

INWARD FOCUS SELECT COMMITTEE

Meeting held in the Committee Room, Council Offices, Urban Road, Kirkby-in-Ashfield,

on Thursday, 19th October, 2023 at 7.00 pm

Present: Councillor Oliver Hay in the Chair;

Councillors Ian Briggs, Jodine Cronshaw and David Walters.

Apology for Absence: Councillor Cathy Mason.

Officers Present: Lynn Cain, Mike Joy, Stacy White and Shane Wright.

In Attendance: Councillor John Wilmott.

IF.4 Declarations of Disclosable Pecuniary or Personal Interests and/or Non-Registrable Interests

No declarations of interest were made.

IF.5 Minutes

RESOLVED

that the minutes of the meeting of the Panel held on 20 July 2023, be received and approved as a correct record.

IF.6 Damp and Mould

The Scrutiny Research Officer presented the report and reminded Members that at the last meeting they had been presented with introductory information regarding the Damp and Mould topic, which had included details of Awaab's Law, Regulator requirements regarding the handling of damp/mould and the Council's procedures for treating damp/mould within its housing stock.

The Council's Assistant Director for Operations had been in attendance at the last meeting and had explained the following to Committee:

- current procedures for reporting damp/mould issues to the Council
- the increase in cases reported due to media focus and awareness
- different types of mould and how/why they flourish
- the impact of the current Cost of Living Crisis and the resultant damp/mould issues arising in Council properties due to tenants struggling to heat their homes adequately

- the age of the housing stock equating to more substantial and recurring damp/mould issues
- the Council's current responsibilities to their tenants
- development of the draft Damp and Mould Policy and recent consultation with local Tenant Gateways and stakeholders
- the work being undertaken to raise tenant awareness of preventative measures that can reduce the effects of damp/mould.

For the next stage of the review, Members were being asked to consider the content of the Council's developing draft Damp and Mould Policy and the Tenant's Guide to Condensation, Damp, and Mould as appended to the report.

Stacy White, the Council's Team Manager for Environmental Health (Residential), had also kindly agreed to attend the meeting and give Members some understanding of the Council's residential private sector enforcement procedures and resources relating to damp and mould issues.

Since the increased media focus regarding the health implications of living in properties with damp/mould issues, the Council had received a big influx of complaints from worried tenants. However, the Council had been able to manage the increase thus far and had offered advice and guidance to all tenants (both private and social) and also to private landlords who have a duty to investigate every complaint they receive in a timely manner.

The Private Sector Enforcement Team were required to continually submit data to the Secretary of State in relation to their responses to damp/mould complaints, and to ensure that all private sector complaints were dealt with robustly with enforcement action taken against private landlords where needed.

During the last 12 months the Council has undertaken a review of its procedures regarding the treatment of damp and mould within its Council housing stock and had developed a draft Damp and Mould Policy to support their findings. The draft Policy included the Council's aims and objectives for providing and maintaining dry, warm, healthy homes for its tenants whilst complying with all statutory and regulatory requirements and sector best practice.

From a private sector perspective, the Private Sector Enforcement Team were committed to promoting and offering guidance and good practice to landlords within the sector; their remit was not just to enforce wrongdoings but to also provide a supportive service to landlords to ensure good quality, privately rented properties remained in the District. Housing numbers were ever increasing, and it was imperative that stock remained in the market with landlords continuing to be invested in their properties.

In addition, tenants also needed to take some responsibility to keep their homes clean and well-ventilated to avoid damp/mould issues and so helpful advice and tips were available via officers or through informative literature, as required.

The Scrutiny Research Officer thanked Stacy for her presentation and asked if she could explain how private sector landlords could currently access help and support from her team regarding damp/mould issues within their properties.

Committee were advised that private landlords could currently access help and support via dedicated information pages on the Council's website, a duty contact number and email address which were constantly monitored or via a leaflet, currently being produced, which would be a more in-depth version of the 'A Tenant's guide to Condensation, Damp, and Mould' leaflet, offering additional help, support and signposting as required.

To conclude and support the work already being undertaken by the Private Sector Enforcement Team, Members were advised of the following:

- a new online reporting form had now been included on the Council's website to offer an additional platform for tenants to submit their housing complaints
- the Council's Civil Penalties Policy had recently been reviewed and updated
- work was underway to produce a new Enforcement Policy for Housing Standards to reinforce and make clear, current Council procedures.

Members proceeded to debate the issues raised and discussed the following:

- how the Regulator requirements affected landlords of Houses of Multiple Occupation (HMOs)
- how the scale of the damp/mould problem in Ashfield compared nationally, and to acknowledge that the Council's stock modelling data was last compiled in 2017 with work underway to produce a new countywide model to analyse data from all neighbouring authorities
- the growing confidence of tenants reporting damp/mould issues within both the private and social sector due to increased media articles/awareness and the fear of illness arising from long term exposure to mould
- the fact that many private landlords were leaving the sector and selling properties due to the fear of new legislation and tighter standards, including more rights for tenants seeking address and recompense against unfit living conditions
- the importance of Members being familiar with landlord/tenant obligations to enable them to assist their residents and signpost them accordingly
- the importance of offering continuing support to landlords (and their tenants) thus ensuring that all options are exhausted before eviction becomes the necessary final step

- an acknowledgement that disrepair within homes has an impact on tenants' wellbeing and how a damp/unkempt home can be stressful and isolating, leading to longer term health and wellbeing problems
- the hope that the emerging Damp and Mould legislation will set clear achievable standards and also tie in with the Decent Homes Standards already being observed and implemented by the Council.

RESOLVED that

- a) having considered the content of the emerging draft Damp and Mould Policy and the Tenant's Guide to Condensation, Damp, and Mould as presented at the meeting, the Committee endorses and welcomes their development;
- b) the Scrutiny Research Officer be requested to facilitate a future Member training session in respect of landlord/tenant requirements and obligations in both the social and private sectors;
- c) a copy of the draft 'A Landlord's guide to Condensation, Damp, and Mould' leaflet, once drafted, be circulated to Committee Members for information and feedback, as required.

The meeting closed at 8.03 pm

Chairman.