

08 February 2018

## HOUSING COMMITTEE

A meeting of the Housing Committee will be held on **TUESDAY 20 FEBRUARY 2018** in the Council Chamber, Ebley Mill, Ebley Wharf, Stroud at **7.00 pm.**



David Hagg  
Chief Executive

**Please Note:** This meeting will be filmed for live or subsequent broadcast via the Council's internet site ([www.stroud.gov.uk](http://www.stroud.gov.uk)). By entering the Council Chamber you are consenting to being filmed. The whole of the meeting will be filmed except where there are confidential or exempt items, which may need to be considered in the absence of the press and public.

### AGENDA

- 1 **APOLOGIES**  
To receive apologies for absence
- 2 **DECLARATIONS OF INTEREST**  
To receive declarations of interest
- 3 **MINUTES**  
To approve the minutes of the meeting held on 12 December 2017
- 4 **PUBLIC QUESTION TIME**  
The Chair of Committee will answer questions from members of the public submitted in accordance with the Council's procedures.  
**DEADLINE FOR RECEIPT OF QUESTIONS**  
**Noon on THURSDAY 15 FEBRUARY 2018.**  
Questions must be submitted in writing to the Chief Executive, Democratic Services, Ebley Mill, Ebley Wharf, Stroud and sent by post or by Email:  
[democratic.services@stroud.gov.uk](mailto:democratic.services@stroud.gov.uk)

**5 WORK PROGRAMME**

To consider the work programme

**6 MEMBER REPORTS**

a) Housing Review Panel

b) Performance Monitoring (to note the report to Strategy and Resources Committee [[Task and Finish Group Review of Performance Monitoring](#)] which highlights changes to the performance monitoring)

**7 CAPITAL PROJECT MONITORING**

a) Tenant Services Capital Programme

b) Assistance to Affordable Housing Providers

c) Disabled Facilities Grants

d) Sheltered Modernisation Project

e) New Homes and Regeneration Programme

**8 CIVIL PENALTIES POLICY**

To adopt the Gloucestershire Civil Penalties Policy

**9 MEMBERS' QUESTIONS**

See Agenda Item 4 for deadline for submission

**Members of Housing Committee**

**Councillor Mattie Ross (Chair)**

**Councillor Chas Townley (Vice-Chair)**

Councillor Catherine Braun

Councillor Miranda Clifton

Councillor Colin Fryer

Councillor Julie Job

Councillor Norman Kay

Councillor Darren Loftus

Councillor Phil McAsey

Councillor Jenny Miles

Councillor Tom Skinner

Councillor Debbie Young

**Tenant Representatives**

Ian Allan

Sadie Tazewell

## HOUSING COMMITTEE

12 December 2017

7.00 pm – 8.10 pm  
 Council Chamber, Ebley Mill, Stroud

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### Minutes

#### Membership

Councillor Mattie Ross (Chair)	P	Councillor Norman Kay	A
Councillor Chas Townley (Vice-Chair)	P	Councillor Darren Loftus	P
Councillor Catherine Braun	P	Councillor Phil McAsey	A
Councillor Miranda Clifton	P	Councillor Jenny Miles	P
Councillor Colin Fryer	A	Councillor Tom Skinner	A
Councillor Julie Job	A	Councillor Debbie Young	P

P = Present      A = Absent

#### Tenant Representatives

Ian Allan	P	Sadie Tazewell	A
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#### Officers in Attendance

Director of Tenant and Corporate Services	Housing Renewal Manager
Head of Contract Services	Principal Accountant
Sheltered Housing Project Manager	New Homes & Regeneration Manager
Principal Tenancy Management Officer	Democratic Services Officer

#### HC.023

#### APOLOGIES

Apologies for absence were received from Councillors Colin Fryer, Julie Job, Norman Kay, Phil McAsey, Tom Skinnner and Sadie Tazewell (Tenant Representative).

#### HC.024

#### DECLARATIONS OF INTEREST

There were no declarations of interest.

#### HC.025

#### MINUTES – 26 SEPTEMBER 2017

#### **RESOLVED**

**That the minutes of the meeting held on 26 September 2017 are confirmed and signed as a correct record.**

#### HC.026

#### PUBLIC QUESTION TIME

There were none.

**HC.027****WORK PROGRAMME 2017/18**

Councillor Chas Townley confirmed, as lead, he would arrange the first meeting of a Task and Finish Group on the development of the tenancy policy in the New Year. The other members were Councillors Colin Fryer, Norman Kay and Debbie Young, together with both tenant representatives.

Councillor Debbie Young requested that there should be a follow up to items that committee had asked to be included on the work programme even if they are to be Members Information Sheets, so that members would know they had not been overlooked.

- An update on the impact of Universal Credit on the HRA (an information evening will be arranged)
- Draft Housing Strategy (Report)
- New Homes Programme Update (Information Sheet)
- Homelessness Guidance following the new legislation in the spring of 2018 (Information Sheet)
- Tenant Energy Strategy Update (linked to non-traditional homes) (report to Committee on 27 March 2018)

For clarification the Director of Tenant and Corporate Services would send an email to committee.

Councillor C Braun confirmed that in future Performance Monitoring meetings would be held on a quarterly basis. The next report would be in March and would be emailed to members with committee papers.

The Housing Renewal Manager confirmed that a report on Civil Penalty Notices would be discussed at the next Housing Review Panel and then presented to committee in February 2018.

**RESOLVED**                    **To note amendments to the work programme.**

**HC.028****MEMBER REPORTS**a) Performance Monitoring

A verbal update was provided by Councillor Debbie Young. The following topics were raised:

- a contractors continued non-performance
- speeding up void times by offering incentives, eg decorating
- non-housing staff are being used to trigger inspections
- the average rent arrears was £69
- the uses of RTB monies
- efficiently marketing land
- warm and well have been awarded £5m over a 3 year programme in South Gloucestershire and Gloucestershire as a whole
- housing needs
- the costs of B&B increasing
- proactive work currently being undertaken

b) Housing Review Panel

Councillor Chas Townley confirmed the panel's work programme would have to be reviewed. At the January meeting one of the items would be Civil Penalty Notices and in February the HRA Delivery Plan, grounds maintenance and regeneration on housing sites were also topics that needed to be discussed.

