

## **Record of Decision**

### **Housing Standards - Civil Penalty Policy, Housing and Planning Act 2017**

#### **Decision Taker**

Mayor on 04 September 2017

#### **Decision**

- (i) that the Housing Standards – Civil Penalty Policy, Housing and Planning Act 2017 as set out in Appendix 1 to the submitted report be approved; and
- (ii) that funding for 0.5 FTE of Housing Standards Environmental Health Officer be approved.

#### **Reason for the Decision**

A policy document is required to enable the local authority to issue civil penalties under the new legislation. It also ensures consistency of approach and that protections and safeguarding practices are in place for landlords. It will also enable a robust mechanism within which to defend any challenges that are open to the local authority from landlords, through the means of a tribunal.

To enable effective implementation of the policy, additional resource is required within Housing Standards, the addition of 0.5 FTE will increase the number of inspecting officers from 2.5 FTE to 3 FTE.

#### **Implementation**

This decision will come into force and may be implemented on Friday, 15 September 2017 unless the call-in procedure is triggered (as set out in Standing Orders in relation to Overview and Scrutiny).

#### **Information**

The Housing and Planning Act 2016 introduced a range of measures to crack down on rogue landlords, which comes into operation during 2017, one such measure is the ability to issue civil penalties of up to £30,000 as an alternative to prosecution for certain specified offences. The Housing Standards Civil Penalty Policy details when a civil penalty will be used and sets out a scale of penalty charges.

The Mayor considered the recommendations of the Policy and Development and Decision Group made on 4 September 2017 and his decision is set out above.

#### **Alternative Options considered and rejected at the time of the decision**

Alternative options were not considered as not adopting the policy would mean that the local authority would not be able to utilise the legal sanctions available to them.

#### **Is this a Key Decision?**

No

**Does the call-in procedure apply?**

Yes

**Declarations of interest** (including details of any relevant dispensations issued by the Standards Committee)

None.

**Published**

7 September 2017

Signed: \_\_\_\_\_ Date: 7 September 2017

Mayor of Torbay