

Appendix 1

Gloucester
City Council

Overview and Scrutiny Committee Task and Finish Group – Damp and Mould in Gloucester’s Rented Accommodation



Final Report and Recommendations
May 2023

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Section 1 – Introduction

- 1.1 The Task and Finish Group on Damp and Mould in Gloucester’s rented accommodation was commissioned by the Overview and Scrutiny Committee on 9th January 2023. The decision to form a Task and Finish Group followed the inquest into the death of a two-year-old child, Awaab Ishak, in December 2020 and publication of the coroner’s report in November 2022 linking Awaab’s death to prolonged exposure to mould in his home environment¹.
- 1.2 The Overview and Scrutiny Committee commissioned the Task and Finish Group with a view to understand how damp and mould issues are dealt with within Gloucester, to look into the scale of the problem and to investigate whether robust resolution processes are in place. It is important to note that when the Overview and Scrutiny Committee initially approved the Task and Finish Group Membership, the title of the project focused on social housing. This was changed during the early stages of the enquiry and further information and rationale around this change will be provided later in the report.
- 1.3 The following cross-party Members took part in the project:



Councillor Angela Conder (Chair)



Councillor Terry Pullen



Councillor Kathy Williams

¹ [Awaab Ishak - Prevention of future deaths report - 2022-0365 \(judiciary.uk\)](#)

- 1.4 The Task and Finish Group was supported by the City Council’s Housing Innovation Manager, Neil Coles, Principal Private Sector Housing Officer, James Dykes, and Democratic and Electoral Services Officer, Lauren Richards.

The National Context

- 1.5 Over the course of the Task and Finish Group investigation, it became evident that the coroner’s investigation and conclusions around Awaab Ishak’s tragic death has prompted a number of initiatives from Central Government aimed at holding social landlords to account, particularly in terms of their approach to tackling damp and mould. Following the coroner’s report, the Regulator of Social Housing undertook a survey of large Registered Social Housing Providers across the UK and asked organisations owning 1,000 homes or more to provide evidence outlining their approach to assessing damp and mould issues, the extent of those issues and the processes they take to remedy damp and mould referrals when they are raised by tenants. The initial findings published in early February 2023 confirmed that the number of affected homes is few, but still unacceptable, that social housing providers report less of an issue than councils who manage their own housing stock, and that most registered providers understand the scale of the problem but could further strengthen their approach.²
- 1.6 The Government has also tabled amendments to the Social Housing (Regulation) Bill³ to introduce ‘Awaab’s Law’ which if approved, will require social landlords to investigate and resolve serious problems and health hazards within specified timeframes. At the time of writing, the Social Housing (Regulation) Bill is in the final consideration of amendments stage. Timeframes in which landlords will be required to investigate hazards and implement repairs will be consulted on later this year. In March 2023, the Department for Levelling Up, Housing and Communities (DLUHC) launched the ‘Make Things Right campaign’⁴ aimed at encouraging social housing tenants experiencing damp and mould issues to complain to their landlord prior to escalating further. A new training scheme - ‘Four Million Homes’⁵ has also recently been initiated offering advice and guidance for social housing residents on repairs and maintenance and free training events aimed at explaining tenants’ rights, including the resolution of damp and mould issues.

Gloucester City Council – Responsibilities and Enforcement Powers

- 1.7 These interventions indicate that damp and mould are very much issues on the radar of Central Government, however they are targeted towards tenants living in social housing properties rather than tenants living in private rented accommodation. It is

² [Damp and mould in social housing: initial findings \[accessible version\] - GOV.UK \(www.gov.uk\)](#)

³ [Social Housing \(Regulation\) Bill \[HL\] - Parliamentary Bills - UK Parliament](#)

⁴ [Social Housing Complaints – If you're unhappy with the service from your social housing provider, make it right](#)

⁵ [Four Million Homes - Knowledge and action for change in social housing](#)

important to note at this stage that the Council does not own or manage any housing stock other than temporary emergency accommodation. Responsibility for social housing in Gloucester lies with several registered Social Housing Providers, who own varying amounts of housing stock across the city.