**RESOLVED**            **To note the reports.**

**HC.029**            **TENANT ENGAGEMENT**

The Principal Tenancy Management Officer gave a verbal update on the meetings that had been held. The outcome had been very positive in moving the service forward. The tenant inspector programme included tenant inspectors for both repairs and scrutiny; the next meet was in January 2018. An article will be included in Keynotes. Six events had been planned for next year; 4 in the community and 2 workshops in sheltered housing for the over 60's. The venues had not been decided. To engage with younger people the use of social media, possibly a face book page was being considered. Another survey was also planned. A report will be submitted to committee in March.

**RESOLVED**            **To note the update.**

**HC.030**            **CAPITAL PROJECT MONITORING**

The Head of Contract Services provided an update on concerns with one contractor regarding their performance and delivery. After discussions with the contractor 13 week's notice had been given and their contract will end on or before 12 March 2018. Urgent and emergency works will continue to be delivered to tenants. Members will be kept undated and also receive an update at the next meeting.

Councillor Debbie Young asked for a Members Information sheet to provide statistical information on area, the average cost per job, specific reasons for the refusal of works and the age group.

The Sheltered Housing Project Manager confirmed that one scheme meeting will be held with all of the affected residents. After the meeting a 1-2-1 with the Tenant Liaison Officer will be arranged to ensure that the process is understood, if necessary, with friends and family members present. He will revisit tenants, if they have any concerns or queries. New moving home packs are currently in the process of being updated initially for sheltered housing. The programme for 2018/19 and 2019/20 will be discussed at both February's Sheltered Housing Steering Group and brought to Committee for approval on 20 February 2018.

The Housing Renewal Manager confirmed that any grant monies not used are paid to the County Council and re-allocated by them on wider programmes, eg warm and well. She explained how the grants system was administered.

The New Homes and Regeneration Manager confirmed she is currently looking at a couple of sites for the remaining budget in the New Homes and Regeneration Programme. Consultation had to be undertaken with both residents and members before a report would be presented to committee. Queens Court was being marketed, only one family currently lived in the flats and would be moving into another property in the New Year.

**RESOLVED** To note the reports.

**HC.031** **HOUSING REVENUE ACCOUNT (HRA) BUDGET 2018/19 AND MEDIUM TERM FINANCIAL PLAN 2018/19-2021/22**

The Principal Accountant gave a resume of her report and answered members' questions.

- RECOMMENDED TO STRATEGY AND RESOURCES COMMITTEE**
- (1) The revised HRA budget for 2017/18 and original budget for 2018/19 are approved; and
  - (2) The movement to and from balances and capital reserves as detailed in Appendices B and C are approved; and
  - (3) That from 1 April 2018:
    - i) Social rents and affordable rents are decreased by 1% (equivalent to 81p at the average rent level), as calculated in accordance with legislation
    - ii) Garage rents are increased by 3%
    - iii) Landlord sheltered housing service charges are increased by 3%
    - iv) Other landlord service charges are increased by 3%; and
  - (4) That the HRA Capital Programme for 2017/18 to 2021/22, as detailed in Appendix C, are included in the Council's Capital Programme.

**HC.032** **MEMBERS' QUESTIONS**

There were none.

The meeting closed 8.10 pm.

Chair

**STROUD DISTRICT COUNCIL**

**AGENDA  
ITEM NO**

**HOUSING COMMITTEE**

**20 FEBRUARY 2018**

**5**

**WORK PROGRAMME**

<b>Date of meeting</b>	<b>Matters to be considered at the meeting</b>	<b>Notes</b>
<b>27.03.18</b>	Work Programme	Leads: Chair and Director of Tenant and Corporate Services
	Member Reports a) Performance Monitoring b) Housing Review Panel	Leads: Cllrs Debbie Young & Catherine Braun Chair: Cllr Chas Townley
	Capital Project Monitoring a) Tenant Services Capital Programme b) Assistance to Affordable Housing Providers c) Disabled Facilities Grants d) Sheltered Modernisation Project e) New Homes and Regeneration Programme	Leads: Head of Contract Services  Policy Implementation Manager  Head of Health and Well Being Business Development Manager  Business Development Manager
	Budget Reports	Lead: Accountancy Manager
	The Non-Traditional Homes Outturn Report and Action Plan (Report)	Lead: Head of Contract Services
	The Energy Strategy Update (no decisions progress only)	Lead: Head of Contract Services
	Changing Future of Tenant Involvement	Lead: Head of Housing Services
	Sheltered Housing	Lead: Sheltered Project Manager
	<b>12.06.18</b>	Work Programme
Member Reports a) Housing Review Panel b) Performance Monitoring		Leads: Chair: Cllr Chas Townley Performance Monitoring Monitors
Capital Project Monitoring a) Tenant Services Capital Programme b) Assistance to Affordable Housing Providers c) Disabled Facilities Grants d) Sheltered Modernisation Project e) New Homes and Regeneration Programme		Leads: Head of Contract Services  Policy Implementation Manager  Head of Health and Well Being Business Development Manager  Business Development Manager
Handyperson Service – income generation opportunities		Lead: Maintenance and Voids Manager

<b>Date of meeting</b>	<b>Matters to be considered at the meeting</b>	<b>Notes</b>
<b>11.09.18</b>	Work Programme	Leads: Chair and Director of Tenant and Corporate Services
	Member Reports a) Housing Review Panel b) Performance Monitoring	Leads: Chair: Cllr Chas Townley Performance Monitoring Monitors
	Capital Project Monitoring a) Tenant Services Capital Programme b) Assistance to Affordable Housing Providers c) Disabled Facilities Grants d) Sheltered Modernisation Project e) New Homes and Regeneration Programme	Leads: Head of Contract Services  Policy Implementation Manager  Head of Health and Well Being Business Development Manager  Business Development Manager
	Draft Housing Strategy - The Private Sector Renewal Strategy	
<b>11.12.18</b>	Work Programme	Leads: Chair and Director of Tenant and Corporate Services
	Member Reports a) Housing Review Panel	Leads: Chair: Cllr Chas Townley Performance Monitoring Monitors
	a) Capital Project Monitoring b) Tenant Services Capital Programme c) Assistance to Affordable Housing Providers d) Disabled Facilities Grants e) Sheltered Modernisation Project f) New Homes and Regeneration Programme	Leads: Head of Contract Services  Policy Implementation Manager  Head of Health and Well Being Business Development Manager  Business Development Manager
<b>05.02.19</b>	Work Programme	Leads: Chair and Director of Tenant and Corporate Services
	Member Reports a) Housing Review Panel b) Performance Monitoring	Leads: Chair: Cllr Chas Townley Performance Monitoring Monitors
	a) Capital Project Monitoring b) Tenant Services Capital Programme c) Assistance to Affordable Housing Providers d) Disabled Facilities Grants e) Sheltered Modernisation Project f) New Homes and Regeneration Programme	Leads: Head of Contract Services  Policy Implementation Manager  Head of Health and Well Being Business Development Manager  Business Development Manager



