

FOI Ref  
**12454**

Response sent  
**06 Mar 23**

**(CCC) Levelling Up, Housing and Communities.**

This Freedom of Information request is for the attention of the council officers and department that oversees the private rented sector for the council.

The Secretary of State for Levelling Up, Housing and Communities, the Rt Hon Michael Gove has now received your initial response to his letter requesting the council's activity to address damp and mould in the private rented sector following the tragic death of Awaab Ishak in Rochdale.

We understand that the council would now have submitted their full response to the Secretary of State by the 27th January deadline:  
[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1118877/SoS\\_letter\\_to\\_local\\_authority\\_chief\\_executive\\_and\\_council\\_leaders.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1118877/SoS_letter_to_local_authority_chief_executive_and_council_leaders.pdf)

The NRLA therefore requests a copy of the full response concerning the private rented sector sent by this local authority to the Department for Levelling Up, Housing and Communities.

**Response**

Please find 'Attached Document' - a PDF document copy of the full response return information that was forwarded to central government in response to their request.

Further queries on this matter should be directed to [foi@cambridge.gov.uk](mailto:foi@cambridge.gov.uk)

## Local authority returns form: damp and mould in private rented

### properties

Details:

**1. Please provide the full name of your local authority:**

Answer (Required)

Cambridge City Council

**2. Please provide an email address of a named person we can contact with any further queries:**

Answer (Required)

[claire.adelizzi@cambridge.gov.uk](mailto:claire.adelizzi@cambridge.gov.uk)

**3. Approximately how many private rented sector properties are in your area currently?**

Answer. Please provide a number. If you cannot answer, please write 'NA' (Required)

16,558 households said to be in private rented property / living rent free.

**4. What data sources do you normally use to inform your knowledge of the quality and condition of the privately rented stock in your area?**

(Required)

a) Stock condition survey  b) Stock modelling  c) Estimate based on contact with landlords/tenants  d) Estimate based on general knowledge of local housing stock  e) Housing census  f) Other: e.g. licensing schemes(s), council tax, please provide details (below)

Answer (option - f)

Mandatory HMO Licensing Scheme data, proactive non-licensable HMO Inspection data, private sector housing complaint data and Energy Performance Certificate, (EPC), data.

**5. Approximately what number of full-time equivalent (FTE) do you have in your housing enforcement team? In answering, please provide the number of all staff working on private rented sector standards, enforcement and licensing, including how many FTE Environmental Health Officers are carrying out enforcement, plus those that work in administrative and managerial roles, but not including legal resource. Also please do not include staff who only**

**work on MEES. Where a staff member works on MEES alongside other housing enforcement, please include them in your FTE numbers.**

Optional

1x Team Manager. 9.6x Enforcement Officers comprising 3xFTE Principal EHO's, 1xFTE EHO, 2.6xFTE Senior Technical Officers, 3xFTE Technical Officers one of whom is involved in proactive MEES work alongside other private sector housing enforcement. 1xFTE Empty Homes Officer and 1xFTE Licensing Support Officer. The enforcement officers within the Residential team also investigate other residential concerns including those relating to public health and statutory nuisance.

**6. Do you run any Selective and/or Additional Licensing schemes in your area?**

(Required)  Selective  Additional  Neither

**7. If you do run any licensing schemes, approximately how many properties are covered by your scheme(s)? Please break down by each individual Selective/Additional licensing scheme**

Optional

Currently 818 mandatory licensed HMOs within the City.

Prevalence of damp and mould

The following questions relate to your assessment of damp and mould issues in your local authority area. If you are not able to provide a response to any of the following questions, please respond with 'n/a'.

**8. Based on your assessment of damp and mould issues affecting private rented sector properties in your area, approximately what proportion do you currently estimate to have category 1 damp and mould hazards?**

% (Required)

Using our data for housing complaints and inspections alone 0% were identified as category 1 'damp and mould' hazards across the most recent complete reporting period 2021/22 indicating a low proportion of this hazard in the private rented sector within the city. Owing to this assessment including complaint data this is reliant on tenants with concerns about their private rented sector homes making complaints to us for investigation.

**9. What data sources do you normally use to come to the assessment provided in question 8?**

(Required)  a) Stock condition survey  b) Stock modelling  c) Estimate based on contact with landlords/tenants  d) Estimate based on general knowledge of local housing stock  e) Other e.g. licensing schemes(s), council tax etc.: (please specify below)

Other please specify

Private sector housing complaints data.

**10. Based on your assessment of damp and mould issues affecting private rented sector properties in your area, approximately what proportion do you currently estimate to have category 2 damp and mould hazards?**

% (Required)

Using our data for housing complaints alone 28% were identified as category 2 'damp and mould' hazards across the most recent complete reporting period 2021/22. Owing to this assessment including complaint data this is reliant on tenants with concerns about their private rented sector homes making complaints to us for investigation.

