

HOUSING STANDARDS IN THE PRIVATE RENTED SECTOR

Housing and Health Advisory Committee – 4 June 2024

Report of: Deputy Chief Executive, Chief Officer - People and Places

Status: For information

Also considered by: Not applicable

Key Decision: No

Executive Summary: As requested by the Chair of the Advisory Committee, this report provides an update on Housing Standards within the Private Sector and the work of the Private Sector Housing Team.

This report supports the Key Aims of: Housing Strategy 2022-2027, Homelessness and Rough Sleeper Strategy 2023-2028, the Core Strategy 2011, and the emerging Local Plan 2040, and the Health and Wellbeing Action Plan

Portfolio Holder: Councillor Perry Cole

Contact Officer: Sharon Donald – Extension 7131

Recommendation to Housing and Health Advisory Committee:

To note the report

Reason for recommendation:

To raise awareness of Housing Standards within the Private Sector and the work of the Private Sector Housing Team.

1 Background

The private rented sector in Sevenoaks District has grown in terms of both the number and proportion of households that live in this tenure. The cost of accessing private sector housing in Sevenoaks District has increased markedly and the makeup of the sector has changed. Increased competition comes from within the district and further afield. These factors create a different climate for private rented sector housing than previously and have an impact on households' ability to access the sector. There are potential impacts on property conditions and management standards.

2 Private Rented Sector in the Sevenoaks District

The Targeted Review of Local Housing Needs (January 2022) identified that of the 50,947 dwellings in Sevenoaks District (in 2020) 12% were privately rented, amounting to circa 6,100 dwellings. Whilst social housing is home to the highest number of low income households, 22% of those households in the private rented sector were on low incomes with 19% of those households living in 'fuel poverty'. This is generally due to above average fuel costs which leave households with a lower residual income.

The number of private sector dwellings with an energy EPC at below Band E (A being the highest and G being the lowest) is estimated to be around 4,700 or 11.2% with around 640 having a rating of band F or G.

Analysis by the Building Research Establishment showed that the highest levels of Category 1 hazards, fuel poverty, excess cold and dwellings with F and G EPC ratings within the private rented sector, occur in the same wards, namely Cowden and Hever, Penhurst and Fordcombe and Chiddingstone.

**BRE Integrated Dwelling Level Housing Stock Modelling and Database; Sevenoaks - April 2020 [SDC Targeted Review of Local Housing Needs](#)*

3 Private Rented Sector – Statutory Duties of the Council

The Council is responsible for enforcing a wide range of statutory provisions relating to private sector housing and environmental conditions affecting health, wellbeing, and safety, these include:

- reducing the number of properties with serious risks to health and safety
- improving energy efficiency, warmth of homes and help reduce fuel poverty
- improving standards in private rented sector accommodation
- improving the standards in HMOs (houses in multiple occupation)

4 Role of the Private Sector Housing Team

The Private Sector Housing Team aims to protect and promote the health of the people of the District by improving the standard of private sector housing, public health, safety, and the environment through the provision of advice, support, and formal action where necessary.

Please see Appendix 1 for the staff structure of the Private Sector Housing Team.

The Council recognises that prevention is better than cure, but where necessary enforcement action will be taken. The term "enforcement" has a

wide meaning and applies to all dealings between the Council and those on whom the law places a duty.

5 Private Sector Housing Data

The table below provides details of the number of enquiries received by Private Sector Housing (Housing Standards) in relation to the condition of properties in the private rented sector from 2021 to 2024.

Reason for Enquiry	2021/2022	2022/2023	2023/2024
Damp and mould	10	23	26
Disrepair	58	55	56
Hoarding	4	2	0
Overcrowding	8	7	18
Filthy and Verminous	5	13	13
Total	85	100	113

Disrepair can include excess cold or heat, risk from falls and potential electric shocks.

Action Taken	2021/2022	2022/2023	2023/2024
Informal	85	100	113
Formal	0	0	0

The table above details the action the Council has taken in respect of the enquiries received. All enquiries have been dealt with on an informal basis without formal action being required.