- 1.8 The council does however have a wide range of enforcement powers which can be utilised when it becomes aware of poor conditions in both social housing and private rented accommodation in Gloucester. During the first meeting of the Group on 2nd February 2023, the Council's Housing Innovation Manager provided Members with an overview of the responsibilities of the Council as the local enforcing authority for housing standards, as well as the enforcement powers which the Council can use against landlords who are not complying with their obligations.
- 1.9 The Task and Finish Group were advised that the Council has many powers and that there is a significant amount of legislation overseeing this area. However, powers relating to the assessment of hazards in the home, including damp and mould, are mostly governed by the Housing Act 2004. The Housing Innovation Manager explained that these powers are generally used to tackle poor private sector housing conditions but can also cover social housing and even owner-occupied properties.
- 1.10 The Task and Finish Group learnt that the system used by local authorities in assessing hazards in a property is the Housing Health and Safety Rating System (HHSRS)⁶. The HHSRS attempts to evaluate the health impact of 29 hazards (set out in the system guidance) and assess the priority for action. Hazards are scored and transferred into Category 1 or Category 2 bands. 'Damp and mould growth' is one of the 29 hazards outlined in the HHSRS guidance.
- 1.11 Category 1 hazards are hazards which councils have a duty to take action on and are considered the most serious. Less urgent hazards fall under Category 2, and councils have discretionary powers to tackle these issues but not a legislative duty. Members were advised that the approach of the Council's Private Sector Housing Team is to investigate *all* hazards reported to them, irrespective of which Category the hazard falls under, unless very insignificant or trivial.
- 1.12 The Housing Innovation Manager provided an overview of the courses of action the Council can take against landlords where there is an identified hazard. Courses of action include:
 - Hazard Awareness Notice – a formal notice from the council but no enforcement action.
 - Improvement Notice – a legal notice requiring the owner or landlord to carry out specified works to address a hazard within a specified timescale.

⁶ [Housing health and safety rating system \(HHSRS\) operating guidance: housing inspections and assessment of hazards - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/housing-health-and-safety-rating-system-hhsrs)

- Prohibition Orders – a legal order prohibiting the use of a property or part of a property until improvement works are carried out. These orders tend to be used where hazards are presenting an imminent risk of serious harm.
- Emergency Prohibition Orders – immediate prohibition where a Category 1 hazard presents an imminent risk of serious harm to the occupier(s).
- Emergency Remedial Action – the completion of immediate works to remedy a Category 1 hazard that presents an imminent risk of serious harm to the occupier(s).
- Demolition Order – final power requiring the demolition of the property.
- The Council also has the ability to carry out works in default if a notice has not been complied with, which enables the council to be satisfied that residents are living in a safe home.

1.13 Where the requirements of legal notices have not been met by the recipient, the Council is able to carry out works to remedy the hazard(s) and recover costs from the landlord or owner. The Council can also consider prosecution, and financial penalties through the civil route of up to £30k. It was confirmed that although the Private Sector Housing Team typically exercise these powers against private landlords, it can and has served legal notices requiring local Registered Social Landlords to put issues right.

Project Scope and Areas of Focus

1.14 During the initial scoping session, Task and Finish Group Members agreed that they wanted to investigate the scale of damp and mould in Gloucester's rented accommodation. They decided during the scoping session that they wanted their investigation to cover both social housing and private rented accommodation in the city, as it was their expectation that Registered Social Housing Providers would have processes in place which tenants could follow to report and escalate damp and mould issues. Members were keen to investigate these processes further. The Task and Finish Group suspected at the early stages of the project that there were likely to be significant challenges within the private rented housing sector.

1.15 The Task and Finish Group agreed that they firstly wanted to understand the processes that landlords put in place to investigate and resolve damp and mould issues for their tenants. They also wanted to learn more about further redress options available to tenants, through the Council or the Housing Ombudsman. Their ultimate aim was to help tenants in Gloucester understand their rights and the avenues available to them to address damp and mould issues through their landlord, and their additional options if the problems were not dealt with appropriately at first instance. In considering potential recommendations, the Task and Finish Group wanted to establish whether the Council could do more to help residents in this area, regardless of whether they live in social or private rented housing.

