

## Report of the Portfolio Holder for Housing

**Damp and Mould Investigations in Private Rented Property Policy**1. Purpose of Report

To detail the approach to dealing with damp and mould in private rented properties.

2. Recommendation

**The Policy Overview Working Group RECOMMENDS that Cabinet is asked to RESOLVE that the Damp and Mould in Private Rented Property Investigation 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, the Council has completed a review of its response to the issue of damp and mould in private rented properties. A review has already been undertaken in relation to the Council's duties as a landlord and a policy to deal with damp and mould within the Council's properties was approved by Cabinet in December 2023.

Damp and Mould in private rented properties is already assessed by Officers when dealing with inspections and complaints from tenants, both as part of a specific set of criteria under the Housing Health and Safety Rating Scheme (HHSRS), licence inspections where applicable and where a specific concern has been raised. Any action required to improve standards would be taken using the powers already available to us and as detailed in the Council's Enforcement Policy and Housing Civil Penalties Policy. The Council's approach to damp and mould in private rented housing is complementary to other approaches and includes a completed project in relation to the Minimum Energy Efficiency Standards (MEES) when landlords of rented properties with no or lower EPC ratings were contacted about their responsibilities, the Warm Homes on Prescription (WHOP) grant to provide measures where eligible householders have conditions worsened by cold living conditions and participation in the multiagency cost of living group. The Council also continues to signpost and provide advice to private landlords through a variety of methods including the joint landlords' forum and has considered the recommendations for landlords outlined in the Housing Ombudsman report: 'Spotlight on Damp and Mould, it's not Lifestyle' and the Government guidance: 'Understanding and addressing the health risks of damp and mould in the home' published in September 2023.

It is expected that the HHSRS review expected in 2025 will include a revised section on the assessment of damp and mould and additional training of Officers

would be undertaken following this update. The Policy is included in **Appendix 1** and an equality impact assessment in **Appendix 2**.

4. Key Decision

This report is a key decision as defined under Regulation 8 of the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012 as the approach outlined applies to all wards of the Borough.

5. Updates from Scrutiny

Not applicable.

6. 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.

7. Legal Implications

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

In its capacity as regulator of housing standards the Council has statutory duties and powers for keeping private sector properties in a reasonable state of repair and free from hazards, which are also applicable to damp and mould. The detail of the relevant legislation is contained within the main body of the report at paragraph 4.0. This policy addresses how the Council will deal with such properties.

8. Human Resources Implications

The comments from the Human Resources Manager were as follows:

Not applicable.

9. Union Comments

The Union comments were as follows:

Not applicable.

**10. Climate Change Implications**

The Damp and Mould in Private Rented Property Investigation Policy and associated procedure highlights the importance of having well-insulated homes in preventing mould and damp issues. Proper insulation not only enhances living conditions but also contributes to energy efficiency, reducing the need for excessive heating. The efficiency aligns with climate change mitigation efforts by lowering energy consumption and carbon emissions.

Some of the works that will be completed by landlords in response to investigations of damp and mould will help increase the energy efficiency of the private rented housing stock.

**11. 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.

**12. Equality Impact Assessment**

As this is a new policy, an equality impact assessment is included in the **Appendix 2** to this report.

**13. Background Papers**

Nil.