The Private Sector Housing Officers have provided:

- Advice as to how the enquirer can request repairs or improvements without the need for intervention from the Council
- A letter or telephone call to the Owner (without a visit), advising them of the information that the Council has received and allowing them a reasonable period to address the issues
- A visit with the Owner and/or Tenant to discuss the issues raised and agree the next steps to remedy

6 Housing Assistance Policy

The current Private Sector Housing Assistance Policy was adopted at Full Council in November 2017 with the last review undertaken in June 2022 in consultation with the Portfolio Holder.

The Policy reflects local housing conditions and its core objectives are:

- To instigate and formulate links with Health and third sector organisations to provide opportunities to improve the lives of the most vulnerable people, giving them control, placing them at the centre of their own care and support, and, in doing so, providing them with a better service and better quality of life
- Ensure households reside in property's that are free from category one hazards
- Provide not only financial assistance but assistance through a combination of education, encouragement, and direct/indirect financial assistance.

The Private Sector Housing Assistance Policy sets out the way in which grant assistance provided by the Better Care Fund, is administered by the Private Sector Housing Team. The Better Care Fund is allocated from central government on an annual basis and supports the delivery of both mandatory and discretionary grants to eligible households. The budget is managed and monitored by the Housing Strategy Manager.

Grant assistance can be provided in the following ways:

- Mandatory Disabled Facility Grant

In addition, the Council can offer discretionary grants as detailed below provided budgets allow:

- Discretionary Disabled Facility Grant
- Top Up Grants
- Relocation Funding
- Specific Situation Funding
- Accelerated Facility Grant
- Hospital Discharge Grant
- Safe and Secure Grant
- Housing Assistance Grant

However, Mandatory Disabled Facility Grant applications will take precedence over any discretionary applications.

7 Treating Damp and Mould seriously

In the past three years the Council have seen an increase in the number of enquiries relating to damp and mould following the media coverage of the tragic death of a two year old from mould in a flat. This has raised awareness of the dangers and the need to report concerns.

Where a number of rooms in a property are deemed to be affected, but do not represent a Category 1 hazard and a building defect has been identified, the Council would consider serving an Improvement Notice to the owner/landlord under the Housing Act.

If the damp and mould is not considered to be a building defect and is considered to be associated with condensation (eg the occupant's lifestyle), the Council would provide advice and guidance (eg poor ventilation, lack of heating, drying wet clothes on radiators etc) and how it can be reduced/alleviated. The customer will be provided with our 'tackling damp, mould and condensation in your home' guidance leaflet (see Appendix 2) that will assist them in managing the cause(s) of the condensation.

We will consider serving an abatement notice to the occupants and/or landlord under the Environmental Protection Act 1990 and this would include a schedule of recommended remedial and ongoing maintenance.

8 Hoarding Project

Hoarding disorder is a chronic difficulty with discarding possessions, even those without any monetary value, accompanied by a dysfunctional attachment to often worthless or unusable items. It results in excessive accumulation of belongings, often making for a cramped, unmanageable, or unhealthy living space.

As well as creating dangerous living conditions, this excessive need to accumulate possessions can have a detrimental impact on, relationships, and ability to function in daily life.

Whilst historically Councils have always tried to work with a householder to identify a way to reduce or eliminate hoarding and in cases where the resident is not willing to cooperate the Councils have served notices on the owner or occupier to "remove accumulations of noxious matter" which whilst removing the issue at that time did not deal with the long term mental health issues of the condition meaning that in many cases the Local Authority would have to have revisit the same customers.

In partnership with Town and Country we have a Home Straight Hoarding Coordinator service, operating 4 days a week. This service aims to offer a high

quality, flexible and personalised support for people with hoarding behaviours and is tenure neutral.

The service is personalised to support customers in their homes aiming to address and reduce the risks connected to hoarding and works with customers to declutter homes enabling people to live more safely, providing support to help create happier and healthier lifestyles, while improving physical and mental wellbeing.

This service offers a holistic approach and looks to deal with other potential services the customers may require in order to remain in their own home safely such as:

- adaptations and lifelines through the Better Care Fund
- HERO Service for benefit advice
- Housing Options and Solutions Team to look at more suitable Housing along with Social Service to provide ongoing support for the customer

9 Fuel Poverty

The Private Sector Housing team have successfully bid and received Household Support Fund to deliver Energy Efficiency Projects for residents, details in the table below:

Energy Efficiency Projects	2022/2023	2023/2024
Budget Allocated	£6,000	£20,000
Outcomes	24 households assisted with several energy efficiency measures from the provision of radiator valves to door and window draught proofing	5 households received boiler replacements and 1 household a boiler repair

Funding has been received for this financial year and we are currently finalising the Energy Efficiency Projects to be delivered.

