

Private Sector Housing Service

1.2 Private Sector Housing and the Enforcement Concordat

Southend's Private Sector Housing Service enforces a range of legislation affecting residential premises within the Borough.

Enforcement functions are identified within the Annual Service Plan covering all Adult & Community Services functions.

Contact Points

The initial contact point during normal office hours is:

PRIVATE SECTOR HOUSING TEAM
House Renovation Grants / Private Housing Disrepair **01702 215815**

Personal contact with Private Sector Housing staff can be made by visiting the Council's Customer Contact Centre at the Civic Centre, although an appointment is preferred as most of the Team are visiting clients around the Borough from 10am to 4.30 pm.

The Enforcement Concordat

This document is part of the Council's Enforcement Concordat, as detailed in the corporate leaflet. The Private Sector Housing Service is always prepared to provide advice to anyone in order that they are able to both comply with, and understand, any legislation that we enforce. However, the Service's officers are unable to act as both consultant to an individual and then as an enforcement officer.

The Adult & Community Services Department welcomes any constructive comments as to how either this document, or any of its enforcement policies, could be improved. Such comments will be taken into account during future reviews of this Enforcement Concordat statement.

Private Sector Housing Enforcement Policy

In addition to the corporate principles, the Private Sector Housing Service would draw to the attention of users of the Service the following service principles and policies:

Standards

- We are committed to the adoption and implementation of the principles of good enforcement, by carrying out our regulatory services in a fair, open and consistent manner.
- We recognise the need for confidentiality where appropriate.
- Our detailed annual priorities and targets are included in the Department's Service Plan and the Local Area Agreement.
- Our annual performance against these targets and priorities are monitored on a monthly and quarterly basis.

Openness

- Relevant information affecting a business or interest is available at the above-mentioned contact points. Additionally, we will make ourselves available to discuss general issues, compliance failures, or where problems are being experienced.
- We will be open as to how we go about our duties including how our service charges are set.
- On visits to premises where enquiries are being made which are likely to involve criminal proceedings or direct enforcement action, Officers of the Service will ensure that those affected are notified of the Council's powers and informed of their rights.

N.B. It should be noted that some information may be confidential, as provided for within specific legislation, where grounds for business or statutory confidentiality may exist.

Helpfulness

- We will encourage, advise and assist business and the public on compliance with the law, striving always to speed up our service delivery.
- Staff will identify themselves by name and provide a contact point for any future dealings.
- If so requested, and where necessary, an Officer will undertake a visit by appointment to explain legislation and deal with any other queries.

Complaints about Service

- Any complaint about our services should initially be raised with the enforcement Officer concerned. If the complaint is not resolved contact should be made directly with the **Private Sector Housing Team Leader (Telephone 01702 215804)** who will deal review it in accordance with the department's Service Complaint Procedure.
- The Council has a well publicised formal complaints procedure and details will be provided on request.
- Any rights or routes of appeal against enforcement decisions will be communicated as appropriate.

Proportionality

- We will avoid unnecessary expense to businesses and the public by taking action that is proportionate to the hazard, risk and breach of law.
- We will make clear the difference between what is recommended as best practice and that which is required by law.
- We observe the general principles contained within the 'Code for Crown Prosecutors' published by the Crown Prosecution Service.

Consistency

- We will undertake our enforcement duties in a fair and even-handed manner, exercising discretion in appropriate cases.
- We have adopted arrangements to promote consistency of enforcement by close liaison with other enforcement authorities.
- We will underpin this aim through effective training and development of our enforcement officers.

Procedures

- We will provide clear, simple advice and, if requested, we will confirm this in writing.
- A specific Enforcement Policy has been produced, which is available on request and on the Councils website (www.southend.gov.uk).
- Unless immediate action is required, we will provide an opportunity to discuss the circumstances of the case before formal enforcement action is taken.
- Where immediate action is appropriate we will give an explanation as to why the action was considered necessary.
- Where there are rights of appeal against the action, we will give advice as to the appeal procedures. Wherever possible, this advice will be given with the enforcement notice or made clear at the time of the taking of the action.
- In relation to any infringement of the law, the following alternatives open to the Council will be considered, with the action taken being appropriate to either the severity of the offence or the need to effect remedial action in the interests of others: -
 1. Advice/Guidance - as to how to correct and avoid inadvertent contraventions
 2. Enforcement Notices - giving a reasonable time to correct contraventions
 3. Verbal warnings - detailing our actions in the future should contraventions continue or are repeated
 4. Written warnings - detailing our actions in the future should contraventions continue or are repeated
 5. Revocation or suspension of Licences for contraventions of Licence Conditions or other offences
 6. Formal Cautions offering offenders an alternative to prosecution
 7. Prosecutions - only where strictly necessary based on consideration of the above list and the severity of the offence
- Where the matter is not something which the Private Sector Housing Service can deal with, we shall endeavour to recommend which other Council Service or external agency can assist.

Equality of Access

We are committed to providing such help as may be required by any disadvantaged person or group, so as to enable them to freely access either our services or any information we provide about the service.