**11. What data sources do you normally use to come to the assessment provided in question 9?**

(Required)  a) Stock condition survey  b) Stock modelling  c) Estimate based on contact with landlords/tenants  d) Estimate based on general knowledge of local housing stock  e) Other e.g. licensing schemes(s), council tax etc.: (please specify below)

Other please specify

Private sector housing complaints data.

**12. If you have not collected the information requested or are not able to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.**

Answer (Required)

In relation to private sector rented housing within Cambridge city it important to note that a Stock Condition Survey was carried out in 2009 and Stock modelling in 2015 Data analysis from these studies did not identify the hazard of 'Damp and Mould' to be prevalent in private sector accommodation within the City. The hazard of 'Excess Cold' was found to be the main reason for the presence of a category 1 hazard, affecting 7% of private rented sector housing stock at that time.

Enforcement Questions: complaints

The following questions relate to damp and mould complaints and inspections in your local authority area. If you are not able to provide a response to any of the following questions, please respond with 'n/a'.

**13. Please tell us what steps you take when you receive a complaint about damp and mould from a private rented sector tenant. Where relevant, please refer to or provide links to any enforcement policies you have in place (e.g. on enforcing category 2 hazards) and any guidance you might provide for tenants experiencing damp and mould issues.**

## Optional

A risk-based assessment of the concern(s) raised is undertaken upon receipt by an enforcement officer in line with the teams 'Triage Procedure for the Resolving of Service Requests Relating to the Disrepair of Occupied Private Sector Properties' a copy of which is being forwarded separately as an accompanying document to this form via e-mail to [Housingstandards@levellingup.co.uk](mailto:Housingstandards@levellingup.co.uk). The Councils current Enforcement Policy and Environmental Health Service Standards can be found here: <https://www.cambridge.gov.uk/enforcement-policy>. We have reviewed our web page in relation to damp and mould in private rented accommodation as well as condensation advice notes that provide guidance for tenants experiencing damp and mould issues, these can be viewed here: <https://www.cambridge.gov.uk/reduce-condensation-and-prevent-mould-in-your-home>.

**14. Overall, how many complaints relating to housing standards have you received in the last three financial years that reference or relate to damp and mould issues in the private rented sector?**

Answer - 2019/2020 (Required)

Answer - 2020/2021 (Required)

Answer - 2021/2022 (Required)

**15. Of the complaints you received that reference damp and mould in the last three financial years, approximately how many resulted in inspections?**

Answer - 2019/2020 (Required)

Answer - 2020/2021 (Required)

Answer - 2020/2021 (Required)

**16. If you have not collected the information requested or are not able to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.**

answer (Required)

N/A

Enforcement Questions: category 1 damp and mould hazards

The following questions ask for the number of category 1 damp and mould hazards identified broken down by inspections resulting from complaints, licensing, stock modelling and other reasons. If you are not able to provide a response to any of the following questions, please respond with 'n/a'.

**17. Approximately how many inspections have you undertaken overall in the last three financial years?**

Answer - 2019/2020 (Required)

Answer - 2020/2021 (Required)

Answer - 2021/2022 (Required)

**18. Thinking now ONLY about all of the inspections that you undertook as a result of complaints, approximately how many have identified a category 1 damp and mould hazard?**

Answer - 2019/2020 (Required)

- see response to question 22

Answer - 2020/2021 (Required)

- see response to question 22

Answer - 2021/2022 (Required)

- see response to question 22

**19. Thinking now ONLY about all the inspections that you undertook as a result of licensing, approximately how many have identified a category 1 damp and mould hazard?**

Answer - 2019/2020 (Required)

- see response to question 22

Answer - 2020/2021 (Required)

- see response to question 22

Answer - 2021/2022 (Required)

- see response to question 22

**20. Thinking now ONLY about all the inspections that you undertook as a result of stock modelling, approximately how many have identified a category 1 damp and mould hazard?**

Answer - 2019/2020 (Required)

- see response to question 22

Answer - 2020/2021 (Required)

- see response to question 22

Answer - 2021/2022 (Required)

- see response to question 22

**21. Thinking now ONLY about all the inspections that you undertook for reasons other than complaints, licensing or stock modelling, approximately how many have identified a category 1 damp and mould hazard?**

Answer - 2019/2020 (Required)

- see response to question 22

Answer - 2020/2021 (Required)

- see response to question 22

Answer - 2021/2022 (Required)

- see response to question 22

**22. If you have not collected the information requested above or are not able to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.**

answer (Required)

