

Report of the Portfolio Holder for Housing

DAMP AND MOULD POLICY1. Purpose of Report

To seek Cabinet approval for a new Damp and Mould Policy and associated procedure.

2. Recommendation

Cabinet is asked to RESOLVE that the Damp and Mould Policy and associated procedure 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 our properties.

In September 2023, Cabinet considered a self-assessment of the 26 recommendations for landlords outlined in the Housing Ombudsman report: 'Spotlight on Damp and Mould, it's not Lifestyle'. This included some new proposed actions for inclusion in an updated Action Plan.

One of the actions approved was for a new Damp and Mould Policy to be written. The new policy considers the expectations of the Housing Ombudsman and the Regulator of Social Housing. Government guidance: 'Understanding and addressing the health risks of damp and mould in the home' published in September 2023 has also been considered.

The policy is included in appendix 1, the associated procedure in appendix 2 and an equality impact assessment in appendix 3.

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:

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. Where a Landlord fails to do so; the Tenant has the right to take action in the Courts against the Council for 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 the 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

The comments from the Human Resources Manager were as follows:

N/A.

7. Union Comments

The Union comments were as follows:

N/A.

8. Climate Change Implications

The comments from the Waste and Climate Change Manager were as follows:

Some of the works that will be completed in response to reports of damp and mould will help increase the energy efficiency of the Council's housing stock. Cabinet approval has previously been given to update Energy Performance Certificates (EPCs) for all of the housing stock which will allow us to monitor the positive improvements made to EPC ratings.

9. Data Protection Compliance Implications

This report does not contain any [OFFICIAL(SENSITIVE)] information and there are no Data Protection issues in relation to this report.

10. Equality Impact Assessment

As this is a new policy an equality impact assessment is included in the appendix to this report.

11. Background Papers

Nil.