<b>Date of meeting</b>	<b>Matters to be considered at the meeting</b>	<b>Notes</b>
<b>09.04.12</b>	Work Programme	Leads: Chair and Director of Tenant and Corporate Services
	a) Member Reports b) Housing Review Panel c) Performance Monitoring	Leads: Chair: Cllr Chas Townley Performance Monitoring Monitors
	Capital Project Monitoring a) Tenant Services Capital Programme b) Assistance to Affordable Housing Providers c) Disabled Facilities Grants d) Sheltered Modernisation Project e) New Homes and Regeneration Programme	Leads: Head of Contract Services  Policy Implementation Manager  Head of Health and Well Being Business Development Manager  Business Development Manager

### **Information sheets sent to Committee Members**

<b>Date sent &amp; ref no</b>	<b>Topic</b>
H-2017/18-001	Non-Traditional Stock Action Plan
H-2017/18-002	Sheltered Housing Modernisation Project
H-2017/18-003	New Homes and Regeneration Programme
H-2017/18-004	Small Sites, Garages and Disposals Update
H-2017/18-005	Corporate Asset Management Strategy Action Plan
H-2017/18-006	Rent Collection Including Actions, Support and Outcomes
H-2017/18-007	Universal Credit

### **Topics for future Information sheets**

- Draft Housing Strategy
- New Homes Programme Update
- Homelessness Guidance following the new legislation in the spring of 2018

### **Members Information Evening**

- An update on the impact of Universal Credit on the HRA

**STROUD DISTRICT COUNCIL**

**AGENDA  
ITEM NO**

**HOUSING COMMITTEE**

**7**

**20 FEBRUARY 2018**

<b>Report Title</b>	<b>CAPITAL PROJECT MONITORING</b>
<b>Purpose of Report</b>	To inform the Committee of progress on capital projects within its remit.  A - Tenant Services Capital Programme B - Assistance to Affordable Housing Providers C - Disabled Facilities Grants D - Sheltered Modernisation Project E - New Homes and Regeneration Programme
<b>Decisions</b>	<b>The Committee notes the report</b>
<b>Consultation and Feedback</b>	Budget setting has previously been agreed at Council. Progress has been discussed with the Tenant Reps for Housing Committee.
<b>Financial Implications and Risk Assessment</b>	<b>Item A</b> – The capital programme for ongoing major works within the HRA is funded within the HRA Medium Term Financial Plan (MTFP). This will be reviewed annually to ensure that the budget continues to support the delivery plan within overall affordability of the HRA.  A large underspend is currently forecasted within major works. At the end of the year any variance will be transferred to the Major Repairs Reserve and used to fund capital works in future years.  <b>Item B</b> – There are no direct financial implications as this report is for information only. Any additional expenditure outside of the agreed budget must be reported separately.  <b>Item C</b> – Further funding from the Better Care Fund would be available if necessary, up to a total of £0.5m. However demand is such that this will not be required and any unused funds will remain in the pooled Gloucestershire fund.  <b>Items D &amp; E</b> – There are no direct financial implications as this report is for information only. Any additional expenditure outside of the agreed budget must be reported separately.  Lucy Clothier, Principal Accountant Tel: 01453 754343 Email: <a href="mailto:lucy.clothier@stroud.gov.uk">lucy.clothier@stroud.gov.uk</a>

	<p><b>Risk assessment by the report author (Item A)</b>  The capital programme of planned and cyclical maintenance provides relevant information of content and performance in the delivery of works. These are monitored and managed via Key Performance Indicators (KPI's).</p>
<b>Legal Implications</b>	<p><u>In general</u></p> <p>Where funding is provided by way of a grant it will need to be secured by a grant agreement, this will ensure it is used for the purposes intended by SDC and allow appropriate provisions for clawback/termination if it is not.</p> <p><u>Project B only</u></p> <p>Where money has been secured through a S106 obligation towards the provision of Affordable Housing any obligations on the Council as to how that money must be spent/any time dependant clawback provisions will be provided within the terms of the deed itself.</p> <p>Craig Hallett, Solicitor &amp; Deputy Monitoring Officer  Email: <a href="mailto:craig.hallett@stroud.gov.uk">craig.hallett@stroud.gov.uk</a></p>
<b>Report Author (s)</b>	<p><b>Item A</b> - Joe Gordon, Head of Contract Services  Tel: 01453 754190  Email: <a href="mailto:joe.gordon@stroud.gov.uk">joe.gordon@stroud.gov.uk</a></p> <p><b>Item B</b> - Pippa Stroud, Policy Implementation Manager  Tel: 01453 754099  Email: <a href="mailto:pippa.stroud@stroud.gov.uk">pippa.stroud@stroud.gov.uk</a></p> <p><b>Item C</b> - Jon Beckett, Head of Health and Wellbeing  Tel: 01453 754443  Email: <a href="mailto:jon.beckett@stroud.gov.uk">jon.beckett@stroud.gov.uk</a></p> <p><b>Items D</b> - Kimberley Read, Sheltered Housing Project Manager  Tel: 01453 754175  Email: <a href="mailto:kimberley.read@stroud.gov.uk">kimberley.read@stroud.gov.uk</a></p> <p><b>Items E</b> - Leonie Lockwood, Business Development Manager  Tel: 01453 754153  Email: <a href="mailto:leonie.lockwood@stroud.gov.uk">leonie.lockwood@stroud.gov.uk</a></p>
<b>Options</b>	This report is a standing report for Housing Committee.
<b>Performance Management Follow Up</b>	Update reports are to be supplied to this committee within the timeline of the committee work programme
<b>Background Papers/ Appendices</b>	None

## 1.0. Item A - Tenant Services Capital Programme

### 1.1. Introduction

1.1.1. The following report provides an ongoing **executive summary** of the Capital Projects within the remit of the Housing Committee. The purpose of this report is to advise Committee on progress and management of the capital projects and allow members to question project managers. Reports have been tabled at June, September, and Decembers 2017's Housing Committee where members asked for further detail within each report and for information sheets to be attached where appropriate

