities (DLUHC) that the costs incurred in enforcing this legislation will originate from potential penalty change income. We are aware that these discussions with DLUHC are on-going and hope that the charge imposed for the database, will not only lend itself to the upkeep of the database and cover the costs of the proposed PRS Ombudsman, but will also be part directed to proactive enforcement arrangements.

# The Renters Reform Bill 2023

Housing Board 8<sup>th</sup> February 2024

Marcus Watts

Environmental Health Manager – (Protection)



# Overview

- Background to the Act
- Main Provisions
- Implications for PSH Enforcement
- Next Steps

# Background to the Bill

## White Paper – A Fairer Private Rented Sector

<https://www.gov.uk/government/publications/a-fairer-private-rented-sector>

- Sets out case for change. PRS has doubled in size since 2004.
- Claims that more than 2.8 million are paying to live in homes that are not fit for the 21st century.
- 12% properties contain Category 1 hazards
- £3 Billion from the state is spent on housing related welfare
- Damp and cold homes – Twice as likely to suffer from respiratory problems – costing NHS £340 million
- Lack of security.
- Private renters spend on average 31% of their income on rent



# Background to the Bill cont..

*Govt ambition:*

*We are committed to delivering a fairer, more secure, and higher quality Private Rented Sector. We believe:*

- 1. All tenants should have access to a good quality, safe and secure home.*
- 2. All tenants should be able to treat their house as their home and be empowered to challenge poor practice.*
- 3. All landlords should have information on how to comply with their responsibilities and be able to reposess their properties when necessary.*
- 4. Landlords and tenants should be supported by a system that enables effective resolution of issues.*
- 5. Local councils should have strong and effective enforcement tools to crack down on poor practice*

# Background to the Bill cont..

- More recently – Awaab Ishak. Case highlighted the pressing need to deal with Damp & Mould in both the social housing and private sector housing
- SoS Direction + DLUCH shone a light at the massive variation in enforcement practices.
- SoS require a fast and effective response to poor / dangerous living conditions

# Main provisions

- To abolish section 21 'no fault' evictions
- Introduce more comprehensive grounds for possession
- Introduces a Decent Homes Standard
- Provide stronger protection against backdoor evictions
- Extends notice period for rent increases
- Introduces the Private Rented Sector Ombudsman
- Creates a Privately Rented Property Portfolio
- Ends discrimination
- New rules for pets

# Implications for PSH Enforcement

## **New Enforcement Duty**

Clause 79- Enforcement by local housing authorities:

(1) It is the duty of every local housing authority to enforce the landlord legislation in its area.

- What might this mean in practice?
  - Appears to rule out any action other than formal action
  - Will require elimination of informal approach + Adoption of entirely separate Enforcement Policy to all other regulatory work
  - No Choice - Financial penalty or prosecution
  - Significant resource issues
  - Will result in more work to the tribunal and court service to deal with appeals and prosecution

# Implications for PSH Enforcement

## Decent Homes Standard

- The existing Decent Homes Standards - currently applies only to the social housing sector and are a set of vague standards that social landlords are expected to provide tenants.
- Social Housing has a contractual obligation to the Government to maintain decent homes and manage them to set standards.
- The Social Housing sector is accountable to the Govt., to the Social Housing Ombudsman, and to the [Regulator of Social Housing](#) (RSH)
- There is an inspection regime for Social Housing providers, with the RSH playing a similar role to OFSTED in Education, or the CQC in Care settings.

None of the above current apply to the Private Rented Sector (***Criminal law***)

# Implications for PSH Enforcement

- At present, there not a government-based regulator of standards in the PRS, with the majority of regulation falling to council Environmental Health and Trading Standards teams
- There are physical standards for private rented housing set out in housing acts and the Housing Health and Safety Rating Scheme (Risk based assessment – Cat 1 or Cat 2 Hazards- dictate enforcement options)
- Turning the existing standard into one enforceable within the criminal law setting will be challenging. – Will need to be very prescriptive and specific
- There is currently no proposed inspection regime, but this may occur with the introduction decent homes standard (particularly for those in receipt of benefits) and PRS database
- There are potential serious resource implications for the Environmental Health Service



# Next Steps

## Bill passage



### Bill started in the House of Commons



1st reading



2nd reading



Committee stage



Report stage



3rd reading



### Bill in the House of Lords



1st reading



2nd reading



Committee stage



Report stage



3rd reading



### Final stages



Consideration of amendments



Royal Assent

**Housing Board Work Plan 2024\_2025**

<b>April 2024</b>	<b>June 2024</b>	<b>August 2024</b>	<b>October 2024</b>	<b>December 2024</b>	<b>February 2025</b>
HRA 30 year Business Plan	Property Services Options	Development Update	Draft Annual Report	Rent & Service Charge calculations	
Options for Housing Development Programme	Disabled Facilities Grant Policy update		Complaint Handling Code – self assessment		
Empty Homes Policy	Housing Management Policy Review				
Tenant Satisfaction Measures – submission to RSH					
Compliance Policies					
Update on self-referral to Social Housing Regulator - Rents					
Update on UNSL					