

Report of the Housing Portfolio Holder

DAMP AND MOULD1. Purpose of Report

To update Cabinet on the work being undertaken to address concerns about damp and mould, both in Council owned properties and the private sector, and outline further action to be taken.

2. Recommendation

Cabinet is asked to RESOLVE that the proposed action plan be approved

3. Detail

In light of the tragic case of Awaab Ishak, and in response to requests from the Secretary of State and the Regulator of Social Housing, the Council is completing a full review of our response to the issue of damp and mould within properties, both in Council owned and in the private sector.

It is clear that the Council must be proactive in our approach, and work to identify the scale of the issue. It is not acceptable to expect that people who are experiencing damp and mould in their home will have reported it to the Council to investigate. For this reason, work has already begun to contact residents. In our own Council housing, we have reviewed all reports made to the Council regarding damp and mould in the last five years and have begun to contact tenants to confirm that the problem has been fully dealt with and is not reoccurring. We will also be contacting tenants that we have not visited recently to check if there are any damp or mould concerns. In regards to the private sector, we recently launched a survey to encourage those with damp and mould concerns to report these to the private sector housing team. The team will then contact tenants to discuss further, and see what action is required.

The Council has had a robust procedure to deal with reports of damp and mould in Council homes for a number of years, and have a zero tolerance approach to dealing with the matter. Last year the Repairs service reviewed the contents of the Housing Ombudsman report, *Spotlight on Damp and Mould, it's not Lifestyle*, to ensure that our approach meets the expectations of the Housing Ombudsman. To support this work the Council has purchased protimeters, calcium carbide testing and hygrometer salt analysis equipment. Our Senior Maintenance Officers are fully trained to complete tests and understand the findings. Where damp is evident, or cases are more complex, the Council works with a specialist external contractor.

The Council has a history of taking damp and mould matters seriously. When issues have been identified a programme of remediation works has been arranged and completed, by our Capital Works team. For example, at Princes Street and Wellington Street in Eastwood. Budget for this work was approved in 2019 and the support of a specialist contractor has been procured. Although

there have been some delays in the works being completed due to the COVID-19 pandemic. 82 surveys have been completed, and 42 properties have had damp proofing work completed. All work is due to be completed by Spring 2023.

Collaborative working between a number of teams and departments is required to fully address this matter. An action plan is included in the appendix which highlights the work in progress and currently planned.

4. Financial Implications

The comments from the Head of Finance Services were as follows:

There are no additional financial implications for the Council with costs being contained within existing budgets. Any significant budget implications in the future, over and above virement limits, would require approval by Cabinet.

5. Legal Implications

The comments from the Monitoring Officer / Head of Legal Services were as follows:

The Landlord and Tenant Act 1985 as amended by the Housing (Fitness for Human Habitation) Act requires a property is fit for human habitation at the beginning of the tenancy and for the duration of the tenancy; and where a landlord fails to do so, the tenant has the right to take action in the courts for against the Council breach of contract on the grounds that the property is unfit for human habitation. To address this duty, the council needs to have a planned maintenance programme with periodic inspections and an effective responsive repairs service. The Council's obligations as landlord to repair and maintain Council properties are set out in the tenancy agreement. In addition, section 11 of the Landlord Tenant Act 1985 sets out statutory obligations to ensure that the structure of homes is repaired and the repairs are carried out within a reasonable time.

6. Human Resources Implications

Not applicable

7. Union Comments

Not applicable

8. Data Protection Implications

Not applicable

9. Equality Impact Assessment

Not applicable

10. Background Papers

Nil