1.1.2. The third quarter has been completed and positions of works against budget spend are detailed in 2.1

### 1.2. Current position

1.2.1. The third quarter works of the capital programme are as follows broken down by contractor:

<b>North of the district</b>					
<b>Planned works</b>	<b>Delivered to Date</b>	<b>Actual Spend</b>	<b>Budget</b>	<b>Projected Outturn</b>	<b>Variance</b>
<b>Kitchens</b>	19	67,599	386,250	225,279	(160,971)
<b>Bathrooms</b>	63	45,333	386,250	397,886	11,666
<b>External works</b>	27	257,897	850,000	531,897	(318,103)
<b>Disabled adaptations (Both sides of the district)</b> To note the actual spend includes an over statement of the year end creditor of £80k	43	9,582	308,000	150,000	(158,000)

<b>South of the district</b>					
<b>Planned works</b>	<b>Delivered to Date</b>	<b>Actual Spend</b>	<b>Budget</b>	<b>Projected Outturn</b>	<b>Variance</b>
<b>Kitchens</b>	56	234,531	386,250	266,630	(119,620)
<b>Bathrooms</b>	69	221,687	386,250	260,166	(126,084)
<b>External works</b>	0	126,435	850,000	390,435	(459,565)

<b>(Both sides of the district)</b>					
	<b>Delivered to Date</b>	<b>Actual Spend</b>	<b>Budget</b>	<b>Projected Outturn</b>	<b>Variance</b>
<b>Doors &amp; windows</b>	216	204,929	515,000	487,071	(27,929)

<b>(Both sides of the district)</b>					
	<b>Delivered to Date</b>	<b>Actual Spend</b>	<b>Budget</b>	<b>Projected Outturn</b>	<b>Variance</b>
<b>Heating &amp; boiler upgrades</b>	137	593,076	690,000	713,076	23,076

<b>Mitie &amp; Bell (Mixed sides of the district)</b>					
	<b>Delivered to Date</b>	<b>Actual Spend</b>	<b>Budget</b>	<b>Projected Outturn</b>	<b>Variance</b>
<b>Painting/communal areas</b>	296	75,434	515,000	300,000	(215,000)

### **1.3. Performance**

- 1.3.1. Following Decembers Housing Committee when we notified you of our intension to end our formal contractual relationship with Mears Group PLC, re-procurement of the South Contract went live on 31 January 2018.
- 1.3.2. The process will end on the 16 February 2018, and following evaluation we expect to appoint a new contractor not later than 23 February 2018, for a period of up to two years.
- 1.3.3. Works relating to the South of the District, which will not be delivered prior to 12 March 2018 has either been passed to the North Contractor (NKS) or moved forward into the 2018-19 programmes, dependant on priority. Affected stakeholders have been notified.

### **1.4. Summary**

- 1.4.1. We are committed to ensuring our resources deliver maximum value for money to the Council, and our partners delivering the services meet the high standards both our customers and us as a client demand. We are continually reviewing our processes to ensure we work smarter with our Partners and other service areas within the Council and with this in mind budgets and delivery will continue to be monitored and reviewed in year.

### **2.0. Item B - Support to Social Housing Providers Capital Programme**

- 2.1. The Council has a small General Fund capital programme that provides occasional grant assistance to housing associations, and this supplements the much greater resources available to them from the Homes and Communities Agency.
- 2.2. The Council's Affordable Housing Capital Programme comprises a mixture of recycled funding from the old Stroud Homebuy scheme which ceased in 2014, where properties then bought under the scheme have now been sold on and the grant repaid, and s.106 commuted sums where developers have paid a contribution to the provision of affordable housing elsewhere rather than providing it on-site.

- 2.3. We allocate our resources to those schemes that best meet housing need in the Stroud district in terms of type, location and tenure. However, value for money is also a consideration, and those projects that produce the greatest number of homes for the lowest grant cost are obviously more attractive in terms of investment.
- 2.4. At the time of writing, there was £50,000 in uncommitted funds remaining in the s.106 code, and £230,000 of former Homebuy funds being held. The residual Homebuy funds are likely to be committed to support a large-scale ExtraCare scheme for older people.

Recent funding allocations and forthcoming commitments are set out below:

<b>Location</b>	<b>Grant</b>	<b>Number of units</b>	<b>Grant Per Unit</b>	<b>Provider</b>	<b>Date paid</b>	<b>Notes</b>
Littlecombe, Dursley	£240,000	22	£11,000	SDC	July 2013	SDC regeneration site
Bisley Old Road Stroud	£130,000	23	£5,700	Stonewater	July 2014	All rented homes
Lynch Road Berkeley	£66,374	10	£6,600	Fortis	March 2016	Abnormal costs for sewer re-routing
Elm Road Stonehouse	£90,000	8	£11,300	Two Rivers	Oct 17	Off the shelf purchase
<b>Commitments</b>						
Stagholt Standish	£30,000	4	£7,500	Two Rivers	June 18	Rural site. Planning application now received.

### **3.0. Item C Disabled Facilities Grants**

- 3.1. The Council has a statutory duty to provide Disabled Facilities Grants (DFG) under the Housing Grants, Construction & Regeneration Act 1996. Funding is provided by Central Government for this purpose through the Better Care Fund (BCF) which is jointly administered by the County Council and Clinical Commissioning Group (CCG).
- 3.2. The DFG is a means tested grant to assist disabled occupants to remain living safely in their own homes by the provision of adaptations such as stairlifts and wet floor showers. The maximum limit for a DFG is £30,000. This is a statutory function and the Council has no discretion as to the use of these funds and no control over demand as referrals must come from the County Council Occupational Therapy Service. There is no waiting list and all applications are dealt with expediently.
- 3.3. For 2017/18 a sum of £330,000 has been identified in the BCF for DFG's in the Stroud district and this is considered sufficient to meet demand based on previous expenditure. Any unspent allocation has to be returned to the BCF.

