

APPENDIX 2

Constitution – Part 4 – Table 4.04 – Community Services

2. Private Sector Housing			
Subject	Detail	Delegated by:	Delegated to:
Power of entry	To exercise the powers of Authorised Officers in respect of entry, inspection and investigation in relation to housing conditions as specified in any legislation the enforcement of which is delegated to <u>the Assistant Director of Community and Housing Services</u> .	Executive Committee	[Assistant Director of Community and Housing Services] / [Strategic Housing Services Manager] / [Private Sector Housing Manager] / [Housing Development & Strategy Manager] / [Private Sector Housing Officer]
General regulatory and enforcement activity for private sector housing (including Houses of Multiple Occupation)	1. To exercise <u>all local authority regulatory and enforcement functions under the legislation listed below:-</u> Housing Act 1985 Housing Act 1988 Housing Act 2004 Management of Houses in Multiple Occupation Regulations 2006 Licensing & Management of HMO & other Houses (Miscellaneous Provisions) (England) Regulations 2006 Environmental Protection Act 1990 <u>section 79(1)(a)</u>		[Assistant Director of Community and Housing Services] / [Strategic Housing Services Manager] / [Private Sector Housing Manager] / [Housing Development & Strategy Manager] / [Private Sector Housing Officer]
	Local Government (Miscellaneous Provisions) Acts 1976, 1982 Prevention of Damage by Pests Act 1949 Public Health Act 1961 Licensing and Management of Houses in Multiple Occupation (additional provisions) (England) Regulations 2007 Mobile Homes Act 2013 Caravan Sites & Control of Development Act 1960 Housing and Planning Act 2016 Electrical Safety Standards in the Private Rented Sector and Social Rented Sector (England)		

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Subject	Detail	Delegated by:	Delegated to:
	<p><u>Regulations 2020</u></p> <p><u>2. To institute legal proceedings for offences under the legislation listed above.</u></p> <p><u>3. To impose a civil penalty for an offence as an alternative to bringing a prosecution.</u></p>		<p><u>2 and 3 Strategic Housing Manager in consultation with Principal Solicitor</u></p>
Caravan Site Licences	To approve a transfer or renewal of a Caravan Site Licence	Executive	[Assistant Director of Community and Housing Services] / [Strategic Housing Services Manager] / [Private Sector Housing Manager] / [Housing Development & Strategy Manager]
Caravan Site Licences	To approve licence for new site	Council	[Assistant Director of Community and Housing Services] / [Strategic Housing Services Manager]
Property Tribunal	To make application to a Residential Property Tribunal in relation to enforcement or other provisions under the Housing Act 2004	Executive Committee	[Assistant Director of Community and Housing Services] / [Strategic Housing Services Manager]
Illegal evictions and harassment	<u>1.</u> To institute legal proceedings in respect of illegal evictions and harassment under provisions of the Protection From Eviction Act 1977 and Housing Act 1988 <u>(as</u>	Executive Committee	<u>1 and 2</u> [Assistant Director of Community and Housing Services] / [Strategic Housing Services

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APPENDIX 2

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Subject	Detail	Delegated by:	Delegated to:
	<p><u>amended by the Renters Right Act 2025).</u></p> <p>2. <u>To impose a financial penalty for an offence under section 1 of the Protection from Eviction Act (as amended) as an alternative to bringing a prosecution.</u></p>		<p>Manager] / [Private Sector Housing Manager] / [Housing Development &amp; Strategy Manager] <u>in consultation with the Principal Solicitor</u></p>
<p>Renters Rights Act 2025 – investigatory powers  (Added following report on Renters Right Act in March 2026)</p>	<p>To exercise all powers in respect of entry, inspection, investigation, service of notices and other functions for the purposes of the following legislation: - Renters Rights Act 2025 sections 114 to 132 (investigatory powers) and section 110 (reporting to government)</p>	Executive Committee	[Assistant Director of Community and Housing Services] / [Housing Strategy Manager] / [Private Sector Housing Team Leader] / [Housing Strategy & Enabling Team Leader] / [Private Sector Housing Officer]
<p>Renters Rights Act 2025 Investigations (Added following report on Renters Right Act in March 2026)</p>	<p>To undertake investigations into potential offences under sections 33, 34, 39 and 56 of the Renters Rights Act 2025</p>	Executive Committee	[Assistant Director of Community and Housing Services] / [Housing Strategy Manager] / [Private Sector Housing Team Leader] / [Housing Strategy & Enabling Team Leader] / [Private Sector Housing Officer]
<u>Discrimination in the rental market</u>	<u>To take enforcement action under Chapter 3 of the Renters Rights Act 2025, including the imposition of financial penalties in accordance with the Councils Enforcement and Civil Penalties Notice Policy</u>	<u>Executive Committee</u>	<u>Assistant Director of Community and Housing Services</u>
<u>Stating the proposed rent and rental bidding</u>	<u>To take enforcement action under Chapter 6 of the Renters Rights Act 2025, including the imposition of financial penalties in</u>	<u>Executive Committee</u>	<u>Assistant Director of Community and Housing Services</u>

