

This Freedom of Information request is for the attention of the council officers and department that oversees the private rented sector for the council.

The Secretary of State for Levelling Up, Housing and Communities, the Rt Hon Michael Gove has now received your initial response to his letter requesting the council's activity to address damp and mould in the private rented sector following the tragic death of Awaab Ishak in Rochdale.

We understand that the council would now have submitted their full response to the Secretary of State by the 27th January deadline:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1118877/SoS_letter_to_local_authority_chief_executive_and_council_leaders.pdf

The NRLA therefore requests a copy of the full response concerning the private rented sector sent by this local authority to the Department for Levelling Up, Housing and Communities.

██████████
Deputy Director, Private Rented Sector
Department for Levelling Up, Housing and
Communities
C/o ██████████

Our Ref:
Your Ref:
Please ask for:
Email:
Telephone:
Date:

██████████
██████████
██████████
██████████
27/01/23

Dear ██████████

Re: Housing Standards in Private Rented Properties - Wigan

I am writing to provide supplementary context and statistics to support our online submission, in response to your letter dated 22nd December 2022. Set out below is any known data in relation to the growth of our local Private Rental Sector (PRS), the satisfaction of its tenants and an overview of our current strategies and interventions in the sector, bolstered by recent growths in our Housing Standards capacity and more efficient use of recording systems to monitor PRS enforcement activity.

PRS Overview

Wigan's PRS has seen significant growth in recent years, rising from 15,875 properties (11.6% of all dwellings) at the 2011 Census to an estimated 19,025 properties (13% of all dwellings) according to the 2019 Wigan Borough Housing Needs Assessment. The sector's importance within the local housing market has only been strengthened through historic levels of demand for affordable rented housing and additional pressures in relation to the prevention and relief of homelessness following the Homeless Reduction Act; maximising our use of the local PRS has never been more important.

The 2019 HNA identified that over 3,000 PRS households (17% of the local sector) are dissatisfied with the standard of their accommodation, and 2,300 (16%) are in housing need, possibly due to insecure tenure or an overcrowded and/or unsuitable property, showing us the role required in relation to uplifting property standards and accessing affordable move-on options for tenants.

Since 2019 Wigan Council has developed and implemented a robust approach to the local PRS, opening up access for lower-income households and intervening in the sector to improve property and management standards, whilst creating a package of support and incentives for both local landlords and tenants. Notable schemes have included the Council's Ethical Lettings Agency, through which the Council leases properties from private landlords and takes on full management and maintenance responsibilities, whilst ensuring affordable rents for our residents and the revamped Deposit Assistance Scheme, covering a range of cash and non-cash incentives to enable low-income, and often homeless, residents to access our PRS and sustain tenancies.

Targeted interventions focusing on areas of the Borough where the PRS is of a poorer standard and is shown to be fuelling community tensions have also been trialled in a 2-year project (funded by the Fair Housing Futures initiative) in the area of Leigh West. Through this project our dedicated Tenant Champion was able to make real inroads with a disengaged community, supporting tenants to manage their tenancies and report repair issues to their landlord, and working alongside our Housing Standards Team to tackle those landlords who were resistant or non-compliant.

Whilst the majority of local landlords and agents are responsible and compliant, with many actively engaging and working in partnership with the Council, a small minority fail to appropriately maintain and manage their properties and may resort to unlawful methods to either evict or harass their tenants. Full use of the enforcement tools available to local authorities is therefore essential; 2021 saw the publication of the Council's Harassment and Unlawful Eviction Policy with an underpinning process to support any tenants affected by these issues.

Enforcement

In terms of Enforcement, Wigan Council produced an updated enforcement Policy in 2022 to support the Strategic & Private Sector Housing Team in promoting good standards across the sector and in issuing civil penalties to landlords that fail to meet the required standards and regulations.

In addition to the Enforcement Policy, the Strategic & Private Sector Housing Team have revised the procedure for dealing with all disrepair complaints to adopt a more streamlined triage process to ensure that all complaints are looked at and dealt with fairly and in a timely manner. We have updated the website to offer significant advice to tenants and landlords about their responsibilities and how complaints should be reported and dealt with, particularly in regard to damp and mould.

