

TONBRIDGE & MALLING BOROUGH COUNCIL

STRATEGIC HOUSING ADVISORY BOARD

12 February 2008

Report of the Director of Health and Housing

Part 1- Public

Matters for Information

1 SERVICE OF STATUTORY NOTICES

The following statutory notices have been served since the last Strategic Housing Advisory Board in January 2008.

1.1 Housing Act 2004

- 1.1.1 An Improvement Notice has been served under the above legislation on the licence holder of a House in Multiple Occupation (HMO). The notice requires the licence holder to install adequate fire detection and fire protection measures in the HMO within six months.

1.2 Details of Prosecutions

- 1.2.1 There have been no prosecutions since the last Advisory Board on 7 January 2008.

1.3 Legal Implications

- 1.3.1 Under the Housing Act 2004 if the Improvement Notice above is not complied with, within the time scales specified, the Council may undertake works in default or prosecute the licence holder. Should the licence holder be successfully prosecuted for non-compliance with the notice, the licence holder is no longer a fit and proper person to hold the licence.

1.4 Financial and Value for Money Considerations

- 1.4.1 If works in default are undertaken by the Council, costs will be recovered from the licence holder on completion of the works.

1.5 Risk Assessment

- 1.5.1 The Council may undertake works in default under the Housing Act 2004 but is not legally required to. If the fire safety works are not undertaken it will increase the risk of harm to the HMO tenants or visitors in the event of a fire. This may result in some risk to the Council in terms of adverse publicity should a fire occur at the property.

1.6 Policy Considerations

- 1.6.1 The enforcement action taken under the Housing Act 2004 has been taken in accordance with the Council Environmental Health and Housing Services Enforcement Policy.

Background papers:

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Nil

John Batty
Director of Health and Housing