

RECORD OF EXECUTIVE DECISION

Tuesday, 20 August 2019

Decision No: (CAB 19/20 23987)

DECISION-MAKER:	CABINET
PORTFOLIO AREA:	Cabinet Member for Homes & Culture
SUBJECT:	Private Rented Sector Policy
AUTHOR:	Rosie Zambra

THE DECISION

- (i) That Cabinet considers and approves the proposed policy, attached as Appendix 1.
- (ii) That Cabinet delegates authority to the Director of Transactions & Universal Services to make minor amendments to the policy to reflect technical clarifications or legislative changes.

REASONS FOR THE DECISION

1. The Enforcement of a Private Sector Housing Policy will provide clearer guidance to officers, business and the public on the council's administration of private sector housing enforcement in the city.
2. Following the introduction of the Housing and Planning Act 2016, the council has new statutory powers in relation to civil penalty notices and banning orders. The council is expected to implement its own policy on the use of these powers and as such these are contained within this policy.

DETAILS OF ANY ALTERNATIVE OPTIONS

Not having an updated enforcement policy would mean that the council would be open to challenge on our use of the updated and new powers contained within the Housing and Planning Act 2016 and Housing Act 2004 (where amended).

The statutory guidance on the use of Civil Penalties states that Local Authorities are expected to develop and document their own policy on when to prosecute and when to issue civil penalties and what the appropriate penalties are.

Also separate non-statutory guidance on the use of Banning Orders states that Local Authorities are expected to develop their own policy on when to pursue banning orders.

OTHER RELEVANT MATTERS CONCERNING THE DECISION

None

CONFLICTS OF INTEREST

None

CONFIRMED AS A TRUE RECORD

We certify that the decision this document records was made in accordance with the Local Authorities (Executive Arrangements) (Access to Information) (England) Regulations 2000 and is a true and accurate record of that decision.

Date: 20th August 2019

Decision Maker:
The Cabinet

Proper Officer:
Claire Heather

SCRUTINY

Note: This decision will come in to force at the expiry of 5 working days from the date of publication subject to any review under the Council's Scrutiny "Call-In" provisions.

Call-In Period expires on

Date of Call-in *(if applicable) (this suspends implementation)*

Call-in Procedure completed *(if applicable)*

Call-in heard by *(if applicable)*

Results of Call-in *(if applicable)*