3.4. The table below illustrates the numbers of approvals and expenditure since 2015:

Year	No. of DFG's Approved	Amount Paid
15/16	27	£269,935
16/17	31	£279,710
17/18 Q1	4	£48,454
17/18 Q2	5	£35,559
17/18 Q3	3	£53,525

#### **4.0. Item D Sheltered Housing Modernisation Project Update**

##### **4.1. Red Schemes**

- 4.1.1. In line with the approvals sought at Housing Committee in June 2016, good progress has been made on the red schemes. Dryleaze Court is now empty and is currently being marketed for sale.
- 4.1.2. Ringfield Close is now empty. The sale of the site is being delayed so that contractors can use the site for parking during the construction of Tanner Piece. The procurement of a contractor to construct the eleven new apartments is underway. During the construction of the site, work will begin to prepare the site for sale, when it is no longer required.
- 4.1.3. Consultation to re-house residents from Cambridge House started in January. At the scheme meeting held on 22<sup>nd</sup> January, the improved 'moving home support pack' was issued to each tenant and individual meetings were arranged with our Tenant Liaison Officer, to discuss their support requirements in detail. Officers will continue to support them through the process of moving home.
- 4.1.4. Consultation to re-house residents at Glebelands will begin in early 2019 and consideration will now be given to the options for the scheme at Willow Road in Stonehouse as planned.

##### **4.2. Amber Schemes**

- 4.2.1. The process of securing a contractor to undertake the improvement works to Sherborne House, Stonehouse is underway. The improvements are due to start in the spring this year.
- 4.2.2. Residents have been heavily involved in choosing the overall design of the communal lounge, selecting colours and furniture.

##### **4.3. Ex-Warden Accommodation**

- 4.3.1. The ex-warden accommodation at George Pearce House, Grange View, Malvern Gardens and Hamfallow Court are all currently on site and are due for handover shortly, providing eight flats for rent.
- 4.3.2. Negotiations continue with specialist housing providers for the remaining three properties at Grove Park Road, Archway Gardens and Willow Road. The negotiations are being managed by the Tenancy Operations Manager.

#### 4.4. Communication

- 4.4.1. The fourth issue of the Sheltered Modernisation News was distributed at the end of January. The fifth issue is due to be distributed in April 2018.
- 4.4.2. Due to the sensitive nature of the information, Members requiring information on re-housing and numbers of voids are asked to contact officers direct.

#### 5.0. Item E New Homes and Regeneration Programme

##### 5.1. Introduction / Background

- 5.1.1. Stroud District Council has an objective to invest in 150 new Council homes by March 2018 and has also approved the regeneration of 3 sites where defective Woolaway properties are to be replaced with new homes providing a total target delivery number of 236 homes.
- 5.1.2. An additional budget of £700,000 was approved at Strategy and Resources on the 13 June 2017, with 30% of that budget funded from right to buy receipts, to purchase properties on the open market.
- 5.1.3. As reported in December, by the end of the financial year 226 homes will have been delivered, leaving 10 homes to reach the target of 236. Budget remains for a further 19 homes dependent upon build costs for the remaining projects and therefore the target of 236 is currently projected to be exceeded.

##### 5.2. Programme

- 5.2.1. The table below sets out the schemes within the programme.

<b>Scheme</b>	<b>No. replacement units</b>	<b>No. additional Units</b>	<b>Total No. of Units</b>	<b>Status</b>
<b>New Homes Completed</b>				
Hanover, Dursley	0	18	18	Completed
Ex Warden conversions	0	11	11	Completed
Minchinhampton Woolaways	35	0	35	Completed
Top of Town, Stroud -Phase 1	14	8	22	Completed
Littlecombe, Dursley	0	22	22	Completed
Leonard Stanley Woolaways	19	32	51	Completed
Top of Town – Phase 2	8	5	13	Completed
The Corriett, Cam	0	6	6	Completed
Fisher's Road, Berkeley	0	4	4	Completed
Hillside, Coaley	2	2	4	Completed
Top of Town – Phase 3	10	2	12	Completed
Chapel Street, Cam	0	14	14	Completed
Top of Town – Phase 4	3	3	6	Completed
Property purchases (RTB receipts)	0	3	3	Completed
<b>Sub Total</b>	<b>91</b>	<b>127</b>	<b>221</b>	
<b>Completions by Year End</b>				
Ex Warden conversions	0	4	4	On site



Property purchases (RTB receipts)	0	1	1	Sale agreed
<b>Sub Total</b>	<b>0</b>	<b>8</b>	<b>5</b>	
<b>Balance of Programme</b>				
The former Ship Inn site , Bridgend	0	9	9	Design Stage
Southbank, Woodchester	4	1	5	Design Stage
Site to be identified	0	5	5	Design Stage
<b>Sub Total</b>	<b>4</b>	<b>15</b>	<b>19</b>	
<b>Grand Total</b>	<b>95</b>	<b>150</b>	<b>245</b>	

### 5.3. Balance Of Programme

- 5.3.1. The former Ship Inn site is in the design stage and a planning application is due to be submitted prior to the date of this meeting with work starting in 2018/19.
- 5.3.2. For the scheme to develop 5 homes at Southbank Woodchester, once we have finalised issues with the original contractor, we aim to retender the scheme and this is currently being prepared. A figure has been included within our budget for 2018/19 for the scheme.
- 5.3.3. Various alternative sites are being progressed to feasibility stage to be considered for the balance of the remaining budget, which again has been moved to 2018/19.

<b>Report Title</b>	<b>Civil Penalties Policy</b>
<b>Purpose of Report</b>	To recommend to Committee the adoption of a Gloucestershire wide Policy with regard to the implementation of new powers to issue Civil Penalty Notices in relation to offences under the Housing Act 2004.
<b>Decision(s)</b>	<b>The Committee RESOLVES to adopt the Gloucestershire Civil Penalties Policy contained in Appendix A to this report.</b>
<b>Consultation and Feedback</b>	Consultation has taken place with; Other Gloucestershire District Councils Gloucestershire Branch of the NLA Gloucestershire Small Landlords Association
<b>Financial Implications and Risk Assessment</b>	Currently any issues with landlords are dealt with before a civil penalty would be issued, and so it is not expected that income would increase significantly under this policy. If however, enforcement action is required in the future, this policy would allow penalties to be issued. As detailed in the report, any income received from a civil penalty would need to be allocated to the statutory functions in relation to the enforcement of private sector housing standards.  Lucy Clothier, Principal Accountant Tel: 01453 754343 Email: <a href="mailto:lucy.clothier@stroud.gov.uk">lucy.clothier@stroud.gov.uk</a> Report author to comment on the Risk Assessment
<b>Legal Implications</b>	The proposals set out in the report and the Civil Penalties Policy at Appendix A are consistent with the statutory guidance. There are no significant legal implications that are not dealt with in the body of the report.  Mike Wallbank Solicitor Advocate and Deputy Monitoring Officer Tel: 01453 754362 Email: <a href="mailto:mike.wallbank@stroud.gov.uk">mike.wallbank@stroud.gov.uk</a> R2501D0602C2002