The Council have been awarded £871,613.63 to deliver HUG2 (Home Upgrade Grant 2) for off-gas homes over a period of 2 years. This is for homes that do not use mains gas for heating, so would use fossil fuel or electricity for heating.

The home needs to have an EPC (energy performance certificate) of D, E, F or G. Homes that do not have an EPC can apply as the assessment would be completed first.

The household gross income, not including benefits, needs to be below £36,000, and if a property is in an IMD (indices of multi-deprivation 1-3) area, the income is not considered.

Measures available include:

- Air Source Heat Pump
- Solar PV
- Cavity wall insulation
- External wall insulation (unlikely due to cost, though)
- Internal wall insulation
- Loft Insulation
- High heat retention electric storage heaters
- Double glazing/doors, but only where needed according to PAS guidelines.
- Smart controls

10 Landlords Forum

The Council holds Landlords Forum twice yearly for Landlords working across the District to receive up to date information about the Private Rented Sector and providing Landlords with a chance to network, with fellow Landlords.

The Forum promotes the Councils Sevenoaks Landlords Hub. Sevenoaks Landlords Hub is our scheme that supports both local Landlords and local people looking for a home. Landlords who sign up get matched to suitable tenants on our waiting lists by our experienced team without expensive letting agent fees or advertising costs.

Landlords have access to other benefits, including free EPCs and Gas and Electric Safety checks, financial help, and support for their tenants.

The HERO Service works in conjunction with Sevenoaks Landlords Hub to support residents in the private rented sector and owner occupiers. Customers will receive personalised advice and support for:

- Saving money on fuel bills
- Debt, rent or mortgage guidance
- Welfare benefits
- Retraining and skills options, getting back to work
- Volunteering
- Referrals to Support Services
- Referrals for Housing Advice

In addition, in partnership with Tonbridge and Malling and Tunbridge Wells Borough Councils we hold a West Kent Landlord Forum twice a year. The

Forum ensures that Landlords are kept up to date with new policy and legislation changes and their implementation.

11 Houses in Multiple Occupation (HMOs)

The private rented sector in the District includes Houses in Multiple Occupation (HMOs). At present, the District has 18 licensable HMOs. The Council publishes a register of HMOs which can be found at [Houses in Multiple Occupation \(HMO\) register | Sevenoaks District Council](#).

Appendix 3 provides a definition and requirements for a property to be considered an HMO and gives details of costs for those HMOs that must be licensed.

12 Mobile and Park Homes

The District has a number of private mobile and park home sites, details of each site and licence costs associated with them can be found at Appendix 4.

Residents pay pitch rental and either purchase a park home to be sited on the pitch or rent from the owner of the site. The licensing of residential caravan sites ensures better safety and fairer sales processes for residents, hence improving the conditions and quality of life for those living on residential caravan sites.

13 Private Sector Housing Enforcement Policy

The Council adopted the current Private Sector Housing Enforcement Policy in March 2021. A copy is available on the Council's website at [Private Sector Housing Enforcement Policy](#).

The policy details how the Council will use its enforcement powers relating to legislation covering housing standards and issues regarding Public Health affecting poor housing conditions only and does not apply to mobile/park homes. This is addressed in a separate policy.

The policy is consistent with the Council's policy on the use of enforcement powers. This approach ensures that firm, but fair enforcement action will be taken on a case by case basis guided by the relevant legislation.

14 Housing, Health, and Safety Rating System

The Council is responsible for enforcing statutory provisions relating to private sector housing and, by investigating standards within the sector, to reduce the number of properties with serious risks to the health and safety of residents.

Private Sector Housing Officers use the Housing, Health, and Safety Rating System (HHSRS) to assess housing conditions within the private sector.

The Housing Act 2004 introduced a risk assessment approach for local authorities to assess housing conditions in England and Wales. The Housing Health and Safety Rating System (HHSRS) came into force on 6 April 2006 to replace the previous housing fitness standard.