Our Process is detailed as follows:

- Upon receipt of the complaint, the initial triage process is undertaken by our Housing Standards administrator. This includes a request for a visual representation of the hazards, ascertain property ownership, details on the tenancy and historic disrepair reporting.
- The case is prioritised and allocated to a Housing Standards Officer based on the initial information received, complexity and disrepair.
- Formal communication is made to all interested parties to ensure steps are taken to alleviate the hazard. In the event damp and mould is reported, literature relating to damp and mould awareness is sent with all communication and tenants are signposted to the Wigan Council website for further information.
- Dependent on severity of disrepair (report), engagement from the owner and or evidence in situ, an inspection is carried out at the property under the HHSRS.
- Further formal literature, a schedule of works and/or a formal notice is then served to all interested parties to advise of the next actions as per operating guidance.
- Case management will then follow with regular communication from the Housing Standards Officer to ascertain progress updates on works in the property.
- Once the timeframe set within the correspondence has elapsed, a post inspection visit/ communication will be carried out by the allocated officer to ensure the hazard is alleviated.
- If a satisfactory outcome is not achieved, enforcement action will commence.

The Housing Standards Team is at full capacity and comprises of 1 FTE Housing Standards Manager and 6FTE full time officers. However, only 2FTE officers within the Housing Standards Team are permanent and the team have picked up additional duties such as the inspections to support the Homes for Ukraine Scheme.

In 2022 we utilised funding from BEIS to implement a project promoting the Minimum Energy Efficiency Standard (MEES) awareness with local landlords and tenants which has been a catalyst for our MEES enforcement. This has not only given a greater awareness of energy efficient properties to our local landlords but has equipped the team to confidently enforce in line with the regulations. This has been recognised for two national awards and has resulted in our new digital landlord hub to be developed, which will be launched in the coming months.

We currently have a significant number of enforcement cases waiting to be actioned with over 60 landlords being prosecuted for a breach of the MEES regulations and since December 2022, we have issued over 10 hazard awareness or improvement notices and 2 prohibition notices.

Although we are currently equipped to deal with reports of disrepair within the Wigan Borough, there are some concerns that we feel need to be addressed to continue to do so:

- It has been very difficult to recruit the positions of Housing Standards Officer due to a significant skill shortage. This is in part down to a lack of recognised qualification and a shortage of suitably trained people within the sector. Although there is ongoing work to address this at a Greater Manchester level, a more accessible national qualification would benefit the sector which would cover both the technical side of housing standards along with the legislative areas and enforcement practices. This would help the long-term sustainability of the sector.
- The recording process of cases and inspections is particularly flawed, and this is only held locally within the local authority on a data management system. This has highlighted inconsistencies across other local authorities with recording processes and could affect inconsistencies with figures and statistics. We would welcome a standardised national recording system being adopted which would not only help each local authority to record all HHSRS inspections accurately but would also assist nationally in identifying trends of reporting.
- In relation to the actual HHSRS inspection, the scoring method is still fit for purpose and allows for a consistent way of looking at disrepair, however we would welcome a review of the health outcomes. The statistics still in use within the scoring of health information was taken over twenty-five years ago and may not reflect the true extent of recent data. We would like to see this updated on a more frequent basis.
- In terms of our inspections over the past three years, the Covid-19 pandemic has had an impact on being able to physically inspect some properties and believe that this will reflect in both inspections undertaken and enforcement action. This in part is due to only inspecting properties remotely or by photograph and due to the backlog with the courts during the pandemic. This will not just be exclusive to our borough but a national issue.

Our letter dated 30.11.22 set out our action plan, I trust this along with the survey and the above overview provides sufficient insight into our position and approach.

I would like to use this opportunity to request more clarification on support that will be available for Housing Standards from DLUHC in response to the challenges we have raised in this letter. Whilst we are currently linked into work at a Greater Manchester level to improve capacity, lack of national investment in this area has been a challenge for many years. Wigan Council has recently invested in its Housing Standards Team but with the increase in demand for support from this area at a time when local authorities are facing austerity pressures, clarification of plans from DLUHC on further support to maintain a sufficient Housing Standards resource would be welcome.

Yours sincerely,



**Service Manager – Strategic and Private Sector Housing
Wigan Council**

Response ID ANON-PEGT-J2JD-T

Submitted to Local authority returns form: damp and mould in private rented properties

Submitted on 2023-01-26 16:21:30

Introduction

Details:

1 Please provide the full name of your local authority:

Answer:

Wigan Metropolitan Borough Council

2 Please provide an email address of a named person we can contact with any further queries:

Answer:

[REDACTED]

3 Approximately how many private rented sector properties are in your area currently?

Answer. Please provide a number. If you cannot answer, please write 'NA':

19,025

4 What data sources do you normally use to inform your knowledge of the quality and condition of the privately rented stock in your area?

c) Estimate based on contact with landlords/tenants, d) Estimate based on general knowledge of local housing stock, e) Housing census, f) Other:

e.g. licensing schemes(s), council tax, please provide details (below)

Answer (option - f):

Council Tax information, WMBC Housing Needs Assessment 2020, Parity Projects (Greater Manchester stock condition and retrofit modelled data)

5 Approximately what number of full-time equivalent (FTE) do you have in your housing enforcement team? In answering, please provide the

number of all staff working on private rented sector standards, enforcement and licensing, including how many FTE Environmental Health Officers are carrying out enforcement, plus those that work in administrative and managerial roles, but not including legal resource. Also please do not include staff who only work on MEES. Where a staff member works on MEES alongside other housing enforcement, please include them in your FTE numbers.