<b>Report Author</b>	Maria Hickman Housing Renewal Manager Tel: 01453 754454 Email: <a href="mailto:maria.hickman@stroud.gov.uk">maria.hickman@stroud.gov.uk</a>
<b>Options</b>	Not to adopt a policy
<b>Performance Management Follow Up</b>	As part of normal section management process
<b>Background Papers/ Appendices</b>	Appendix A Gloucestershire Civil Penalties Policy

## 1. BACKGROUND

1.1 The Housing & Planning Act 2016 introduced a range of measures to enforce against non-compliant Landlords

- Civil penalties of up to £30,000 as an alternative to prosecution for certain specified offences (came into force on 6 April 2017)
- Extension of rent repayment orders to cover illegal eviction, breach of a banning order and certain other specified offences (came into force on 6 April 2017)
- Database of rogue landlords and property agents who have been convicted of certain offences or received multiple civil penalties (scheduled to come into force on 1 October 2018)
- Banning orders for the most serious and prolific offenders (scheduled to come into force on 1 October 2018).

1.2 The civil penalty powers contained in the Housing and Planning Act 2016 complement the existing enforcement tools that local authorities have under the Housing act 2004, i.e. to prosecute, issue Simple Cautions and/or carry out the work in default of Landlords who fail to comply with housing legislation. It also has the advantage of the ability for the local authority to retain the fines to enable them to resource continual improvements in the private rented sector.

1.3 Civil penalties are available as an alternative to prosecution for certain specified housing offences as follows:-

- Failing to comply with an improvement notice (section 30)
- Failure to comply with management regulations in respect to Houses in Multiple Occupation (HMO) (sec 234)
- Offences in relation to licensing an HMO (Part 3 of the Act)
- Breaching of an overcrowding notice (section 139)
- Breaching a Banning Order (awaiting implementation regulations)

## 2. ISSUES FOR CONSIDERATION

- 2.1. Following discussion with other Gloucestershire and Oxfordshire Council's it is proposed to use a matrix which has been developed by Oxford City Council following draft DCLG guidance to assess the circumstances of the offence to determine the most appropriate action to take and the penalty to be imposed (up to a maximum of £30,000). This matrix will be used to offer transparency and aid consistency in the enforcement process and will assist in defending appeals against decisions of imposing civil penalties and the penalty amount. This may be amended subject to any further regulations or guidance released by the Secretary of State.
- 2.2. The draft civil penalty policy in appendix A has been written in liaison with the five district councils in Gloucestershire and in consultation with the local branch of the National Landlords Association and The Gloucestershire Landlords Association. It sets out the basis on which the matrix has been developed and the assessments that will be made in determining the appropriate action and penalty fine level.
- 2.3. Enforcement officers will assess each case carefully to decide whether to issue a civil penalty or undertake other enforcement interventions in line with our enforcement policy and the enforcement matrix. Please note if a civil penalty is chosen, a prosecution cannot be sought.
- 2.4. Civil penalties are subject to appeal to the First Tier Property Tribunal (FTPT), therefore it is important that the Council sets the penalty at reasonable level, which it can successfully defend upon appeal.
- 2.5. The additional enforcement options to issue CPN's are a power and not a duty it is therefore an option for this council not to implement them, however, failure to do so will reduce the councils ability to more effectively improve landlord behaviour and use the revenue from the fines imposed to invest in private rented sector improvements.
- 2.6. Tenants, other residents and landlords in areas where there are high levels of private rented properties, will be more likely to report any properties that they consider to be badly managed and maintained if they believe there is a likelihood that the landlords will be held to account if they fail in their duties.
- 2.7. The ability to recover fines will depend on the Local Authority having robust mechanisms to pursue, where necessary, debt recovery through the Civil Court. The recovery procedure will depend upon the individual circumstances of each case and where recovery is difficult decisions will be made in consultation with Legal Services.
- 2.8. It should be noted however, that this is an alternative action to prosecution and this authority has not needed to seek to prosecute a landlord for non compliance within the last 10 years.
- 2.9. Should the Civil Penalty Policy be adopted, the authority to issue the Civil Penalty Notices listed in paragraph 1.3 will rest with the Council's Head of

Health and Wellbeing, in consultation with the Head of Legal Services, in accordance with section C5B of the Scheme of Officer Delegations.

- 2.10. The fixed penalty policy will need to be published on the website.

### **3.0 Financial Implications**

- 3.1 The Government has now published regulations that state the income from Civil Penalties can be retained by the Local Authority. The income must be used to cover the administration and legal costs and the expenses incurred in carrying out its private rented sector enforcement function. Any amount outside of that has to be paid in to the Consolidated Fund.

<http://www.legislation.gov.uk/ukxi/2017/367/contents/made>

### **4.0 Enforcement Options**

- 4.1 Section 126, Section 249A and Schedule 9 of The Housing and Planning Act 2016 introduced a new Civil Penalty as an *alternative* to a criminal prosecution for offences listed above. The procedure for imposing a civil penalty is set out at Schedule 9 of the Act. Non-payment of the Civil Penalty may be enforced through the County or High Court by an Order of that Court. There is a right of Appeal against the Civil Penalty in the First Tier Property Tribunal who has the power to confirm, vary, increase or reduce the size of the penalty as set out in the 'Final Notice' or cancel the Civil Penalty.
- 4.2 Local Authorities will have a choice whether to prosecute or impose a Civil Penalty for which the legal maximum is up to £30,000. A minimum penalty level has not yet been set. The legislation does not permit local authorities to impose a Civil Penalty and prosecute for the same offence in respect of the same conduct. The same criminal standard of proof is required before issuing the Penalty. There must be sufficient evidence for a 'realistic prospect of conviction' in accordance with the Code of Crown Prosecutors, and upon appeal of the Civil Penalty the Local Authority must demonstrate a criminal offence has been committed 'beyond reasonable doubt'.
- 4.3 The highest risk relates to the significant likelihood of landlords appealing to Tribunal against the level of the fixed penalty fine. This is mitigated by having an open and transparent Countywide policy which utilises a robust system developed by a Local Authority with significant experience in this field.

## **5. RECOMMENDATION**

- 5.1 That the Gloucestershire Civil Penalties Policy contained in Appendix A be adopted.