HHSRS is used to assess conditions in all private properties including those that are owner occupied, rented to single people or families and houses in multiple occupation (HMOs).

The underlying principle of the HHSRS is that any residential premises should provide a safe and healthy environment for any potential occupier or visitor. When conducting a HHSRS inspection, a Private Sector Housing Officer will assess the property against 29 potential hazards.

Details of the 29 potential hazards, procedures and options for enforcement are provided in Appendix 5.

The range of actions available to the authority include:

- No action
- Informal action and advice
- Housing Act Notices
- Local Government Act Notices
- Public Health Act Notices
- Building Act Notices
- Smoke and carbon monoxide alarms – remedial notices
- Works in default
- Charges for enforcement
- Licensing, standards, and management of HMOs
- simple caution
- prosecution
- compulsory purchase orders
- Financial penalties including penalty charge notices and civil penalties
- Community Protection Warnings and Notices

15 Enforcement Principles

The Council recognises that each case is unique and will be considered on its own merits. There are 4 main principles of enforcement, which will be followed by officers. These are as follows:

- Proportionality - action taken by enforcing authorities should proportionally reflect any risks and the seriousness of any breach.
- Consistency - a similar approach should be taken in similar circumstances to achieve similar results. It does not mean uniformity.
- Transparency - duty holders should be helped to understand what they have to do and what they should expect from officers. The differences

between statutory requirements and advice or guidance about what is desirable should be made clear.

- Targeting - inspections or visits should be aimed primarily at activities that give rise to the most serious risks or where hazards are least well controlled. Action should be focused on those responsible for the risk and who are best placed to control it.

16 Enforcement Considerations

The following must be considered by the Private Sector Housing Officers when deciding the most appropriate course of action to take:

- Relevant legislation
- Government circulars and Guidance made under Section 9 Housing Act 2004, and other relevant statutory guidance notes.
- Best practice notes (Building Research Establishment (BRE), Chartered Institute of Environmental Health (CIEH), Chartered Institute of Housing (CIH) etc.)
- All investigations into alleged breaches of legislation will follow best professional practice and the requirements of:
 - The Human Rights Act 1998
 - The Regulation of Investigatory Powers Act 2000
 - The Police and Criminal Evidence Act 1984 – Codes of Practice
 - The Criminal Procedures and Investigations Act 1996
 - The Code for Crown Prosecution
 - Enforcement Guidance issued under Section 9 of the Housing Act 2004.

The Private Sector Housing team works with a variety of individuals and organisations in delivery of the Council's statutory duties that include:

- Landlords
- Owner Occupiers
- Tenants
- Estate Agents
- Registered Providers
- Police
- Fire Service
- Other Local Authorities

Key Implications

Financial

Although there are no direct financial implications arising from this report, it should be noted that licensing and inspections of Houses in Multiple Occupation and Mobile/Park Homes sites are subject to fees that are payable to the Council.

Legal Implications and Risk Assessment Statement

Park home sites require planning permission or a certificate of lawfulness for development of the site. A site licence from the Local Authority may be required. Since 2021, Park home site owners are required to submit an application for a Manager to be assessed as a 'fit and proper person'. Park home sites are inspected annually to ensure the site is in line with the license and is a safe place for residents to occupy.

Houses in Multiple Occupation must be registered with the Council. A licence will be required for specific properties which, if granted will remain in place for 5 years. The Council is responsible for enforcing standards and can enforce a landlord to take action to correct any problems.

Equality Assessment

Members are reminded of the requirement, under the Public Sector Equality Duty (section 149 of the Equality Act 2010) to have due regard to (i) eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Equality Act 2010, (ii) advance equality of opportunity between people from different groups, and (iii) foster good relations between people from different groups.

It should be noted that owners of protected Park home sites do not contravene the Equality Act so far as relating to age discrimination by entering into an agreement with a person that entitles only persons who have reached a certain age to station and/or occupy a mobile home on the site or by refusing to permit assignment of a mobile home agreement to anyone other than someone who has reached a certain age.

Climate Change Implications

The decisions recommended through this paper have a remote or low relevance to the council's ambition to tackle the challenge of climate change. There is no perceived impact regarding either an increase or decrease in carbon emissions in the district, or supporting the resilience of the natural environment.