1.16 Following the scoping session, the Task and Finish Group agreed that they wanted to meet with the main Social Housing Providers in Gloucester to discuss their approach

to dealing with damp and mould referrals from their tenants. They met with the following providers, which together own around 86% of the social housing stock in Gloucester:

- Gloucester City Homes
- The Guinness Partnership
- Bromford
- Rooftop Housing

1.17 The Task and Finish Group also decided that they wanted to meet with representatives working in Gloucester's voluntary advice agencies. Members thought it would be helpful for the project if they gained an independent perspective on the issue, and if they had an idea of how much damp and mould casework local advice agencies were dealing with in Gloucester. They extended Task and Finish Group meeting invites to:

- Gloucester Law Centre
- North and West Gloucestershire Citizens Advice

1.18 Towards the conclusion of the Task and Finish Group project, Members met with Council Officers within the Private Sector Housing team. The purpose of this meeting was to tie together findings from the evidence sessions with Registered Social Housing Providers and voluntary advice agencies.

1.19 In respect of project timeframes, the Task and Finish Group agreed to aim to work to a 3-month timescale, with the aim of presenting initial findings by the end of May 2023.

Section 2 – Evidence Sessions: Registered Social Landlords

- 2.1 The Task and Finish Group made contact with Senior Directors and Managers of Gloucester City Homes, the Guinness Partnership, Bromford and Rooftop Housing Associations to ask whether they would be interested in speaking with Members about their experiences of tackling damp and mould issues in their properties. The purpose of these evidence sessions was to understand the scale of damp and mould in Gloucester’s social housing stock, and to ascertain whether robust resolution practices are in place for dealing with referrals from tenants.
- 2.2 Task and Finish Group Members were pleased that all of the providers who were asked to contribute to the project responded promptly and positively to the request. Task and Finish Group Members felt it important to note in this report that they very much respect and thank Gloucester City Homes, Guinness, Bromford and Rooftop for their time, honesty and openness in their meetings. The following section will outline the key themes and issues arising from these evidence sessions.
- 2.3 Ahead of their meeting with Task and Finish Group Members, each Registered Social Housing Provider was asked to provide written answers to a series of questions. Members then had the opportunity to discuss the written answers during the evidence sessions and put any additional questions to the Registered Social Housing Providers directly. The questions asked of the Providers were:
1. To what extent is damp and mould an issue in your properties? *(In your answer, please quantify the number of affected properties you are aware of which currently have a damp and mould issue).*
 2. In your experience, what are the main causes of damp and mould in your properties? *(In your answer, please provide details of any common trends, for example, rooms or areas which are typically affected and to what degree).*
 3. Please provide an indication of the age range of your properties
 4. Please could you provide an overview of the processes your organisation follows to investigate and resolve damp and mould issues, from receiving a complaint to case closure.
 5. Please could you provide a breakdown of how many damp and mould complaints you have received between 1st March 2022 and 1st March 2023. Please could you indicate how many of these complaints have been resolved and an average timescale for resolution.

6. Please could you provide an outline of a positive case study where a damp and/or mould referral was received, and both the organisation and the tenant felt that the complaint had been resolved satisfactorily.
7. Please could you provide a brief outline of a case study where a damp and/or mould referral was received with a less positive outcome.