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<b>Subject</b>	<b>Detail</b>	<b>Delegated by:</b>	<b>Delegated to:</b>
	<u>accordance with the Councils Enforcement and Civil Penalties Notice Policy</u>		
<u>Private Sector Housing Enforcement and Civil Penalty Policy</u>	<u>To update the Policy in line with any legislative or government guidance updates</u>	<u>Executive Committee</u>	<u>Assistant Director of Community and Housing Services following consultation with the Portfolio Holder for Housing</u>
Building Act notices	To serve notices under the Building Act 1984, Sections 59, 63, 64, 70, 72(1)(a) 76 & 79 in relation to housing conditions, to undertake work in default and recover expenses.	Executive Committee	[Assistant Director of Community and Housing Services] / [Strategic Housing Services Manager] / [Private Sector Housing Manager] / [Housing Development & Strategy Manager] / [Private Sector Housing Officer]
Lifetime Grants - approval	To approve applications for Lifetime Grants under the Housing Assistance Scheme and any subsequent schemes for works of repair, improvement, adaptation or thermal efficiency and applications for Landlord (HMO) Lifetime Grant	Executive Committee	[Deputy Chief Executive] / [Assistant Director of Community and Housing Services] / [Strategic Housing Manager] / [Private Sector Housing Manager] / [Housing Development & Strategy Manager]
Disabled Facilities Grants	To approve applications for mandatory Disabled Facilities Grant	Executive Committee	[Assistant Director of Community and Housing Services] / [Strategic Housing Manager] / [Private Sector Housing Manager] / [Housing Development & Strategy Manager]
Disabled Facilities Grant - Repayment	To waive the condition requiring repayment of a Disabled Facilities Grant in accordance with the Government's Criteria set out in Section 5.19(b) of the report to	Executive Committee	[Assistant Director of Community and Housing Services] following consultation with the relevant portfolio holder.

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	the Executive Committee on 7 <sup>th</sup> January 1999		
Lifetime Grants - cancellation	To cancel Lifetime Grant and recover interim payments for failure to complete eligible work within 12 months of approval date or to grant extensions of time for completion	Executive Committee	[Assistant Director of Community and Housing Services] / [Strategic Housing Manager] / [Private Sector Housing Manager] / [Housing Development & Strategy Manager]
Council land and premises - dealing with Trespassers	To authorise the exercise of Local Authority powers under the Criminal Justice & Public Order Act 1994 relating to occupation of council land and premises by trespassers.	Executive Committee	[Assistant Director of Community and Housing Services] / [Strategic Housing Manager] / [Private Sector Housing Manager] / [Housing Strategy and Enabling Team Leader].
Proceedings for possession	To authorise the instigation of civil legal proceedings for possession of council land and premises occupied by trespassers without permission and further legal proceedings for their eviction from such land and premises.	Executive Committee	[Assistant Director of Community and Housing Services] / [Strategic Housing Manager] / [Private Sector Housing Manager] / [Housing Development & Strategy Manager].
Council land - bunding	In connection with the construction of bunding to prevent trespass on council land or removal of bunding provided for such purpose the Executive Director of Leisure, Environmental & Community Services shall, before taking action, consult with relevant Ward Members and residents in the vicinity likely to be affected. The decision to construct or remove bunding shall be delegated to the Director of Leisure, Environment & Community Services following	Executive Committee	[Deputy Chief Executive] / [Assistant Director of Community and Housing Services] / [Strategic Housing Manager] following consultation with Ward Members

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**APPENDIX 2**

**Constitution – Part 4 – Table 4.04 – Community Services**

	consultation with the relevant Ward Members		
Home Improvement Agency	To deal with day to day management of the Home Improvement Agency Service	Executive Committee	[Assistant Director of Community and Housing Services] / [Strategic Housing Manager] / [Private Sector Team Leader]
Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015	To implement enforcement powers under the Energy Efficiency (Private Rented Property) (England & Wales) Regulations 2015	Executive	[Assistant Director of Community and Housing Services]

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