Optional:

6 - This number includes 1 x FTE Environmental Health Officer carrying out enforcement

6 Do you run any Selective and/or Additional Licensing schemes in your area?

Neither

7 If you do run any licensing schemes, approximately how many properties are covered by your scheme(s)? Please break down by each individual Selective/Additional licensing scheme

Optional:

N/A

Prevalence of damp and mould

8 Based on your assessment of damp and mould issues affecting private rented sector properties in your area, approximately what proportion do you currently estimate to have category 1 damp and mould hazards?

%:

0

9 What data sources do you normally use to come to the assessment provided in question 8?

c) Estimate based on contact with landlords/tenants, d) Estimate based on general knowledge of local housing stock, e) Other e.g. licensing schemes(s),

council tax etc.: (please specify below)

Other please specify:

Referrals from AWARM (fuel poverty/welfare support service provided by Council) and Adult Social Care. Assessment is also based on the findings of

disrepair cases/inspections carried out by Housing Standards over the last three financial years.

10 Based on your assessment of damp and mould issues affecting private rented sector properties in your area, approximately what proportion do you currently estimate to have category 2 damp and mould hazards?

%:

30% (approximate figure)

11 What data sources do you normally use to come to the assessment provided in question 9?

e) Other e.g. licensing schemes(s), council tax etc.: (please specify below)

Other please specify:

Referrals from AWARM (fuel poverty/welfare support service provided by Council) and Adult Social Care. Assessment is also based on the findings of

disrepair cases/inspections carried out by Housing Standards over the last three financial years.

12 If you have not collected the information requested or are not able to provide information in this way, please can you tell us why?

Please

put n/a if you have provided the above data.

Answer:

N/A

Enforcement Questions: complaints

13 Please tell us what steps you take when you receive a complaint about damp and mould from a private rented sector tenant. Where relevant, please refer to or provide links to any enforcement policies you have in place (e.g. on enforcing category 2 hazards) and any guidance

you might provide for tenants experiencing damp and mould issues.

Optional:

- On receipt of the complaint, the initial triage process is undertaken by our Housing Standards admin. This includes a request for a visual representation of the hazards, ascertain property ownership, details on the tenancy and historic disrepair reporting.
- The case is prioritised and allocated to a housing

standards officer based on the initial information received, complexity and disrepair. • Formal communication is made to all interested parties to ensure steps are taken to alleviate the hazard. In the event damp and mould is reported, literature relating to damp and mould awareness is sent with all communications and tenants are signposted to the Wigan Council website for further information. • Dependent on severity of disrepair (report), engagement from the owner and or evidence in situ, an inspection is carried out at the property under the HHSRS. • Further formal literature, a schedule of works and/or a formal notice is then served to all interested parties to advise of the next actions as per operating guidance. • Case management will then follow with regular communication from the Housing Standards officer to ascertain progress updates on works in the property. • Once the timeframe set within the correspondence has elapsed, a post inspection visit/communication will be carried out by the allocated officer to ensure the hazard is alleviated. • If a satisfactory outcome is not achieved, enforcement action will commence.

14 Overall, how many complaints relating to housing standards have you received in the last three financial years that reference or relate to damp and mould issues in the private rented sector?

Answer - 2019/2020:

82

Answer - 2020/2021:

105

Answer - 2021/2022:

61

15 Of the complaints you received that reference damp and mould in the last three financial years, approximately how many resulted in inspections?

Answer - 2019/2020:

57 general inspections ; 0 HHSRS inspections

Answer - 2020/2021:

60 general inspections ; 1 HHSRS inspections

Answer - 2021/2022:

39 general inspections ; 12 HHSRS inspections

16 If you have not collected the information requested or are not able to provide information in this way, please can you tell us why?
Please

put n/a if you have provided the above data.

answer:

The data has been provided as requested, although a distinction has been made between visits to the property and full HHSRS inspections.