Key themes

- 2.4 Housing stock numbers owned by each Social Housing Provider varied from the largest provider having approximately 4993 properties in Gloucester and the smallest having 519. The stock type and age range also varied between Social Housing Providers with a mix of new builds, Victorian houses and post-war properties built between 1945-80. One Social Housing Provider notably managed more older properties than the others. All Providers reported that damp and mould are typically seasonal problems, which prompt increased referrals during the autumn and winter months. All reported an increase in damp and mould reports in the previous quarter and all indicated that they had seen an increase in the number of referrals in 2022-23 compared to previous years.
- 2.5 It became evident during the evidence sessions that the death of Awaab Ishak and the resulting coroner's report had prompted national action and increased awareness of the seriousness of damp and mould. This had in turn, raised awareness amongst some social housing residents that damp and mould are hazards which they did not simply need to live with, and could be reported and dealt with.
- 2.6 In relation to the causes of damp and mould, the Task and Finish Group was advised that the issues generally arise as a result of high humidity levels within properties which causes condensation to settle on surfaces which in turn encourages mould growth. High humidity levels can be exacerbated by environmental factors, such as switching off extractor fans, closing vents and drying clothes internally. The quality of housing stock is also a major contributing factor to damp and mould, as many properties built between 1950-1970 have walls with cavities. This in turn means that the property is likely to be colder which makes it easier for water vapour to condense. One Social Housing Provider owned particularly high numbers of properties built within this period and was actively implementing solutions such as heating improvements and External Wall Insulation (EWI).
- 2.7 The approach to dealing with initial damp and mould reports from tenants varied amongst Social Housing Providers. Some ensure that all customer enquiries regarding damp and mould are inspected by a Property Services Team Member. Others have a triage system where customer facing colleagues provide advice and identify whether the case needs escalation. Complicated cases, such as those involving rising damp, tend to be referred to an independent damp and mould specialist to identify the root cause and plan a schedule of remedial works. All Registered Social Housing Providers had clear escalation processes, and some had

also recently delivered additional training to all customer facing staff on damp and mould.

- 2.8 One Social Housing Provider explained that they had seen a backlog of damp and mould cases caused by the departure of their external repairs contractor, however it was hoped that their new internal repairs service would help address this.
- 2.9 Some Social Housing Providers interviewed by the Task and Finish Group took a particularly proactive approach. For example, one Provider advised Members that in 2022 they had written to all households who had reported damp and mould in their homes offering a follow-up visit. They also related to Members that they undertook annual 'welfare' checks on tenants in addition to the annual gas safety checks required by law. This led to a discussion around further issues which can add to the complexity of damp and mould in properties, such as overcrowding, health inequalities and vulnerabilities and hoarding. It was noted that damp and mould complaints are sometimes tied into requests for tenants to be moved into an alternative property.
- 2.10 One Social Housing Provider confirmed that their damp and mould cases were recorded as a separate category to other complaints, so that open cases could be easily monitored, and managers could check that cases are being managed correctly. This Social Housing Provider confirmed to the Group noted that their damp and mould cases remain 'open' until the repairs are fully completed.
- 2.11 All Registered Social Housing Providers that took part in the project reported increased energy costs as an issue for tenants in respect of heating their homes. It was noted on several occasions that Providers were seeing residents cutting back on their heating for fear of large energy bills. There were discussions around steps tenants are encouraged to take to decrease the risk of damp and mould in their properties, such as heating their homes sufficiently, regularly opening windows and making sure that extraction fans are turned on and operating. The Task and Finish Group were advised that in response to rising energy prices over the autumn and winter of 2022-23, some tenants had turned ventilation fans off completely, closed ventilation vents and were keeping windows shut in an attempt to retain heat in their homes so that they could save money on energy bills.
- 2.12 Members of the Task and Finish Group were encouraged by the data they received outlining the number of complaints received by Social Housing Providers and how many were in progress and/or resolved. Most confirmed that damp and mould referrals in 2022-23 were resolved within a number of working days. Further redress options if social housing tenants are not satisfied with the response of their Social Housing Provider in dealing with damp and mould reports would be to complain to the Housing Ombudsman, or the Council's Private Sector Housing Team. None of the providers reported any particular increase in referrals to the Housing Ombudsman or Council.

2.13 All Social Housing Providers demonstrated a good understanding of the condition of their homes, and all understood the impact damp and mould can have on residents' health and wellbeing.

