

BRECKLAND COUNCIL

CABINET : 25 APRIL 2006

REPORT OF THE EXECUTIVE MEMBER FOR ENVIRONMENT (PLANNING AND HOUSING)

(Author: Gordon Partridge, Principal Environmental Health Officer)

DISCRETIONARY POWERS UNDER HOUSING ACT 2004

Summary: This report recommends the adopting of new discretionary policies under the Housing Act 2004 for dealing with housing enforcement. These will be used in conjunction with the previously adopted mandatory provisions. Use of the discretionary powers will be essential in enabling the Council to meet the objectives in the Housing Improvement Plan

1. BACKGROUND

- 1.1 The Housing Act 2004 introduces a number of discretionary powers to deal with poor housing conditions.
- 1.2 It is necessary to formally adopt these powers for them to be used and so that we may publicise their adoption.

2. KEY DECISION

- 2.1 This is a key decision

3. COUNCIL PRIORITIES

- 3.1 The matter raised in this report falls within the following Council priorities:
 - A safe and healthy environment
 - A well planned place to live which encourages vibrant communities
 - A prosperous place to live and work

4. IMPLICATIONS OF NEW POLICIES

- 4.1 The adoption of the new powers will enable Breckland to improve housing conditions across a wide range of tenures, built forms and occupation modes.

5. OPTIONS AVAILABLE

- 5.1 To adopt an additional scheme of licencing Houses in Multiple Occupation, (HMO) across the whole of the Breckland District and covering all types of HMO. Scheme to include a fee of £225 per licence. Scheme to be operative from 1 November 2006.
- 5.2 To adopt the discretionary powers within the Housing Health and Safety Rating system for enforcement purposes across all classes of occupation.
- 5.3 To work with our sub-regional partners to develop a set of common policies to utilise the provisions of the Housing Act 2004.
- 5.4 Not to adopt options 5.1 to 5.3

6. REASONS FOR RECOMMENDATION(S)

- 6.1 Adopting the powers outlined in options 5.1 to 5.3 above will enable a comprehensive approach to be taken to dealing with poor housing conditions across the District in all tenures, built forms and occupation modes.
- 6.2 Using the discretionary elements of the Housing Act 2004 will be necessary to ensure that the major elements of the Housing Improvement Plan are met.

7. RECOMMENDATION(S)

- 7.1 To adopt options 5.1, 5.2, and 5.3 above.

Appendices: None

Footnote: Recommendation complies with the following :
Equal Opportunities, Section 17, Crime & Disorder Act 1998,
and Human Rights Act 1998