

Report to the Cabinet

Report reference: C-052-2009/10
Date of meeting: 16 November 2009



**Epping Forest
District Council**

Portfolio: Housing
Subject: Review of the Private Sector Housing Team
Responsible Officer: Sally Devine (01992 564149).
Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

- (1) That a sum of £26,600 per annum for three years, representing the cost of a part-time Technical Officer for 28 hours a week, be added to the District Development Fund (DDF) for consideration by the Cabinet during the forthcoming budget cycle to:**
 - (a) facilitate the full delivery of the Private Sector Housing Renewal Strategy 2007-2009;**
 - (b) meet the legislative requirements of the Caravan Sites and Control of Development Act 1960; and**
 - (c) reduce the number of empty properties in the District; and,**
- (2) That a report be provided in the Council Bulletin on the work undertaken by the postholder one year after appointment.**

Executive Summary:

The Private Sector Housing Renewal Strategy 2007-09 and the Empty Property Strategy 2007-09 were agreed by Members in 2006. In July 2009, the Housing Scrutiny Panel considered a Report on the progress of the Strategies. This highlighted the fact that some of the key objectives, particularly those relating to bringing empty properties back into use, had not been met owing to shortages of suitable staff within the Private Sector Housing Teams.

Subsequent to the implementation of the Strategies, the Government has updated its standards for mobile homes sites. As licences for the sites in the District have not been reissued for a number of years, it will now be necessary to issue new licences. As well as requiring a significant staff resource in the short term to create and issue the licences, there will also be an ongoing need for officers to ensure that the conditions attached to the licences are complied with. This cannot be achieved within existing staff resources.

Reasons for Proposed Decision:

It is not possible for the existing staff within the Private Sector Housing Team to effectively deliver the Private Sector Housing Renewal Strategy 2007-09 and the Empty Property Strategy 2007-09, particularly with regard to bringing empty properties back into use. This area of work is of increased relevance in the current economic climate when the provision of

an adequate supply of suitable housing is of paramount importance.

The Council has not re-issued licences for the mobile home sites in the District for a number of years. The introduction of the Government's 'Model Standards 2008 for Caravan Sites in England' means that the conditions attached to current licences are out of step with current regulations and this would be an ideal time, therefore, to issue new licences which take into account the new model standards. However, a significant staff resource will be required to ensure that new standards are met in the first instance and are then maintained in the long term. This workload cannot be absorbed by the existing team and additional staff resources are considered necessary to resolve these issues.

Other Options for Action:

(i) The option to not add the cost of additional staff resources (or a lesser amount) to the DDF has been rejected as this would result in the Private Sector Housing Strategies approved by Members continuing to be not fully delivered and a failure to meet the requirements of amendments to the legislation governing the licensing of mobile homes sites.

(ii) The option to undertake the required work full time on a permanent basis has been rejected in view of the pressure on the General Fund over the coming years.

(iii) Consideration has also been given to whether the required aims could be achieved by an Officer working full-time for one year and part-time, say 18 hours a week, for two further years. While such an approach would provide an adequate staffing level in the first year, it would not provide adequate resources for the next two years as the amount of work required is likely to be consistent over the three year period. It is also considered that it is unlikely to be possible to recruit candidates of a sufficiently high calibre on these terms.

Report:

1. The Private Sector Housing Renewal Strategy 2007-09 was approved by Cabinet on 18 December 2006 and explains how the Council intends to ensure good quality housing across the private sector. It explains how the Council will offer financial assistance in certain circumstances and how legal powers will be used to secure improvements where private sector properties fall below the minimum standard. The Empty Property Strategy 2007-09, which forms part of the Private Sector Renewal Strategy, provides officers with a toolkit of measures, both informal and formal, to bring long-term empty properties back to use.

2. In July 2009, the Housing Scrutiny Panel received a progress report on the Strategies highlighting the fact that its success has been inhibited, mainly as a result of uncertainties at the time of adopting the Private Sector Housing Renewal Strategy over the likely cost of the waste management contract, which affected Members' ability to properly fund the Strategy, particularly in relation to the staffing levels required. At its last meeting, the Cabinet extended the provisions of the Strategy until 2011.

Empty Properties

3. The Empty Property Strategy includes a number of incentives to encourage owners of empty properties to bring them back into use including an Empty Properties Grant and the PLACE (Private Leasing Agreements Converting Empties) Scheme. Both these initiatives provide significant funding to bring properties up to the Decent Homes Standard and afterwards to provide affordable, tenanted accommodation.

4. At the time of its implementation in 2007, the initiatives included within the Empty Property Strategy were dealt with predominantly by one of the Environmental Health Officers

within the Private Sector Housing Team. As a result of the Corporate restructure this Officer was appointed to the newly-created post of Private Housing Manager (Technical) and was, therefore, unable to continue her work as Empty Property Officer.

