

**NORTH WEST LEICESTERSHIRE DISTRICT COUNCIL**

**COMMUNITY SCRUTINY COMMITTEE – THURSDAY, 28  
SEPTEMBER 2023**



<b>Title of Report</b>	<b>AN UPDATE ON THE COUNCIL'S WORK ON ENFORCING STANDARDS IN THE PRIVATE RENTED SECTOR AND AN UPDATE ON TACKLING FUEL POVERTY IN THE PRIVATE RENTED SECTOR</b>	
<b>Presented by</b>	Paul Sanders Head of Community Services	
<b>Background Papers</b>	None	<b>Public Report:</b> Yes
<b>Financial Implications</b>	<p>There are financial implications to be aware of arising from the report.</p> <p>The cost of the enforcement activities are included in the General Fund Revenue Budget. However, there are no income budgeted for any penalties that may be realised. As set out in the Cabinet the level of income from penalties will be kept under review and factored into the Budget 2024/25 and Medium-Term Financial Plan.</p> <p>The Council provides funding to Lightbulb from its revenue budget and Disabled Facilities Grant (DFG) which is part of the Capital Programme. The report to be undertaken by Foundations is expected to be funded from the DFG allocation and will seek to propose options regarding the future use of DFG allocation.</p>	
	<b>Signed off by the Section 151 Officer:</b> Yes	
<b>Legal Implications</b>	There are no legal implications as this is an update report.	
	<b>Signed off by the Monitoring Officer:</b> Yes	
<b>Staffing and Corporate Implications</b>	The staffing implications are set out in the body of the report	
	<b>Signed off by the Head of Paid Service:</b> Yes	
<b>Purpose of Report</b>	To provide an update on the private sector housing work undertaken by the Environmental Protection team and to provide an update on tackling fuel poverty in the private rented sector.	
<b>Recommendations</b>	<b>COMMUNITY SCRUTINY TO NOTE AND COMMENT ON THE CONTENTS OF THE REPORT.</b>	

## 1.0 BACKGROUND

- 1.1 In June 2023, Cabinet approved a number of housing enforcement policies. After the Cabinet meeting, a call-in request was made, although the call-in request was refused, the Environmental Protection team agreed to provide Community Scrutiny with an update on the implementation of the policies.
- 1.2 The policies came into effect in June 2023 and this report provides an update for the period June to August 2023
- 1.3 In response to a request for the Community Scrutiny work programme, the report also includes an update on the Council's progress in relation to tackling fuel poverty in the private rented sector.

## 2.0 IMPLEMENTATION OF THE POLICIES

- 2.1 Following the adoption of the policies at Cabinet the Environmental Protection Team has met as a working group and has completed the following actions so far:
- The Private Sector Housing Enforcement Group (comprising of Environmental Health Officer's, Enforcement Officers, Team Leader and Team Manager have developed procedures to ensure consistency across the whole team
  - The Team has been briefed and trained.
  - A review has been carried out of the active private sector housing cases. One case has been identified which may be appropriate for the application of a civil penalty, subject to the expiration of a compliance period for the completion of the works.
  - To identify the properties that did not meet the Minimum Energy Efficiency Standards (MEES), the team used various data sets including Government and County Council data. The data sets had to be reviewed to ensure there were no duplications. This is important because the Team wanted to ensure the relevant owners of properties were contacted and to ensure accurate figures for reporting purposes. This initial data cleanse has resulted in the figures changing from 430 to 203 non-compliant properties.
  - To manage the case load, the Team has developed a risk-based approach to ensure the higher risk properties are tackled first. This risk-based approach is based on a number of factors including; the properties current EPC score, previous complaints regarding the property and the level of works required to improve the property. This is also in line with the Government's requirements to prioritise damp and mould cases.
- 2.2 The figures for each category are shown in Table One below up to August 2023.