Main Findings

2.14 The main findings of the Task and Finish Group following the sessions with Gloucester City Homes, Guinness, Bromford and Rooftop are summarised as follows:

1. The Awaab Ishak case has undoubtedly brought to light the seriousness of damp and mould to both tenants and social landlords. National awareness and Government action has improved consistency across all providers.
2. Causes of damp and mould in the past have sometimes been attributed to lifestyle factors, however, there now is a recognition that the age and construction of properties are part of the issue and that some properties in Gloucester are not up to standard.
3. The Cost-of-Living crisis is having a real and tangible impact on tenants. Social Housing Providers are finding that tenants are becoming reluctant to turn on ventilation in their homes in an attempt to save money on bills, or open windows for fear of letting heat out of the property. Task and Finish Group Members were increasingly concerned about the position of tenants living in private rented accommodation, who may not be afforded the same amount of security or protection around their tenancy as tenants living in social housing.
4. The sessions provided Task and Finish Group Members with confidence in Gloucester's Social Housing Providers. It was clear that all Social Housing Providers interviewed by the Task and Finish Group were responsive to damp and mould referrals from tenants and had clear reporting and resolution processes in place.
5. The different approaches to annual property inspections were striking. Some Social Housing Providers were willing to go the extra mile and to check in on vulnerable tenants through welfare checks. The Task and Finish Group are mindful of staffing pressures; however it was felt that welfare checks were good practice which should be universally adopted.

Section 3 – Evidence Sessions: Voluntary Advice Agencies

- 3.1 The Task and Finish Group wanted to meet with local voluntary advice agencies for an independent perspective on whether damp and mould was a significant problem in Gloucester’s rented accommodation. Members hoped to obtain a better understanding of the experiences of tenants who might have approached Citizens Advice or Gloucester Law Centre for advice and assistance with damp and mould problems in their homes. They also hoped that the voluntary advice agencies could provide an insight into the scale of the issue in private rented accommodation. The Task and Finish Group were very grateful to the advice agencies who gave up their time to meet with them and wanted it noted in this report that their contribution and evidence were extremely helpful.
- 3.2 As with the sessions with Registered Social Housing Providers, ahead of their meeting with Task and Finish Group Members, both agencies were asked to provide written answers to a series of questions. Members then had the opportunity to discuss the written answers during the evidence sessions and ask further queries. The questions asked of the agencies were:
- 1. In your view, to what extent is damp and/or mould a problem for tenants living in rented accommodation in Gloucester?*
 - 2. What recourse option(s) do you advise tenants follow when they are seeking advice on a damp and mould issue?*
 - 3. Please could you provide an indication of how many damp and mould case referrals you have received between 1st March 2022 and 1st March 2023.*
 - 4. Are there any trends or common issues within damp and mould referrals in your experience? If so, please provide further details.*

Key themes

- 3.3 Both agencies reported that damp and mould was a common and increasing problem for tenants living in Gloucester, certainly in the private rented sector but also in social housing. It was confirmed that there had been an added increase in this enquiry area since the death of Awaab Ishak. It was interesting to note that one organisation had also seen more enquiries from medical professionals on behalf of patients who were concerned about health problems as a result of exposure to damp and mould.
- 3.4 Recourse action usually involved the advice agencies outlining the action which could be taken if landlords were ignoring complaints made by tenants. One agency advised that they routinely advise tenants experiencing damp and mould issues to

contact the Council's Private Sector Housing Team for further investigation. The other noted that communication between their agency and the Council has been impacted by the Covid-19 pandemic, and that informal links which had been in place prior to the pandemic had been lost with changes in work patterns and personnel.