5. In addition to the Private Housing Manager, the Private Housing (Technical) Team comprises two FTE Environmental Health Officers and one full-time Technical Officer. A significant proportion of the Team's work is carried out under the Council's statutory functions and because of this it has not been possible to assign empty property work to another Officer without impacting on the Council's legal duties.

6. The effect that this has had is evidenced by recent increases in the number of long-term empty properties in the District. In October 2006, 187 properties were recorded as having been empty for more than 12 months, but by March 2007 this had risen to 258 and to 600 in May 2009. These figures obviously reflect the current financial climate but they also demonstrate the result of failing to deal proactively with the issue of empty properties.

7. In a recent publicity drive, the 600 owners of properties that had been empty for more than one year were sent questionnaires and letters informing them about the initiatives available to bring their properties back into use. This has provoked a considerable response and significant interest, particularly in the financial assistance that the Council offers and, as a direct result, the Council has made its first nomination onto the PLACE scheme, with a further three in the pipeline. When the work is completed, these long-term empty properties will be leased to a Council nominated tenant for a three year period, thereby providing valuable affordable housing to a local resident.

8. It has to be pointed out, however, that some empty property owners are less co-operative and other cases more complex and the Empty Property Strategy sets out a number of enforcement measures for dealing with these including Enforced Sale, Empty Dwelling Management Orders and Compulsory Purchase Orders. However, a great deal of officer time is required to deal with these cases and it will not be possible to maintain the momentum achieved from the recent publicity exercise within existing staff resources. This is not a good position since it is usually these more problematic properties that cause most nuisance to neighbours and other members of the public.

Licensing of Park Home Sites

9. It is a statutory requirement under Section 5(6) of the Caravan Sites and Control of Development Act 1960 for local authorities to issue licences on all their mobile homes sites and to decide 'what (if any) conditions to attach'. This applies to all mobile homes sites, including permanent residential sites, static holiday and touring caravan sites. There are currently 16 residential sites, 5 agricultural and 5 holiday sites on the District, the two largest of which are licensed for 250 and 209 units each.

10. Site licence conditions cover health, safety and fire prevention issues and it is an offence for the site owner to fail to comply with the conditions set. To date, whilst site licences have been issued, the limitation on staff resources has meant that licence conditions have not proactively been checked for compliance. This has led to a tendency for site owners to ignore standards which may result in residents' safety being compromised, clearly a situation which should not be allowed to continue.

11. The Council's current standard site licence conditions are outdated and have not been revised for some 30 years. In April 2008, the Government produced new standards for permanent residential mobile homes sites, the 'Model Standards 2008 for Caravan Sites in England'. It seems appropriate now, therefore, to begin the process of setting new standard licence conditions for the Council's permanent residential sites in line with these model

standards. Work is in progress to achieve this and a draft proposal is out for consultation with site owners and interested bodies. Following any amendments, the final document will be put to members for adoption as the 'Model Standards for Residential Park Homes in Epping Forest' and then new licence conditions will be issued to the 16 existing sites. It is then the intention to update the standard conditions for the Gypsy and Traveller, agricultural and holiday sites on the District.

12. Once licences are issued, significant officer time will be needed to ensure standards are met in the first instance and then, by carrying out programmed inspections, to ensure that they are maintained. It is anticipated that this work will be ongoing for approximately 3 years and cannot be achieved with the existing staff resource within the Private Housing (Technical) Team.

13. The additional work to ensure compliance with the Caravan Sites and Control of Development Act 1960 in relation to mobile homes sites and to effectively deliver the Empty Property Strategy needs to be carried out by a permanent full time Technical Officer. However, in view of the pressures expected to be placed on the General Fund over the coming years, it is proposed that a Technical Officer post be created part-time over four days a week (28 hours), for a three year period, at a cost of £26,600 per annum. It is recommended, therefore, that the proposed appointment and the cost of this be added to the District Development Fund for consideration by Cabinet during the budget cycle.

14. A Report will be presented to the Housing Scrutiny Panel on an annual basis to report progress in maintaining standards on mobile homes sites and bringing empty properties back into use, the two key areas the Officer appointed will be targeting.

Resource Implications:

The cost of additional staff resource equivalent to one part-time Technical Officer for 28 hours a week (currently £26,600 including on-costs) be added to the DDF for consideration during the budget cycle.

Legal and Governance Implications:

Housing Act 2004
Caravan Sites and Control of Development Act 1960

Safer, Cleaner and Greener Implications:

The lack of the required staffing resources is resulting in the Council not properly dealing with empty properties or checking licence conditions on mobile home sites which could affect the safety of residents and other members of the public.

Consultation Undertaken:

Specialist consultants, Park Homes Legal Services, have been appointed and are consulting with the implementation of new site licence conditions for mobile homes sites.

Background Papers:

None

Impact Assessments:

Risk Management

Failure to monitor compliance with the conditions set in the new mobile homes site licences could represent a Health and Safety risk to site residents.

Equality and Diversity

Yes No

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications?

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Yes No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken?

What equality implications were identified through the Equality Impact Assessment process?

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?