**Table One**

Very High	10
High	15
Medium	46
Low	34
Very Low	5
Need to register for an exemption	8
<b>Total non compliant</b>	<b>118</b>

2.3 Table Two below illustrates the work undertaken to date.

**Table Two**

Total number of private rented properties in North West Leicestershire (as per Government data)	5787
Number of properties that were not compliant with MEES but are now, as a result of officer intervention, since June 2023	15 out of 430
Number on the Exemption Register	6
Number of owners and tenants notified of the new legislation	203
Number of owners contacted via initial letter - in line with the new policy	60
Number of owners contacted via second letter - in line with the new policy	10
Percentage of properties compliant with MEES in September 2022	93%
Percentage of properties compliant with MEES in September 2023	98%
Proposed Council Delivery Plan Target	98% by 2028

2.4 The working group monitors the progress being made with the very high and high risk properties to ensure that in line with the procedure and civil penalties policy, once they have received two letters, the case is reviewed with a view to receiving a penalty for non-compliance. If the penalty is not paid, then the Council can pursue the payment via the civil route.

2.5 The temporary full time Technical Support Officer and temporary part time Environmental Health Officer contracts have been extended for a further year, until 31 October 2024 and 20 August 2024 respectively. Both officers are working specifically on private sector housing enforcement.

2.6 The Council has been taking advice from Foundations the Housing Charity that supports Councils with their Disabled Facilities Grant (DFG) service. The Council is looking at a commission with Foundations to review the potential for greater flexibility in the use of DFG capital which includes looking at the current level of resources in the Team.

### **3.0 FUEL POVERTY**

3.1 Home Update Grant – Phase 2 (HUG2), this is a Government backed scheme delivered by local authorities to improve home efficiency. People without mains gas heating are able to apply. Through the Lightbulb project, North West Leicestershire have top sliced £150,000 from the Disabled Facilities Grant funding, permissible within the grant criteria, to support take up within the area. There is not any current data on the uptake for HUG2 in NWLDC as the scheme has very recently been launched.

3.2 A pilot project being set up through Lightbulb is the Respiratory illness project. North West Leicestershire officers are part of the working group scoping the project. The proposal for this pilot is to address housing conditions likely to exacerbate asthma and respiratory illness across Leicestershire by improving collaborative working between

housing and health practitioners. This is to ensure that effective intervention is undertaken at the earliest point to reduce the likelihood of serious illness developing.

- 3.5 The MEES compliance work detailed above will also ensure that works are carried out by private sector landlords that in turn will help tenants with the energy costs within their rented properties.

#### 4.0 GENERAL HOUSING ENFORCEMENT

- 4.1 The Council's Housing Strategy and Environmental Protection Teams have met with Derby City Council's Decent and Safe Homes (DASH) team, which the Council is a member of. DASH provides advice and support to councils' Private Sector Housing Teams. The re-launch of the landlord forum in NWLDC and the use of a Landlord's Charter were part of the discussions. During this meeting, DASH also discussed the landlord accreditation scheme that DASH offer and how to promote this to attract more members. The Housing Strategy Team is re-launching the Landlords Forum and is in the process of updating its contacts to attract more Landlords to the Forum in the future. Once the Forum has been re-launched this will be a good opportunity to promote the DASH accreditation scheme and gain views on the establishment of a Landlord's Charter, which reflects the action within the emerging Council Delivery Plan considered by Corporate Scrutiny Committee on 31 August.
- 4.2 Table Three below, illustrates the work undertaken by the Environmental Protection Team in June, July and August.

**Table Three**

Housing service requests	16
Service requests which involve section 21 notice	2
Park home service requests	5
HMO applications	0

<b>Policies and other considerations, as appropriate</b>	
Council Priorities:	<ul style="list-style-type: none"> <li>- Local people live in high quality, affordable homes</li> <li>- Our communities are safe, healthy and connected</li> </ul>
Policy Considerations:	None
Safeguarding:	Any safeguarding concerns raised through the work within the Environmental Protection Team are referred as appropriate.
Equalities/Diversity:	An Equality Impact Assessment was completed when drafting the policies.
Customer Impact:	Improved energy efficient rented properties will help reduce the utility costs for the property
Economic and Social Impact:	Tackling Damp and Mould and improving energy efficiency in the private rented sector will help lower

	utility costs and reduce the risks to health of the tenants in terms of respiratory illness.
Environment, Climate Change and zero carbon:	Environmental Implications including contributions to achieving Zero carbon Council by 2030. The Minimum Energy Efficiencies Standards Financial Penalties policy provides a regulatory framework for improving the energy efficiency in the private rented sector.
Consultation/Community Engagement:	None required
Risks:	None
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