- 3.5 The advice agencies noted that giving practical advice around damp and mould was a challenge, as it is very difficult for organisations to identify whether damp and/or mould were having an impact on tenants' health, how extensive the problems were and root causes. One agency noted that they do offer some practical advice around ventilation, controlling moisture and heating homes sufficiently, however in their experience, by the time tenants had approached them for help they were exasperated by efforts they had already made to address the issues.
- 3.6 In terms of trends, both organisations noted that tenants report that damp and mould has a negative impact on their general wellbeing, health and family life. Many also report respiratory problems. The Task and Finish Group was advised that there are major widespread consequences of living with damp and mould, and many tenants, particularly in the private rented sector, do not feel understood or taken seriously by their landlords in responding to requests to resolve damp and mould problems. Embarrassment about living conditions can be a barrier to some tenants feeling able to raise a report of damp and mould. One organisation confirmed that they were aware of many tenants losing clothing, bedding and belongings because of living in substandard conditions, which results in financial losses to tenants, some of whom are already living in financially desperate households. Both organisations confirmed that rising living and energy costs are having a detrimental impact on tenants, with one commenting that it is 'asking the impossible' of people in low incomes and low-quality housing to pay for rising heating costs to prevent damp and mould.
- 3.7 One advice organisation reported that they see many landlords who are poor at dealing with damp and mould problems. It was noted that some landlords are known to send surveyors to investigate, who subsequently tell tenants that their lifestyle is causing the problem. Members were advised that that too much emphasis is placed on tenants being at fault, which as a result causes tension between tenants and their landlords and sometimes ruins relationships before solutions are discussed. It was noted that many tenants expect to share some responsibility for damp and mould and that interim solutions, such as windowsill or electric dehumidifiers often bring about additional expenses for tenants who might already be struggling financially.
- 3.8 In the private rented sector, the voluntary advice agencies confirmed that they had seen an increase in landlords resorting to Section 21 'no fault eviction' notices rather than responding to complaints of disrepair. Members were advised that there is very limited legal protection in these cases as requirements for retaliatory evictions are so strict.⁷

⁷ Tenants who have raised concerns around hazards in their property are protected from section 21 eviction proceedings for 6 months if their landlord has failed to respond to disrepair concerns and hazards are

3.9 In relation to the social housing sector, both agencies confirmed their view that Registered Social Housing Providers were now taking damp and mould problems seriously, following the Awaab Ishak case and legislation such as the Homes (Fitness for Human Habitation Act) 2018⁸.

Main Findings

3.10 The main findings of the Task and Finish Group following the evidence sessions with North and West Gloucestershire Citizens Advice and Gloucester Law Centre are summarised as follows:

1. Damp and Mould have been long-standing issues raised with voluntary advice agencies. These sessions supported earlier findings that prior to the Awaab Ishak case and national action from Central Government, referrals were more likely to be dismissed as self-inflicted lifestyle issues however local Registered Social Landlords are taking damp and mould reports seriously.
2. There are still concerns about tenants living with damp and mould issues in private rented accommodation in Gloucester. There is no local list of private landlords or requirement for a national register of landlords in England at the moment, however there a proposal to implement a national register is included in the Renters (Reform) Bill currently making its way through parliament. In the meantime, a local accreditation scheme for private landlords would be a helpful step in promoting responsible renting.
3. These sessions provided further confirmation that the cost-of-living crisis is having a significant impact on tenants.
4. Reinstating an informal 'link' between advice agencies and the City Council might be helpful in assisting service users experiencing damp and mould issues.

subsequently identified in the property by the council. ([Evicting tenants \(England and Wales\): Section 21 and Section 8 notices - GOV.UK \(www.gov.uk\)](#)).

⁸ [Homes \(Fitness for Human Habitation\) Act 2018 \(legislation.gov.uk\)](#)

Section 4 – Evidence Sessions: Private Sector Housing Team

- 4.1 The final stage of the Task and Finish Group’s project involved revisiting the role of the Council’s Private Sector Housing Team as the housing standards enforcing authority for Gloucester. Task and Finish Group Members met with the Housing Innovation Manager and Principal Private Sector Housing Officer with a view of gaining their input further to the evidence received from Registered Social Housing Providers and local voluntary advice agencies. As an overview of the work of the Private Sector Housing Team was provided at the start of the enquiry during the scoping stage, this was treated as a summary meeting.