Enforcement Questions: category 1 damp and mould hazards

17 Approximately how many inspections have you undertaken overall in the last three financial years?

Answer - 2019/2020:

104 (estimated figure)

Answer - 2020/2021:

82

Answer - 2021/2022:

74

18 Thinking now ONLY about all of the inspections that you undertook as a result of complaints, approximately how many have identified a

category 1 damp and mould hazard?

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

19 Thinking now ONLY about all the inspections that you undertook as a result of licensing, approximately how many have identified a category 1 damp and mould hazard?

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

20 Thinking now ONLY about all the inspections that you undertook as a result of stock modelling, approximately how many have identified a

category 1 damp and mould hazard?

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

21 Thinking now ONLY about all the inspections that you undertook for reasons other than complaints, licensing or stock modelling, approximately how many have identified a category 1 damp and mould hazard?

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

22 If you have not collected the information requested above or are not able to provide information in this way, please can you tell us why?

Please put n/a if you have provided the above data.

answer:

N/A

In the last three years - 2019/20, 2020/21 and 2021/22 - no Category 1 damp and mould hazards have been identified by Housing Standards inspectors;

all cases have been manageable.

Enforcement Questions: category 2 damp and mould hazards

23 Thinking now ONLY about all the inspections that you undertook as a result of complaints, approximately how many have identified a category 2 damp and mould hazard?

Answer - 2019/2020:

0

Answer - 2020/2021:

1

Answer - 2021/2022:

12

24 Thinking now ONLY about all the inspections that you undertook as a result of licensing, approximately how many have identified a category 2 damp and mould hazard?

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

25 Thinking now ONLY about all the inspections that you undertook as a result of stock modelling, approximately how many have identified a

category 2 damp and mould hazard?

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

26 Thinking now ONLY about all the inspections that you undertook for reasons other than complaints, licensing or stock modelling, approximately how many have identified a category 2 damp and mould hazard?

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

27 If you have not collected the information requested above or are not able to provide information in this way, please can you tell us why?

Please put n/a if you have provided the above data.

answer:

N/A

Enforcement action

28 Please provide the figures for all formal and informal enforcement action taken on damp and mould hazards:

Answer - 2019/2020:

82

Answer - 2020/2021:

105

Answer - 2021/2022:

61

29 Please provide the figures for improvement notices issued in relation to damp and mould hazards:

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

30 Please provide the figures for civil penalty notices issued in relation to damp and mould hazards:

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

31 Please provide the figures for prosecutions pursued in relation to damp and mould hazards:

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

32 Please provide the figures for successful prosecutions in relation to damp and mould hazards:

Answer - 2019/2020:

0

Answer - 2020/2021:

0

Answer - 2021/2022:

0

Wider context

33 Please rank in priority order (1 - the highest impact / 6 - the least impact) how the following have had an impact on enforcement action relating to damp and mould in your area

Optional - a) Capacity of your local authority. i.e. resource and funding hindering capacity to take enforcement action relating to damp and mould.:

2

Optional - b) Experience and expertise in the local authority. i.e. a lack of officers with experience, for example, experience pursuing prosecutions or expertise within the team including, for example, legal expertise.:

4

Optional - c) Strategic prioritisation of private rented sector enforcement. i.e. competing priorities leading to relatively lower prioritisation of enforcement

action or proactively enforce.:

6

Optional - d) The regulatory/ legal framework for enforcement activity. i.e. too much complexity in legislation.:

5

Optional - e) Issues with gathering or providing evidence. i.e. tenants reluctant to provide statements or difficulties gathering the requisite evidence for

issuing a fine or prosecuting.:

3

Optional - f) Limited data on the private rented stock. i.e. difficulties identifying private rented properties or insufficient resource to map out private rented stock.:

1

34 Please say why you have ranked the items on question 31 in this order

Optional:

A lack of intelligence in regards to the private rental sector (i.e. addresses and registered landlord or agent) has been a key barrier in recent years, whilst a

lack of investment from government in regards to increasing housing standards capacity has also proven challenging.

35 Does the Housing Health and Safety Rating System (HHSRS) allow for an effective assessment of how serious and dangerous damp and mould is in people's homes?

No

36 If not, what changes should be made to the HHSRS, to the system for categorising hazards or to enforcement powers under the Housing

Act 2004?

Optional:

The HHSRS assessment is based on health outcome figures which are historic. In our opinion these need to be current and updated annually to reflect

the latest spread of harms.

37 What other measures would help you to better prioritise addressing housing enforcement issues such as damp and mould?

Optional:

National registration for all landlords/rental properties would see a significant increase in housing standards and levels of compliance.