Conclusions

The Private Sector Housing teamwork with tenants, landlords and internal and external partners in their endeavours to bring about a variety of improvements to private rented properties so that they meet required standards. Using in depth

knowledge, they provide advice and guidance in the first instance and where necessary carry out enforcement action in line with current legislation and the Council's Private Sector Housing Enforcement Policy.

Improved standards in the private rented sector can also help reduce cases of homelessness by focusing on information advice and guidance and in cases where this is not possible, ensure that any intervention is as effective as possible.

Appendices

Appendix 1 – Private Sector Housing Team Structure

Appendix 2 – Condensation Factsheet

Appendix 3 – Houses in Multiple Occupation

Appendix 4 – Mobile Home Sites

Appendix 5 - Health and Safety Rating System (HHSRS)

Background Papers

None.

Sarah Robson

Deputy Chief Executive, Chief Officer - People and Places

Private Sector Housing Team Structure

The Council's Private Sector Housing Core Team consists of the following posts:

- Housing Strategy Manager
- Senior Private Sector Housing Officer – Housing Standards
- Private Sector Housing Officer– Housing Standards
- Senior Private Sector Housing Officer – Housing Assistance, Energy Efficiency, Empty Homes
- Private Sector Housing Officer – Housing Assistance
- Private Sector Housing Support Officer

The Better Care Fund funds the following posts site within the Private Sector Housing team who are employed by Town and Country Housing Association and Age UK. These posts ensure the core priorities of the Better Care Fund are met, including administration of mandatory Disabled Facilities Grants and discretionary grants such as Hospital Discharge and Safe and Secure Grants.

- Better Care Fund Coordinator
- Home Straight Officer
- One You Officer

The Home Upgrade Grant funds an Energy Efficiency Officer to deliver the Home Upgrade Grant 2 (HUG2) promotion and administration of the grant.

Condensation Factsheet

This is by far the most common cause of dampness experienced by tenants and householders.

Condensation is caused by water vapour or moisture from inside the property coming into contact with a colder surface, such as a window or wall. The resultant water drops (condensation) may then soak into the wallpaper or paintwork or even plasterwork. In time, the affected damp areas then attract black mould that grows on its surface.

Condensation is usually found in the corners of rooms, north facing walls and on or near windows. It is also found in areas of little air circulation such as behind wardrobes and beds, especially when they are pushed up against external walls. Black mould is frequently seen on this type of dampness.

Most homes will be affected by condensation at some point. However, certain activities can increase the problem. Whether you are an owner-occupier or a rent-paying tenant, condensation and mould growth is often due to habits and lifestyle and is something that can be reduced or remedied by the occupant.

Cooking, washing, drying clothes indoors - all produce water vapour that can only be seen when tiny drops of water (condensation) appear on colder surfaces such as walls, windows, ceilings or mirrors.

The 'amount' of condensation in a home depends upon different factors, including:

1. how much water vapour is produced by the actions of its residents
2. how cold or warm the property is
3. how much air circulation (ventilation) there is

Simply turning up the heating will not sort out the problem, this may only temporarily reduce condensation. All three factors may need to be looked at to reduce the problem. The first sign of a problem is water vapour condensing on windows and other cold surfaces, which then takes a long time to disappear, allowing surfaces to become damp. The second indication is black mould patches growing on these damp areas.

Black mould

Mould spores are invisible to the human eye and are always present in the atmosphere both inside and outside dwellings. They only become noticeable when they land on a surface upon which they can grow and then multiply.

By dealing with the causes of condensation you will automatically deal with the problem of mould.