Answer to question 19 - Licensable houses in multiple occupation, (HMO's), are currently inspected at the point of licensing. In terms of this reportable period a system of 'fast tracking' licence applications in appropriate circumstances was in place. This had been implemented at the point of enactment of extension of mandatory licensing to assist us in efficiently dealing with the anticipated influx of licence application forms and was something that remained in place during the pandemic period meaning that property inspections were not always carried out at the point of licensing. It is important to note that defects identified at the point of inspection of HMO's are addressed via a post inspection schedule of works detailing the Management of Houses in Multiple Occupation (England) Management Regulations 2006 in the heading and for which defects identified upon inspection including those associated with 'damp and mould' are dealt with via the appropriate regulation(s). A HHSRS assessment record would only be created on the Environmental Health database if alternative enforcement needed to be considered in respect of an outstanding defect(s) related to a dwelling where a significant hazard had been identified. There are many successful informal interventions recorded, with the number of HMO's brought up to standard post inspection within the city being reported on quarterly.

Answer to question 20 - No Stock modelling has been conducted across this reporting period.

Answer to question 21 - All other recorded inspections are those carried out in relation to non - licensable HMOs for which works identified at the point of inspection are addressed via a schedule of works detailing the HMO management Reg's in the heading and for which defects identified upon inspection including those associated with 'damp and mould' are dealt with via the appropriate regulation(s). A HHSRS assessment record would only be created on the Environmental Health database if alternative enforcement needed to be considered in respect of an outstanding defect(s) related to a dwelling where a significant hazard had been identified. There are many successful informal interventions recorded, with the number of HMO's brought up to standard post inspection within the city being reported on quarterly.

Enforcement Questions: category 2 damp and mould hazards

The following questions ask for the number of category 2 damp and mould hazards identified broken down by inspections resulting from complaints, licensing, stock modelling and other reasons. If you are not able to provide a response to any of the following questions, please respond with 'n/a'.

**23. Thinking now ONLY about all the inspections that you undertook as a result of complaints, approximately how many have identified a category 2 damp and mould hazard?**

Answer - 2019/2020 (Required)

Answer - 2020/2021 (Required)

Answer - 2021/2022 (Required)

**24. Thinking now ONLY about all the inspections that you undertook as a result of licensing, approximately how many have identified a category 2 damp and mould hazard?**

Answer - 2019/2020 (Required)

- see response to question 27

Answer - 2020/2021 (Required)

- see response to question 27

Answer - 2021/2022 (Required)

- see response to question 27



**25. Thinking now ONLY about all the inspections that you undertook as a result of stock modelling, approximately how many have identified a category 2 damp and mould hazard?**

Answer - 2019/2020 (Required)

- see response to question 27

Answer - 2020/2021 (Required)

- see response to question 27

Answer - 2021/2022 (Required)

- see response to question 27

**26. Thinking now ONLY about all the inspections that you undertook for reasons other than complaints, licensing or stock modelling, approximately how many have identified a category 2 damp and mould hazard?**

Answer - 2019/2020 (Required)

- see response to question 27

Answer - 2020/2021 (Required)

- see response to question 27

Answer - 2021/2022 (Required)

- see response to question 27

**27. If you have not collected the information requested above or are not able to provide information in this way, please can you tell us why? Please put n/a if you have provided the above data.**

answer (Required)

Answer to question 24 - Licensable houses in multiple occupation, (HMO's), are currently inspected at the point of licensing. In terms of this reporting period a system of 'fast tracking' licence applications in appropriate circumstances was in place. This had been implemented at the point of enactment of extension of mandatory licensing to assist us in efficiently dealing with the anticipated influx of licence application forms and was something that remained in place during the pandemic period meaning that property inspections were not always carried out at the point of licensing. It is important to note that defects identified at the point of inspection of HMO's are addressed via a post inspection schedule of works detailing the Management of Houses in Multiple Occupation (England) Management Regulations 2006 in the heading and for which defects identified upon inspection including those associated with 'damp and mould' are dealt with via the appropriate regulation(s). A HHSRS assessment record would only be created on the Environmental Health database if alternative enforcement needed to be considered in respect of an outstanding defect(s) related to a dwelling where a significant hazard had been identified. There are many successful informal interventions recorded, with the number of HMO's brought up to standard post inspection within the city being reported on quarterly.

Answer to question 25 - No Stock modelling has been conducted across this reporting period.

Answer to question 26 - All other recorded inspections are those carried out in relation to non - licensable HMOs for which works identified at the point of inspection are addressed via a schedule of works detailing the HMO management Reg's in the heading and for which defects identified upon inspection including those associated with 'damp and mould' are dealt with via the appropriate regulation(s). A HHSRS assessment record would only be created on the Environmental Health database if alternative enforcement needed to be considered in respect of an outstanding defect(s) related to a dwelling where a significant hazard had been identified. There are many successful informal interventions recorded, with the number of HMO's brought up to standard post inspection within the city being reported on quarterly.

