

**PRIVATE SECTOR HOUSING ENFORCEMENT
THE CRIMINAL LAW ACT 1977 &
THE PROTECTION FROM HARASSMENT ACT 1997
(Report by the Overview and Scrutiny Panel (Social Well-Being))**

1. INTRODUCTION

- 1.1 At its meeting on 2nd March 2010, the Overview and Scrutiny Panel (Social Well-Being) considered a report by the Head of Environmental and Community Health Services on private sector housing enforcement. This report contains a summary of the Panel's discussions.

2. COMMENTS

- 2.1 The Panel has received background information on the report which seeks delegated authority to appoint Officers to enforce the provisions of the Criminal Law Act 1977 and the Protection from Harassment Act 1997 when dealing with allegations of harassment and illegal eviction in the private housing sector. In particular, it has been reported that, on average, around 8-10 cases of potential harassment or illegal eviction occur each year but, at present, the Council does not have the necessary powers to undertake investigations and to prosecute offenders when complaints of harassment and illegal eviction are found to be justified.
- 2.2 Given that these powers have been available for some time, the Panel has questioned why delegated authority is only now being sought. In response it has been reported that recent demographic changes in the private sector housing market have lead Officers to believe that these powers are necessary and could effectively be utilised to protect vulnerable tenants.
- 2.3 Having been advised that the new powers will enable Officers to regain possession of property on tenants' behalf, enabling them to reside there until the correct legal procedures for possessions have been followed, the Panel has expressed support for the delegations requested of the Cabinet as set out in the report by the Head of Environmental and Community Health Services. In reaching this view Members have taken into account the fact that this will not have any financial implications for the Council.

3. CONCLUSION

- 3.1 The Cabinet is invited to consider the comments of the Overview and Scrutiny Panel (Social Well-Being) as part of its deliberations on the report by the Head of Environmental and Community Health Services.

BACKGROUND INFORMATION

Minutes and Report of the meeting of the Overview and Scrutiny Panel (Social Well-Being) on 2nd March 2010.

**Contact Officer: Miss H Ali, Democratic Services Officer
(01480) 388006**