Your Condensation Checklist

Produce less moisture	✓
Keep the kitchen door shut and leave the windows open and/or extractor fan on when cooking.	
Cover pans when cooking and do not leave kettles boiling	
Ensure all washing is hung outside if possible. Avoid drying it on radiators. If you need to dry clothes indoors, open the window and close the door of the room where the clothes are drying, so that moisture can escape outside rather than circulate around your home.	
Ensure your home is not overcrowded. More people and pets living in your home means there will be more moisture produced.	
Remove excess moisture	✓
Always wipe dry the windows and window sills of your home every morning to remove condensation. This is especially important in the bedroom, bathroom, and kitchen - just opening the window is not enough.	
Open the bathroom window and/or keep the extractor fan on when taking a shower or bath.	
Keep trickle vents in windows open. They are designed to ventilate your accommodation without causing draughts.	
Open the bedroom windows (for up to 20 minutes) in the morning and throw back the sheets or duvet to air the bed and bedding. A window slightly open is as good as one fully open. (Remember to close your windows for security when you go out).	
Heat your home	✓
Having a medium-to-low level of heat throughout the house by keeping the heating on at low all day in cold weather will help to control condensation. Heating one room to a high level and leaving other rooms cold makes condensation worse in the unheated rooms. It will cost more initially to warm the walls, but when the walls are dry your heating bills will reduce.	
Do not put your heating on for short periods of time (one hour or less) - this will make the problem worse. The air will absorb moisture quicker than the walls can warm up.	
When the heating is turned off the air will cool quickly and condensation will be formed, cooling the walls further.	
Try to keep your home properly heated. It usually helps to have a low background temperature of at least 15 degrees in all rooms.	
Remove mould growth	✓
Mould growth should be removed as soon as you see it.	
Where there is mould wipe down or spray walls and window frames with a fungicidal wash that carries a HSE 'approval number' or a weak water and bleach solution.	
Do not remove mould by using a brush or vacuum cleaner as this may disturb the mould spores and can increase the risk of breathing problems.	
After treatment redecorate using a fungicidal paint or wallpaper paste - do not paint overusing an ordinary paint.	
Ventilate your home	✓
Make sure you are 'cross-ventilating' your home - opening a small window downstairs and a small one upstairs (they should ideally be on opposite sides of the house or diagonally opposite if you live in a flat). At the same	

time, open the interior room doors, this will allow drier air to circulate throughout your home. This cross-ventilation should be carried out for about 30 minutes each day.	
Ventilate your kitchen and bathroom for about 20 minutes after use by opening a small top window. Use an extractor fan if possible.	
Keep a small gap between large pieces of furniture and the walls, and where possible place wardrobes and furniture against internal walls.	
Where possible remove or replace bulky furniture in your home to allow air to flow through rooms and near walls.	
Do not over-ventilate your accommodation by leaving the windows open as your walls will lose all the heat stored in them. Only open the windows for a short period at a time so that any moisture is able to escape. Then close your windows, leaving a small gap of about 5mm. It is advised to open the window slightly anytime that condensation is forming on the glass.	

Remember...

Dealing with condensation is not easy. Only carrying out one or two of the above steps may not solve your problem. You need to do as many as possible every day, so that it becomes part of your habits and lifestyle.

Houses in Multiple Occupation

A house or flat is a House in Multiple Occupation (HMO) if both of the following apply:

- At least 3 tenants live there forming more than 1 household
- The tenants share toilet, bathroom, or kitchen facilities

All HMOs must comply with the Sevenoaks District Council HMO amenity standards which contain requirements relating to minimum room sizes, personal washing and toilet facilities, kitchen facilities, gas and electrical installations, heating, furniture, and fire precautions.

[Guidance to HMO amenity standards | Sevenoaks District Council.](#)

HMO owners/managers must also comply with the Management of Houses in Multiple Occupation (England) Regulations 2006. These regulations impose duties in relation to:

1. Providing contact details to all tenants.
2. Fire precautions and means of escape from fire.
3. Water supply and drainage.
4. Annual gas safety checks.
5. Gas and electricity supplies.
6. Maintenance and cleaning of the property.
7. Waste storage and collection.

Tenants have duties under these regulations relating to complying with instructions and not hindering the manager from complying with their duties.

HMOs with 5 or more tenants must be licensed under the Housing Act 2004. The owner must apply to the Council by completing an application form, paying a fee, and providing the following documentation:

1. A simple layout plan of the property.
2. An Electrical Installation Condition Report (EICR).
3. A Gas Safety Certificate.
4. A current fire detection and alarm system inspection and servicing report.
5. An emergency lighting certificate (if applicable).
6. An energy performance certificate.
7. Tenancy agreements.

Properties will be inspected to determine whether they comply with the Council's HMO amenity standards and whether the person applying for the licence is a fit and proper person. If a licence is issued, it is valid for 5 years. Operating an unlicensed HMO is a criminal offence.

