

Committee(s): Housing Committee	Date: 27 June 2022
Subject: Damp, Mould and Condensation Policy	Wards Affected: All
Report of: Tracey Lilley, Corporate Director – Housing & Community Safety	Public
Report Author/s: Name: Nicola Marsh, Housing Manager Telephone: 01277 312 500 E-mail: nicola.marsh@brentwood.gov.uk	For Decision

Summary

Damp, Mould and Condensation has been a known issue for a number of years. However, following the introduction of the Homes (fitness for Human Habitation) Act 2018, we have seen an increase of disrepair claims being brought against the Council and many focus on the aforementioned issue.

Although there has been information on our website for a number of years and leaflet literature available to residents, in discussion with our legal team, it is prudent to implement a full Damp, Mould and Condensation Policy.

Recommendation(s)

Members are asked to:

R1. Approve the draft Damp, Mould and Condensation Policy for implementation.

Main Report

Introduction and Background

1. Damp, Mould and Condensation has been a known issue for a number of years. However, following the introduction of the Homes (fitness for Human Habitation) Act 2018, we have seen an increase of disrepair claims being brought against the Council and many focus on the aforementioned issue.
2. Although there has been information on our website for several years and leaflet literature available to residents, in discussion with our legal team, it is prudent to implement a full Damp, Mould and Condensation Policy.

3. The Policy details the responsibility of both residents (tenants and leaseholders) and the Council in regard to managing Damp, Mould and Condensation to provide clarity to both parties.
4. Whilst Damp, Mould and Condensation can be caused by a multitude of contributing factors, one of the main issues we have experienced within the borough is our legacy buildings based on their original construction.
5. Where the fabric of the building is not currently well insulated, airtight or ventilated. This causes draughts in the property and usually results in the overuse of heating by residents. This then leads to a build-up of moisture in the property that cannot escape due to lack of ventilation.
6. This ultimately leads to condensation.
7. The Government is currently focussing a vast amount of grant funding to improve properties energy efficiency (retrofit) by a fabric first approach, tackling insulation, air tightness and ventilation to increase the EPC rating.
8. The Council is actively working to secure this funding through grant bids and where we have already been granted monies, we are already implementing retrofit works.

Issue, Options and Analysis of Options

9. This policy aims to support our intentions to work alongside Government schemes, as well as building in retrofit solutions to all planned works programmes going forward.
10. At first, the options we have to improve the buildings within our borough will be bespoke. However, as we progress, the solutions will develop into a standardised bank of options for the various issues encountered.

Reasons for Recommendation

11. It has been recommended by our legal advisors to have a policy in place to support not only disrepair cases, but to futureproof the dwellings occupied within the borough.

Consultation

12. This policy has been brought before our Tenant Talkback group who agreed that the tenant responsibilities are reasonable requests and it is important to consider how we educate tenants on the causes and solutions of damp and mould.

References to Corporate Plan

13. Provide Decent, safe, and affordable homes for local people.
14. Develop a 5-year planned maintenance programme for Council Housing.

Implications

Financial Implications

Name/Title: Jacqueline Van Mellaerts, Corporate Director (Finance & Resources)

Tel/Email: 01277 312500/jacqueline.vanmellaerts@brentwood.gov.uk

15. There are no direct financial implications. Available budgets are included within the Medium term Financial Strategy to carry out remedial repairs, variances are reported to Policy, Resources & Economic Committee throughout the year.

Legal Implications

Name & Title: Amanda Julian, Corporate Director (Law & Governance) and

Monitoring Officer

Tel & Email: 01277 312705/amanda.julian@brentwood.gov.uk

16. The Council by adopting a policy will be able to show compliance with the legislation and be able to mitigate potential challenges.

Economic Implications

Name/Title: Phil Drane, Corporate Director (Planning and Economy)

Tel/Email: 01277 312610/philip.drane@brentwood.gov.uk

17. There are no direct economic implications.

Equality and Diversity Implications

Name/Title: Kim Anderson, Partnerships, Leisure & Funding Manager

Tel/Email: 01277 312634/kim.anderson@brentwood.gov.uk

18. The Public Sector Equality Duty applies to the Council when it makes decisions. The duty requires us to have regard to the need to:
 - a. Eliminate unlawful discrimination, harassment and victimisation and other behaviour prohibited by the Act. In summary, the Act makes discrimination etc. on the grounds of a protected characteristic unlawful
 - b. Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - c. Foster good relations between people who share a protected characteristic and those who do not, including tackling prejudice and promoting understanding.

19. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, marriage and civil partnership, race, religion or belief, gender, and sexual orientation. The Act states that 'marriage and civil partnership' is not a relevant protected characteristic for (b) or (c) although it is relevant for (a).
20. The proposals in this report will not have a disproportionately adverse impact on any people with a particular characteristic.

Other Implications (where significant) – i.e. Health and Safety, Asset Management, Risk Management, Section 17 – Crime & Disorder, Sustainability, ICT.

None

Background Papers

- Homes (fitness for Human Habitation) Act 2018

Appendices to this report

- Appendix A: Damp, Mould and Condensation Policy Draft February 2022