

CABINET MEMBER FOR HOUSING

RECORD OF DECISIONS taken by the Cabinet Member for Housing, Councillor Jennie Brent, at her meeting held on Tuesday, 4 July 2017 at 5.00pm at Conference Room A of the Civic Offices.

Present

Councillor Jennie Brent (in the chair)

Councillor Tom Wood
Councillor Stuart Potter

19. Apologies for Absence (AI 1)

Councillor Stephen Morgan MP had sent his apologies for absence.

20. Declaration of Interests (AI 2)

There were no declarations of members' interests.

21. Housing Planning Act - New Enforcement Policy (AI 3)

Clare Hardwick, the Deputy Private Sector Housing Manager, presented the report which set out the proposed introduction of charges and a policy in response to the legislation that had come into effect from 6 April 2017. The rent repayment order had been extended to cover a wide range of offences (as set out in section 4.2 of the report) and the tribunal arrangements were explained. The new legislation has also introduced Civil Penalty charges as an alternative to prosecution for failure to comply with certain enforcement action which can range to reflect the severity of offence and other matters as set out in the DCLG guidance, up to a maximum of £30,000 civil penalty. The enforcement policy has therefore been updated to reflect both of these new enforcement tools, and sets out how these will be approached and calculated.

A deputation was made by Mr M Silman, on behalf of Portsmouth & District Private Landlords Association, whose points included that whilst accepting this policy was in response to government regulations, local landlords would welcome the officers continuing to use some discretion and make clear to landlords which rule was being used and what the steps of appeal are. He felt that it was not always clear if the advice was a command or a suggestion for enforcement works to be undertaken, especially when a fine of up to £30k could be imposed without going to court.

Councillor Jennie Brent invited the questions and comments from the Opposition Spokespersons. Councillor Potter asked about remedial works being required of owner occupiers and advice given on financial assistance.

Clare Hardwick responded that it would be in extreme circumstances that action would be taken against an owner occupier and officers always tried to work with the individual or landlord first before taking further action and advice was given on the availability of grants and loan facilities.

Councillor Tom Wood was also mindful of the need to respond to government guidance and asked how the new levels of fining were likely to affect enforcement levels and whether this would be reviewed. In response it was reported that the approach to enforcement would not be changing but there was now a greater deterrent and it was felt that a 12 month review would be too premature to see the effect of any changes.

Councillor Jennie Brent welcomed the approach being taken to give protection to residents and to continue to work closely with the local landlords to adhere to the legislation.

DECISION: The Cabinet Member for Housing approved the new enforcement policy and the calculation method for the fixed penalty charges as required by the Housing and Planning Act 2016.

The meeting concluded at 5.12 pm.

Councillor Jennie Brent
Cabinet Member for Housing