

SLOUGH BOROUGH COUNCIL

REPORT TO: Neighbourhood & Community Services Scrutiny Panel **DATE:** 15 November 2012

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WARD(S): All

PORTFOLIO: Neighbourhoods and Renewal - Councillor Swindlehurst

PART I

FOR CONSIDERATION AND COMMENT

BEDS IN SHEDS (SLOUGH SHEDS)

1 Purpose of Report

The purpose of this report is to inform members on how Slough Borough Council is working with partnerships both internally and externally to the Council, to address the prevalence of bed in sheds (Slough Sheds) and how the Council proposes to refocus its resources on delivering an effective enforcement regime to tackle rogue landlords.

2 Recommendation(s)/Proposed Action

That the Panel consider and comment on the Council's approach to tackling the issue of Sheds with Beds as set out in the report.

3 Community Strategy Priorities–

- Economy and Skills
- Health and Wellbeing
- Regeneration and Environment
- Housing
- Safer Communities

Cross Cutting themes:

Civic responsibility - the part that residents can play in delivering the Strategy and in improving Slough for the benefit of everyone.

Improving the image of the town – state how the report/proposal will link/contribute to improve the image and promote the many benefits of living and working in Slough.

The provision of good quality, adequately resourced housing and planning enforcement services are fundamental to delivering the Council's Wellbeing and Sustainable Community Strategies' priorities and, as such, the accurate allocation of scarce resources, competent project management and the monitoring of ongoing performance will ensure that the service and the council as a whole is best placed to meet the needs of the local community.

4 **Other Implications**

(a) Financial

There are no financial consequences inherent within this report and in accordance with the Council's Medium Term Financial Strategy all budgets and expenditure are kept under review to ensure services are efficiently delivered and that resources, both financial and operational are deployed where they are needed. The current financial climate means that there are increasing pressures on all front line services

(b) Risk Management

A marked and sustained downturn in performance of housing and planning enforcement services would result in a reputational risk to the council and while the actions in the most part are discretionary there is a moral obligation on the council to secure the wellbeing of its residents.

(c) Human Rights Act and Other Legal Implications

There are no human rights or other legal implications arising from this update report.

(d) Equalities Impact Assessment

The Enforcement Policy of private sector housing service has undertaken an Equalities Impact Assessment Initial Screening in September 2008. It also complies with the aims of the enforcement concordat. It includes a range of mandatory and discretionary tools which the council has available for its use.

The equalities impact of Planning Enforcement forms part of the Initial Screening for the Planning Service carried out in September 2008. Planning Enforcement is a discretionary tool. Any action taken would be proportionate to the harm being caused by the independent occupation of the offending outbuildings. Efforts will be prioritised towards the more flagrant breaches of planning control with the potential for greater sensitivity to more minor / technical breaches.

(e) Workforce

This report has workforce implications in that the project requires additional resources in both staff and business support for it to have any success. The two vacant Housing Standards officer's posts are out to advertisement at this present time and it is hoped to appoint in December for officers to start in the following weeks. The Planning enforcement officers post has been approved and the appointment of this post is eagerly awaited.

5 **Supporting Information**

- 5.1 In summer 2009 a successful bid was put in to Government Office South East (GOSE) for funding for £350,000 for a project to establish a multi-agency approach to tackling Houses in Multiple Occupation (HMO's) and Slough Sheds. The key objectives of the project were to focus on improving standards in HMO's and reduce the number of Slough Sheds as anecdotally it was felt that sheds were housing illegal workers and potentially exploiting vulnerable individuals by charging high rents for unsuitable accommodation. Measurable targets were set to decrease the number of

non-decent properties by 2015 to 25% from 28.3%, and to reduce the number of sheds by 20% from 300. The focus was on health issues caused by poor housing, specifically TB and respiratory issues.

- 5.2 In 2010 the change of government meant that there was a reduction in the money available and Slough received £175,000. The reduction in funding for inspection and enforcement have meant that resources were prioritised to concentrate on the greatest risks to public health, associated with the larger three storey HMOs where licensing was a statutory duty.
- 5.3 Prior to the reduction in funding, Slough Borough Council carried out a Health Impact Assessment with the Building Research Establishment (BRE), and it was found the benefits of improved housing were significant as they reduce healthcare costs, improve community stability, quality of life, employment opportunities and educational achievement. The cost benefit analysis showed that if the project was a success there was a potential saving of £700 per property improved; therefore around £700,000 somewhere within the NHS, the police or the Council.
- 5.4 Neighbourhood Wardens and other internal agencies, as well as the UK Border Agency (UKBA), were heavily involved in the identification of the units and early inspection regimes. As it was found during the first few months of the project that the anecdotal illegal workers that would be residing in these buildings were not present, the UKBA are no longer actively involved.
- 5.5 Some shed owners have asserted/claimed that their belief was that if they pay council tax, it legalises and legitimises the use of the shed. This is untrue, though it must be noted that if owners continue to pay council tax for these units, or admit to using units for four years or more, the concept of established use means planning enforcement cannot take place.
- 5.6 The ongoing inspection regime for new and existing beds in sheds has been affected by the two vacant posts in the Housing Standards Team and a new post that has yet to be appointed for the Planning Enforcement Officer.
- 5.7 Further direction for the project has been considered in pursuing a national framework in enforcing homes that experience excess cold and other housing conditions classified as hazards and referred to the Housing Act 2004. Slough Borough Council has been invited by the Building Research Establishment to pilot a new excess cold assessment tool to ensure more effective enforcement evidence is gathered in accordance with the revised Chartered Institute of Environmental Health guidelines. This pilot commences early December 2012 and the Service Manager will be attending as an accredited and authorised assessor to facilitate cascade training to other enforcement staff.
- 5.8 This enforcement process will not be dependant on planning enforcement, but both inspection processes will tackle the issue from different perspectives. A request for an Aerial Thermal Imagery Service will be coupled with Ordnance Survey and GIS processes to establish individual properties that exhibit occupancy of such outbuildings, while also providing evidence of poor building insulation and excess cold.
- 5.9 To further clarify the direction of the project, the Project Management Board requires reconvening with a detailed process map and Service Plan with deliverable goals and stretch targets to compliment corporate aims. This can be achieved by completing

the Planning Enforcement Policy, and linking the Housing Standards enforcement process in line with the planning enforcement principles.

6 **Conclusion**

This report is to note the continued Council support in tackling the prevalence of 'Slough Sheds', and to ensure resource capacity is in place along with the required enforcement and procedure policies thus enabling an effective joint agency approach from Housing and Planning. Effective coordination will improve the health of vulnerable occupants in poor quality outbuildings by appropriate use of the enforcement sanctions available to Slough Borough Council. With the additional resources to be employed from January 2013 momentum will be built up.

7 **Background Papers**

None