HMO Licensing Fees

HMO licence Application (up to 5 units)	£972.00
Additional unit over 5	£23.00 per unit
HMO licence application renewal	£972.00

Mobile Home Sites

The Caravan Sites and Control of Development Act 1960 prohibits the use of land as a caravan site without a site licence. The occupier of the land must obtain planning permission to use their land as a caravan site and then they must apply for a site licence by completing an application form and paying the relevant fee. An Officer from the Private Sector Housing Team will inspect the site and will consult with the Planning Department and the Fire Brigade.

The Mobile Homes (Requirement for Manager of Site to be Fit and Proper Person) (England) Regulations 2020 require the Council to assess whether the Owner or Manager of the site is a fit and proper person. The site owner must complete an application form and pay a fee.

The Council will consider whether the applicant has a sufficient level of competence to manage the site, the management and funding arrangements for the site and whether the applicant has any criminal convictions.

If a licence is issued, it will have conditions attached. These relate to:

1. Spacing between caravans
2. Fire safety
3. Parking
4. Roads and footpaths
5. Lighting
6. Supply and storage of gas
7. Electrical installations
8. Water supply
9. Drainage
10. Refuse storage and disposal

An Officer from the Private Sector Housing Team will carry out an annual inspection of the site to ensure that these conditions are being adhered to.

Mobile Home Site Fees

	Band A (single pitch)	Band B (2-10 pitches)	Band C (11-25 pitches)	Band D (26-50 pitches)	Band E (51-100 pitches)	Band F (101-200 pitches)	Band G (201-400 pitches)	Band H (401-800 pitches)
New applications	£0	£720	£770	£852	£1,017	£1,348	£2,554	£3,876

Annual inspection fee	Number of pitches on the site x £11.38
Transfer of licence	£99
Amendment to licence	£198
Logging of site rules	£66
Fit and Proper Person Application	£107.48

Health and Safety Rating System (HHSRS)

The 29 potential hazards set out in the HHSRS are as follows:

1. Damp and mould growth
2. Excess cold
3. Excess heat
4. Asbestos and manufactured mineral fibres (MMF)
5. Biocides
6. Carbon monoxide and fuel combustion products
7. Lead
8. Radiation
9. Uncombusted fuel gas
10. Volatile Organic Compounds
11. Crowding and space
12. Entry by intruders
13. Lighting
14. Noise
15. Domestic hygiene, pests, and refuse
16. Food safety
17. Personal hygiene, sanitation, and drainage
18. Water supply
19. Falls associated with baths etc
20. Falling on level surfaces etc
21. Falling on stairs etc
22. Falling between levels
23. Electrical hazards
24. Fire
25. Flames, hot surfaces etc
26. Collision and entrapment
27. Explosions
28. Position and operability of amenities etc
29. Structural collapse and falling elements

For each hazard identified, the Council Officer must make two judgements:

1. What is the likelihood of an occurrence that could cause harm?
2. What is the likely outcome from such an occurrence?

HHSRS uses a scoring system to combine the likelihood and the severity of the outcome to produce a hazard score. Hazard scores are divided into 10 bands, A to J, with Band A being the most serious and Band J being the least serious.

Hazards which fall into bands A to C are called Category 1 hazards and hazards in bands D to J are called Category 2 hazards. For Category 1 hazards, Councils have a duty to take enforcement action. For Category 2 hazards, Councils have a discretionary power to take enforcement action.

In accordance with the Private Sector Housing Enforcement Policy, Officers will initially offer advice and work with the landlord to remedy any hazards.

Should a landlord refuse or delay improvement works to remedy hazards that have been identified, the Council has various options for enforcement action. These include:

- **Serve an Improvement Notice** - This notice requires works to remove the hazard within a specified timescale. If the works are not completed, the Council may carry out works in default.
- **Take Emergency Remedial Action** - If there is an imminent risk of serious harm, the Council can carry out emergency remedial works.
- **Serve a Prohibition Order** - This Order prohibits the use of a residential dwelling or part of a residential dwelling. The Order becomes operative 28 days after it is served.
- **Serve an Emergency Prohibition Order** - If there is an imminent risk of serious harm, this Order can be served to prohibit occupation of all or part of the premises with immediate effect.
- **Serve a Hazard Awareness Notice** - This is a discretionary notice which can be served to notify the owner of the presence of a hazard and recommend remedial action.