Key Themes

- 4.2 The Private Sector Housing Team reiterated that councils have sufficient powers to tackle hazards in homes, including damp and mould. Members learnt that some councils have previously been reluctant to use them, particularly in respect of ‘Category 2’ hazards where there is no duty for councils to take action. The Private Sector Housing Team confirmed that their longstanding approach has been to use the enforcement powers available. It was noted that aside from the legal route, which can involve significant costs, enforcement action through the Council’s Private Sector Housing Team is the only escalation or recourse available for tenants living in private rented accommodation who are not satisfied with steps taken by their landlord to address damp and mould issues.
- 4.3 The work of the Private Sector Housing Team is varied and extensive. They confirmed to Members that the wide range of powers afforded to them by legislation allows them to take firm and robust action against landlords who are not complying with their obligations. Damp and mould growth is one of many hazards the Private Sector Housing Team can and do assist with. Task and Finish Group Members felt that it would be useful to extend this knowledge to all Members. They surmised that if Members had more understanding and knowledge of the role of the team and issues they could assist with, they would be able to signpost appropriately and help more residents living with damp and mould, as well as other hazards in the home.
- 4.4 The Private Sector Housing Team are a small team and resources are a challenge. They are generally reactive in their approach through responding to reports from residents and have received around 900 requests for investigation within the last 12 months. The Task and Finish Group was advised that the Private Sector Housing Team work in partnership with colleagues in social care, care navigators and the fire service to assist residents. Their approach is one of providing advice and support as well as enforcement work.

- 4.5 It was of particular interest to Members that currently, the Council does not publicise enforcement action taken by the Private Sector Housing Team against landlords who have not complied with their legal obligations, or where the council has had to step in to carry out works in default to ensure a resident's home is safe. The Task and Finish Group was reminded that Housing Standards Offences are criminal offences, and it was noted that other local district councils do publicise enforcement action. Where the Council issues financial penalties against landlords, any revenue generated from fines is ringfenced back into the Private Sector Housing team and must be used to financially support the Council's Private Sector housing obligations. If councils pursue criminal prosecution, any financial penalties imposed by the courts would be collected by the Ministry of Justice.
- 4.6 This evidence session confirmed that the increasingly competitive and complex housing market is having an impact on the willingness of tenants, particularly in the private rented housing sector, to report issues for fear of losing their home through Section 21 eviction notices or unaffordable rent increases. The Council is currently awaiting the outcome of a Private Sector Housing Stock Condition survey, which at the time of writing is expected towards the end of 2023. The outcome of this survey will identify key characteristics of Gloucester's private sector housing stock, including the prevalence of hazards across different tenures. Task and Finish Group Members were advised that damp and mould are not expected to be identified as an excessive problem in the current housing stock, however, excess cold might well be.

Main Findings

- 4.7 The main findings of the Task and Finish Group following the follow-up session with the Private Sector Housing Team were as follows:
1. The Council's Private Sector Housing Team are instrumental in the enforcing of housing standards in Gloucester and Officers should be commended for their work.
 2. The Council should raise further awareness of the role and work of the Private Sector Housing Team, both amongst Members and in the local media. The Task and Finish Group believe that this would encourage behavioural change amongst landlords in the private rented sector who are not complying with their obligations and raise awareness amongst residents who are dealing with damp and mould and other hazards in their homes that they can approach the City Council for help.
 3. The Private Sector Housing Team have confidence in Registered Social Housing Providers in their approach to dealing with damp and mould referrals from

tenants, but will take enforcement action and carry out works in default where necessary. There are concerns about the private rented housing sector which are being exacerbated by the current competitive, complex housing market and rising living costs.

