

CABINET – 25 APRIL 2006

71/06 DISCRETIONARY POWERS UNDER HOUSING ACT 2004 (AGENDA ITEM 8)

The Principal Environmental Health Officer presented a report which recommended the adopting of new discretionary policies under the Housing Act 2004 for dealing with housing enforcement. These would be used in conjunction with the previously adopted mandatory provisions. Use of the discretionary powers would be essential in enabling the Council to meet the objectives in the Housing Improvement Plan.

Members agreed that the fee should be £225, as recommended, in order to encourage Housing in Multiple Occupation (HMO) landlords to come forward and be licensed. It was hoped that this would ensure that HMOs were properly regulated and properly maintained to health and safety standards.

The options were either to approve or not approve the recommendation.

The reason for adopting the powers outlined in the recommendation would be to enable a comprehensive approach to be taken in dealing with poor housing conditions across the District in all tenures, built forms and occupation modes. Furthermore, using the discretionary elements of the Housing Act 2004 would be necessary to ensure that the major elements of the Housing Improvement Plan were met.

RECOMMEND TO COUNCIL that the following be approved:-

- (1) To adopt an additional scheme of licencing for Housing in Multiple Occupation, (HMOs) across the whole of the Breckland District and covering all types of HMOs.
- (2) To agree that the scheme will include a fee of £225 per licence.
- (3) To agree that the scheme will be operative from 1 November 2006.
- (4) To adopt the discretionary powers within the Housing Health and Safety Rating system for enforcement purposes across all classes of occupation.
- (5) To work with our sub-regional partners to develop a set of common policies to utilise the provisions of the Housing Act 2004.
- (6) To agree that any recruitment needed to undertake any additional work associated with the scheme be confined to a one year period.