

Rt Hon Michael Gove MP  
Secretary of State for Levelling  
up Housing & Communities  
Minister for Intergovernmental  
Relations  
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Your ref.	
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Date	30 November 2022

Dear Mr Gove

### **Housing Standards in Rented Properties In England**

Thank you for your letter of 19 November 2022 regarding the prioritisation of the improvement of housing conditions in the private and social rented sector, in line with existing duties in the Housing Act 2004 following the tragic death of Awaab Ishak. We also note the follow up letter dated 25 November 2022 from Caroline Crowther and Charlotte Spencer and set out our initial response as below:

#### Confirmation you have received and will pick up the request

I can confirm that we have received and will pick up the request for information either within this initial response and/or within the full response to be submitted by 27 January 2023.

#### A plan setting out how you are intending to prioritise addressing the issues of mould and damp for privately rented properties in your area, with specific reference to how you intend to meet the request set out within the letter

I can confirm that Tonbridge & Malling B.C. already has a robust approach to dealing with damp and mould complaints/issues within our area and I hope this is demonstrated by the following points:

- The Council has an Housing Improvement Team with experienced Environmental Health Officer/Technical Officer resources which already investigate complaints about damp and mould including carrying out visits where appropriate.

Gibson Building, Gibson Drive, Kings Hill,  
West Malling, Kent ME19 4LZ

Director of Planning, Housing & Environmental Health:  
Eleanor Hoyle

Have you tried  
contacting us at  
[www.tmbc.gov.uk/  
do-it-online?](http://www.tmbc.gov.uk/do-it-online?)

- The Council has just completed two years involvement in the BEIS funded Minimum Energy Efficiency Standards (MEES) project which enabled a dedicated resource in the Housing Improvement Team. This has led to an improvement of MEES knowledge within the Housing Improvement team, the identification and energy efficiency related improvements to substandard properties that previously had not come to the attention of the Council, the positive engagement of property owners with both small and large portfolios, changing their perceptions of the Local Authority, instilling confidence, and adding credibility by educating, supporting, and advising them. Importantly MEES and its enforcement has become embedded within the daily complaint work of the team. In the second year we have served several Compliances Notices, Notices of Intent and financial Penalty Notices with 19 properties being improved. We also led a MEES focused West Kent Landlord Forum event in conjunction with the NRLA with more than 100 attending.
- We have taken an active role in maximising funding coming into the area to improve the energy efficiency of properties by working in partnership with others e.g. RPs to deliver schemes utilising the Social Housing Decarbonisation Fund. We have been and where current remain part of Local Authority Delivery and Home Upgrade Grant (HUG) funding schemes.
- We have up to date BRE stock modelled data that allows us to target areas of specific interest e.g. most energy inefficient housing.
- Within our current Housing Strategy (2022-27) we have a priority of “making best use of existing homes, improving housing quality and sustainability”. Within this we have specific objectives to “improve property conditions to provide safe, healthy homes” and to “improve energy efficiency of housing stock to alleviate fuel poverty and help address climate change”.
- We have a specific commitment within the Council’s Climate Change Policy Action Plan to “improve energy efficiency in social housing and in the private rented sector”.
- The Council’s Private Sector Housing Enforcement Policy specifically refers to the Council exercising its discretion to take the most appropriate course of action where a Category 2 Band D hazard exists, where there are multiple hazards leading to a serious situation or where there are exceptional circumstances.
- We hold regular operational and strategic meetings with our main housing provider, Clarion Housing Group, where updates on repairs, complaints etc are provided.
- We are a member of Kent Housing Group which brings local authorities and social housing providers together to be the voice on housing in Kent. This includes on improving housing conditions and this issue has already been flagged as a priority for joint working by the group.
- We are a member of the Kent Chartered Institute of Environmental Health Housing Technical Group that provides expert operational support and guidance across private sector housing including housing conditions.

However, we fully understand the need for us to continually ‘challenge’ ourselves and our approach over this critical issue. We therefore intend to commit to the following actions:

- To carry out a thorough briefing of the Housing Improvement Team to reinforce the importance of our approach to complaints regarding damp and mould including ensuring we are challenging any assumptions being made regarding causes etc and that we are making ALL visits count.
- To revisit our BRE stock modelled data to determine if there is any further targeted pro-active work we can and should carry out.
- To amend the Council’s Private Sector Housing Enforcement Policy to specifically refer to the Council exercising its discretion to take the most appropriate course of action where a Category 2 hazard Band E hazard for damp and mould exists.
- To contact all Registered Providers within our area to seek a copy of their submission on this topic in response to the letter dated 22 November 2022 from the Regulator of Social Housing to ascertain any issues that we may want to investigate further within our area. We will particularly focus on our main housing provider, Clarion Housing Group, and will work with

them to review a jointly agreed approach to damp and mould complaints received by the Council in their stock. We will also discuss this particular issue at a Member liaison panel we have with their senior staff in December 2022.

- To improve our IT system in use within the Housing Improvement Team to ensure usable workflow mechanisms for staff and that strong case monitoring is in place across all complaint work.
- To review all our advice leaflets/links on damp and mould etc to ensure they are up to date and appropriate and liaise with our communications team regarding a media campaign around this topic over the winter period.
- To take an active part in Kent wide discussions through Kent Housing Group and the Kent Chartered Institute of Environmental Health Housing Technical Group on this topic including sharing and acting on good practice etc.

Any issues you envisage with completing the full response for 27 January and/or where further clarity from the department would be helpful.

At this stage we do not envisage any issues with completing the full response.

In terms of clarity, we would urge you and your department (if not already) to engage with the Environmental Health profession regarding this topic as that is where the expertise regarding private sector housing conditions lies and this could helpfully aid your understanding of the current enforcement landscape and feed into policy development for improving the quality of housing in the private rented sector.

It would also be remiss of us to not point out that critical to the prevention of damp and mould is adequate heating and insulation. We urge you and the Government to ensure that priority is given to ensuring insulation and heating schemes open to all continue to be fully funded/subsidised to ensure good take up and that the cost of heating is managed so that even the most vulnerable residents can afford to heat their homes adequately. Put simply if this doesn't happen, then any improvement work around property standards can be easily and quickly undone.

We look forward to the further form being circulated for the full response. In the meantime, if you have any queries regarding any of the information provided above, please do not hesitate to contact me.

Yours sincerely



**Linda Hibbs**  
Head of Housing & Health