Section 5 – Conclusions

- 5.1 The Task and Finish Group project confirmed that damp and mould is a problem in Gloucester, however the council will need to await the outcome of the Private Sector Housing Stock survey to confirm the full extent and severity of the issue. It became clear throughout the project that damp and mould growth is also a national issue which is being compounded by the condition of properties and pressures caused by the ongoing Cost-of-Living Crisis. A common theme arising from all Task and Finish Group evidence sessions was that rising energy and living costs are having a detrimental impact on tenants living in both social housing and private rented accommodation, in that they are affecting tenants' ability to heat and ventilate their homes to help prevent damp and mould growth.
- 5.2 That said, the Task and Finish Group were satisfied that both the Council and local Registered Social Housing Providers take damp and mould reports seriously. The Registered Social Housing Providers who contributed to the project demonstrated that they had clear and robust reporting mechanisms in place for their tenants. It became clear throughout all stages of the project that the tragic Awaab Ishak case has raised awareness of the seriousness of damp and mould nationally, and this alongside proposed legislative changes and initiatives from Central Government had improved consistency across Social Housing Providers. The Task and Finish Group have made a series of recommendations to the Council's Cabinet, however Members wanted to note in their report that they would also like to make a recommendation to Registered Social Housing Providers to undertake 'welfare checks' on their tenants in addition to statutory annual gas safety checks. The Task and Finish Group felt this was good practice which should be adopted across the board.
- 5.3 The findings of the Task and Finish Group project confirmed the Group's initial expectation that the main challenges in this area are within the private rented sector. As a result of the uncertain housing climate and pressures caused by the increased cost of living, the Task and Finish Group learnt that tenants living in private rented accommodation are increasingly reluctant to complain to their landlord or escalate complaints, for fear of issues being put down to a 'lifestyle' problem and ultimately, risk losing their homes. The Task and Finish Group would have liked to have met with landlords who own private rented accommodation in Gloucester to gain their insight and perspective, however as there is no national or local register of private sector landlords, it was very difficult for the Task and Finish Group to reach out to them in a fair and transparent way.
- 5.4 The Task and Finish Group acknowledge that many of the issues uncovered by the project are complex, national challenges which are beyond the scope of the Council to address. However, the Group believe that the following recommendations will go some way to driving behaviour change locally by promoting responsible renting and will help raise awareness of the assistance City Council can provide to tenants living

in rented accommodation in Gloucester who are experiencing hazards in their homes.

Section 6 – Recommendations of the Task and Finish Group

The Task and Finish Group of the Overview and Scrutiny Committee recommends that:

- 1) The Council considers implementing a Gloucester city-wide landlord accreditation scheme to promote responsible renting. The scheme would provide certification that the Council is satisfied that the landlord complies with their legal obligations.
- 2) The Cabinet Member for Planning and Housing Strategy writes to the Member of Parliament for Gloucester in support of the proposals in the Renters (Reform) Bill to impose a national registration scheme for landlords of private rental properties in England.
- 3) A Member Development Session be offered to all Councillors on the role of the Private Sector Housing Team and how they can assist residents who are experiencing damp and mould growth and other hazards in their home. It is also recommended that such sessions are repeated following City Council elections and offered to new Councillors.
- 4) Where appropriate, the Council publicises any enforcement action, such as Financial Penalty Notices, the Council takes against landlords who are not complying with their obligations through local media. This would raise awareness of the work of the Private Sector Housing Team in taking action against landlords who have committed criminal offences and help drive landlord behaviour change.
- 5) Consideration be given to reinstating an informal link between the Private Sector Housing Team and voluntary advice agencies in the city to ascertain whether there has been improvement in standards.
- 6) The City Council website is updated to include an information page, fact sheet or FAQs document explaining the recourse options available to both private rented and social housing tenants who are experiencing hazards in their homes. This resource could include links to advice from specialist housing advice agencies and should be included in enforcement press releases in order to further enhance communications in local media.
- 7) The Task and Finish Group report on damp and mould and resulting recommendations be shared with relevant colleagues in Gloucestershire County Council, all Gloucestershire district councils, the Member of Parliament for Gloucester and the local Integrated Care Partnership.

Section 7 – Acknowledgements

The Task and Finish Group on Damp and Mould in Gloucester's rented accommodations would like to thank the following partner organisations who contributed to the project:

- Gloucester City Homes
- The Guinness Partnership
- Bromford
- Rooftop Housing
- Gloucester Law Centre
- North and West Gloucestershire Citizens Advice

The Task and Finish Group would also like to thank the following City Council Officers for their contributions, advice and assistance:

- Housing Innovation Manager
- Principal Private Sector Housing Officer
- Democratic and Electoral Services Officer