**GLOUCESTERSHIRE****Policy on Civil Penalties under the Housing and Planning Act 2016****Introduction**

1. The power to impose a Civil Penalty as an alternative to prosecution for certain offences was introduced by section 126 and Schedule 9 of the Housing and Planning Act 2016.
2. In determining the Civil Penalty amount, the Local Housing Authority will have regard to the statutory guidance issued under schedule 9 of the Housing and Planning Act 2016 and also to the DCLG developed Civil Penalty Matrix.
3. The approach to issuing a Civil Penalty is fundamentally made up of two stages, firstly determining the appropriate sanction and secondly (if appropriate) the level of Civil Penalty charged.
4. When determining the appropriate sanction the Council should satisfy itself that if the case were to be prosecuted there would be a 'realistic prospect of a conviction'. This is currently determined by consulting the Crown Prosecution Service "Code for Crown Prosecutors" which provides two tests: (i) the evidential test and (ii) the public interest test.

**Background**

5. Civil Penalties were introduced by the Housing and Planning Act 2016 under Section 126 and Schedule 9 of that Act. The powers enable Local Authorities to impose Civil Penalties of up to £30,000 in respect of the following offences:
  - a) Failure to Comply with an Improvement Notice under Section 30 of the Housing Act 2004;
  - b) Offences relating to Licensing of HMOs under Section 72 of the Housing Act 2004;
    - i Section 72 (1) being in control or managing an HMO which is required to be licensed but is not so licensed;
    - ii Section 72 (2) being in control or managing an HMO which is licensed but knowingly permitting occupation over and above the number authorised by the licence;
    - iii Section 72 (3) being a licence holder who fails to comply with any condition of a licence.
  - c) Offences in relation to Licensing of Houses under Part 3 of the Act (Selective Licensing);
    - i Section 95 (1) being in control or managing a house which is required to be licensed but is not so licensed;
    - ii Section 95 (2) being a licence holder who fails to comply with any condition of a licence.

- d) Contravention of an overcrowding notice under Section 139 of the Housing Act 2004;
  - e) Failure to comply with management regulations in respect of HMOs under Section 234 of the Housing Act 2004.
6. Statutory guidance has been issued by the Secretary of State under Schedule 9 (12) of the Housing and Planning Act 2016 and Local Authorities must have regard to this when exercising its functions in respect of civil penalties.
  7. The maximum penalty that can be set is £30,000. A minimum penalty level has not been set and the appropriate amount of penalty is to be determined by the Local Housing Authority. Only one penalty can be imposed in respect of the same offence.

**Decision making**

8. Ultimately, it is for the Local Authority to decide which option it wishes to pursue but as a general principle, local authorities should normally prosecute where an offence is particularly serious or where the offender has committed similar offences in the past.
9. Prosecution in serious cases demonstrates that the Local Authority will not hesitate to take formal action where needed and is likely to act as a strong deterrent both to the offender and other rogue landlords. A prosecution also enables the Local Authority to apply for a banning order following a successful conviction.
10. All Gloucestershire Councils have adopted an enforcement matrix developed by Oxford City Council which is used to determine the most appropriate course of action in enforcement cases. The principle of the enforcement matrix is to provide a score based on a number of factors, both negative and positive. Bands are provided to reflect the score produced and the appropriate courses of action for dealing with the identified situation.

Bands	Score	Recommended Action
1	Plus to minus 10	Advisory letters Invitation to Landlord events Charge confidence in management revisit fee
2	Minus 11 to minus 30	Revoke accreditation Informal letter Charge confidence in management revisit fee
3	Minus 31 to minus 40	Commence investigation Serve Section 16 and 235 notices Revoke accreditation Consider revoking licence Formal action
4	Greater than minus	Formal action

11. The enforcement matrix provides guidance to officers carrying out investigations and ensures that enforcement is being carried out in a fair, proportionate and consistent way.

**Factors in determining penalty levels**

12. Clearly, a single level penalty will not be appropriate in all cases and when assessing the level of penalty to be imposed it is expected that the maximum amount would be reserved for the worst offenders. The actual amount levied should reflect the severity of the case and local authorities should have regard to the following.
- a) The seriousness of the offence
    - i The more serious the offence, the more likely it is that prosecution will be the more appropriate course of action
  - b) Culpability of the landlord – Factors to take into account when determining the culpability include where the offender –
    - i Has the **intention** to cause harm, the highest culpability where an offence is planned.
    - ii Is **reckless** as to whether harm is caused, i.e. the offender appreciates at least some harm would be caused but proceeds giving no thought to the consequences, even though the extent of the risk would be obvious to most people.
    - iii Has **knowledge** of the specific risks entailed by his actions even though he does not intend to cause the harm that results.
    - iv Is **negligent in their actions**.

**Examples of Culpability**

<b>High (Deliberate Act)</b>	Intentional breach by landlord or property agent or flagrant disregard for the law, i.e. failure to comply with a correctly served improvement notice
<b>High (Reckless Act)</b>	Actual foresight of, or willful blindness to, risk of offending but risks nevertheless taken by the landlord or property agent; for example, failure to comply with HMO Management Regulations
<b>Medium (Negligent Act)</b>	Failure of the landlord or property agent to take reasonable care to put in place and enforce proper systems for avoiding commission of the offence; for example, part compliance with a schedule of works, but failure to fully complete all schedule items within notice timescale.
<b>Low (Low or no culpability)</b>	Offence committed with little or no fault on the part of the landlord or property agent; for example, obstruction by tenant to allow contractor access, damage caused by tenants

- c) Harm or potential for harm

In determining the level of harm the Local Housing Authority will have regard to:

- i The person: i.e. physical injury, damage to health, psychological distress
- ii To the community; i.e. economic loss, harm to public health



- iii Other types of harm; i.e. public concern/feeling over the impact of poor housing condition on the local neighbourhood
13. The nature of the harm will depend on the personal characteristics and circumstances of the victim, e.g. tenant.
  14. Where no actual harm has resulted from the offence, the Local Housing Authority will consider the relative danger that persons have been exposed to as a result of the offender's conduct, the likelihood of harm occurring and the gravity of harm that could have resulted.
  15. Factors that indicate a higher degree of harm include:
    - i Multiple victims
    - ii Especially serious or psychological effect on the victim
    - iii Victim is particularly vulnerable

### Examples of Harm Categories

<b>High</b>	Defect(s) giving rise to the offence poses a serious and substantial risk of harm to the occupants and/or visitors; for example, danger of electrocution, carbon monoxide poisoning or serious fire safety risk.
<b>Medium</b>	Defect(s) giving rise to the offence poses a serious risk of harm to the occupants and/or visitors; for example, falls between levels, excess cold, asbestos exposure.
<b>Low</b>	Defect(s) giving rise to the offence poses a risk of harm to the occupants and/or visitors; for example, localised damp and mould, entry by intruders.