#### Enforcement action

The following questions ask for figures on enforcement action taken in relation damp and mould hazards, including the number of improvement notices and civil penalty notices issued and the number of prosecutions. If you are not able to provide a response to any of the following questions, please respond with 'n/a'.

#### **28. Please provide the figures for all formal and informal enforcement action taken on damp and mould hazards:**

Answer - 2019/2020 (Required)

Answer - 2020/2021 (Required)

Answer - 2021/2022 (Required)

#### **29. Please provide the figures for improvement notices issued in relation to damp and mould hazards:**

Answer - 2019/2020 (Required)

Answer - 2020/2021 (Required)

Answer - 2021/2022 (Required)

**30. Please provide the figures for civil penalty notices issued in relation to damp and mould hazards:**

Answer - 2019/2020 (Required)

Answer - 2020/2021 (Required)

Answer - 2021/2022 (Required)

**31. Please provide the figures for prosecutions pursued in relation to damp and mould hazards:**

Answer - 2019/2020 (Required)

Answer - 2020/2021 (Required)

Answer - 2021/2022 (Required)

1 - failure to comply with an Improvement notice that was served in another reporting period one element of which was an identified category 2 hazard of 'damp & mould'. This property has now been sold & is pending alteration / refurbishment.

**32. Please provide the figures for successful prosecutions in relation to damp and mould hazards:**

Answer - 2019/2020 (Required)

Answer - 2020/2021 (Required)

Answer - 2021/2022 (Required)

1 - failure to comply with an Improvement notice that was served in another reporting period, one element of which was an identified category 2 hazard of 'damp & mould'. This property has now been sold and is pending alteration / refurbishment.

Wider context

**33. Please rank in priority order (1 - the highest impact / 6 - the least impact) how the following have had an impact on enforcement action relating to damp and mould in your area**

a) Capacity of your local authority. i.e. resource and funding hindering capacity to take enforcement action relating to damp and mould.

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b) Experience and expertise in the local authority. i.e. a lack of officers with experience, for example, experience pursuing prosecutions or expertise within the team including, for example, legal

expertise.

c) Strategic prioritisation of private rented sector enforcement. i.e. competing priorities leading to relatively lower prioritisation of enforcement action or proactively enforce.

d) The regulatory/ legal framework for enforcement activity. i.e. too much complexity in legislation.

e) Issues with gathering or providing evidence. i.e. tenants reluctant to provide statements or difficulties gathering the requisite evidence for issuing a fine or prosecuting.

f) Limited data on the private rented stock. i.e. difficulties identifying private rented properties or insufficient resource to map out private rented stock.

### 34. Please say why you have ranked the items on question 31 in this order

#### Optional

It is difficult to have a complete understanding of our private sector housing stock with limited data both locally & nationally, census data and stock condition data do not provide a complete picture. The regulatory framework is complex and time consuming which does prohibit more enforcement action being taken. On a more positive note, there is significant experience of qualified Environmental Health enforcement staff within the Residential Team at Cambridge City Council who have remained with the Local Authority for several years securing positive outcomes in relation to improvements in the condition and suitability of private rented housing in the city. Safety and suitability of private sector rented housing is high on the Council's priorities and there is significant support from members.

### 35. Does the Housing Health and Safety Rating System (HHSRS) allow for an effective assessment of how serious and dangerous damp and mould is in people's homes?

Yes  No  Not sure

**36. If not, what changes should be made to the HHSRS, to the system for categorising hazards or to enforcement powers under the Housing Act 2004?**

**Optional**

There is currently an ongoing review of the HHSRS for which Cambridge City Council submitted a consultation response and for which we are hopeful that there will be positive changes to this assessment system once this is finalised. As it stands it is difficult to reach an outcome of assessing a 'damp & mould' hazard as a category 1 / high category 2 hazard for which the L.A. would have a duty / power to act / intervene in relation to an issue(s). Also, there needs to be an acknowledgement that there are close links between the associated hazard of 'excess cold'. 'Excess cold' is a more prevalent, higher scoring hazard than 'damp and mould' for which the prevalence has increased further currently owing to the current cost of living crisis. Review of scoring arrangements would be welcomed as well as any means of streamlining the current HHSRS to make it more time efficient for those officers using it.

**37. What other measures would help you to better prioritise addressing housing enforcement issues such as damp and mould?**

**Optional**

Access to more comprehensive, current, and reliable private sector rented housing data on a local and national scale. A simplified regulatory framework allowing additional, more efficient assessments of the defects / hazards identified as well as in terms of pursuing successful enforcement outcomes. More robust sanctions around landlord & tenant law as tenants may still feel reluctant to report concerns about their accommodation to the local authority, something which was evident during the pandemic period regardless of the ban on possession and eviction proceedings.

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