### Rationale for Action

16. Punishment of the offender
  - a) A Civil Penalty should not be regarded as an easy or lesser option compared to prosecution.
  - b) The penalty should be proportionate and reflect the severity of the offence.
  - c) The penalty should be set high enough to help ensure that it has a real economic impact on the offender and demonstrate the consequences of not complying with their responsibilities.
17. Deter the offender from repeating the offence
  - a) The ultimate goal is to prevent further offending and help ensure the landlord fully complies with all their legal responsibilities in future.
  - b) The level of penalty should be set at a high enough level to deter repeat offending.
18. Deter others from committing similar offences
  - a) Important part of deterrence is the realisation that the Council is proactive in levying Civil Penalties where the need exists and that the level of Civil Penalty will be set high enough to punish the offender and deter repeat offending.

19. Remove any financial benefit the offender may have obtained as a result of committing the offence.

- a) Ensure that the offender does not benefit as a result of committing an offence i.e. it should not be cheaper to offend than to ensure a property is well maintained and managed.

### Determining the amount of Civil Penalty

20. The Council has adopted a spreadsheet developed by Oxford City Council for assessing the level of Civil Penalty that should be charged when offences have been committed and highlighted through the enforcement matrix as appropriate for a Civil Penalty.

21. The idea of the spreadsheet is that it takes into account all elements set out in guidance provided by DCLG and the approach the Council adopts through its enforcement policy and procedures.

22. The table below sets out the interrelation between harm and culpability as a determinant of the Civil Penalty banding.

<b>Low Culpability/High Harm</b> Band 4	<b>Medium Culpability/High Harm</b> Band 5	<b>High Culpability/High Harm</b> Band 6
<b>Low Culpability/Medium Harm</b> Band 3	<b>Medium Culpability/Medium Harm</b> Band 4	<b>High Culpability/Medium Harm</b> Band 5
<b>Low Culpability/Low Harm</b> Band 1	<b>Medium Culpability/Low Harm</b> Band 2	<b>High Culpability/Low Harm</b> Band 3

23. The assumed starting point (ASP) in each band will be the mid-point, i.e. for Band 3 the mid-point will be £12,500.

Band 1 = £0 to £4,999 Assumed Starting Point of £2,500	Low Culpability/Low Harm
Band 2 = £5,000 to £9,999 Assumed Starting Point of £7,500	Medium Culpability/Low Harm
Band 3 = £10,000 to £14,999 Assumed Starting Point of £12,500	Low Culpability/Medium Harm OR High Culpability/Low Harm
Band 4 = £15,000 to £19,999 Assumed Starting Point of £17,500	Low Culpability/High Harm OR Medium Culpability/Medium Harm
Band 5 = £20,000 to £24,999 Assumed Starting Point of £22,500	Medium Culpability/High Harm OR High Culpability/Medium Harm
Band 6 = £25,000 to £30,000 Assumed Starting Point of £27,500	High Culpability/High Harm

24. This approach ensures that the assessment of the level of Civil Penalty reflects the factors to be considered in the statutory guidance provided by the Secretary of State and takes into account the requirement to determine the appropriate sanction by using the score produced by the enforcement matrix as a guiding principle.

## **Aggravating Factors**

25. The penalty may be increased by £1,000 for each aggravating factor up to a maximum of the top of the band level determined above.
26. In order to determine the final penalty the Council will consider any aggravating factors relevant to the case.
27. Below is a list which will be considered as part of the determination. This is not an exhaustive list and other factors may be considered depending on the circumstances of each case.
- Previous convictions having regard to the offence to which applies and time elapsed since the offence
  - Motivated by financial gain
  - Obstruction of the investigation
  - Deliberate concealment of the activity/evidence
  - Number of items of non-compliance – greater the number the greater the potential aggravating factor
  - Record of non-compliance
  - Record of letting substandard accommodation
  - Record of poor management/ inadequate management provision
  - Lack of a tenancy agreement/rent paid in cash
  - Already a member of an accreditation scheme or letting standard – so should know better

## **Mitigating Factors**

28. The penalty may be decreased by £1,000 for each mitigating factor to a minimum of the bottom of the band level determined above.
29. In order to determine the final penalty the Council will consider any mitigating factors relevant to the case.
30. Below is a list which will be considered as part of the determination. This is not an exhaustive list and other factors may be considered depending on the circumstances of each case.
- Co-operation with the investigation
  - Voluntary steps taken to address issues e.g. submits a licence application
  - Willingness to undertake training
  - Willingness to partake in the Gloucestershire Fit To Rent landlord accreditation scheme
  - Evidence of health reasons preventing reasonable compliance – mental health, unforeseen health issues, emergency health concerns
  - No previous convictions
  - Vulnerable individual(s) where there vulnerability is linked to the commission of the offence.
  - Good character and/or exemplary conduct

31. When considering aggravating and mitigating factors the Civil Penalty imposed must remain proportionate to the offence.
32. Reference will be made to Magistrates Court Sentencing Council guidelines when considering relevant aggravating and mitigating factors.
33. An offender will be assumed to be able to pay a penalty up to the maximum amount unless they can demonstrate otherwise.

#### **Civil Penalties – Multiple Offences**

34. Where the Local Housing Authority are satisfied that more than one offence is being committed concurrently in respect of a single property, they may issue multiple Civil Penalty notices, (for example, where there are multiple breaches of the HMO Management Regulations).
35. However, where satisfied on the merits of the case and/or where the authority considers that issuing multiple penalties at the same time would result in an excessive cumulative penalty, nothing in this policy shall require the authority to do that. The authority may take action in respect of one or some of the offences and warn the offender that future action in respect of the remaining offences will be taken if they continue.

#### **36. Maximum Levels**

37. The Council takes the enforcement of housing conditions in the Private Rented Sector extremely seriously and proactively pursues enforcement action where it is considered to be necessary and appropriate.
38. There may be circumstances when the Council is dealing with offences that it considers will warrant a maximum penalty.

#### **39. Recording of the decision**

40. A record of each decision and the reasons for the financial penalty will be made and how the amount of the penalty was obtained and the reasons for imposing it.