

CONSERVATIVE MOTION FOR FULL COUNCIL MEETING

Subject: Holding Housing Associations Accountable for Damp and Mould Issues

Proposed: Cllr A Wahid

Seconded: Cllr P Byrne

Oldham Metropolitan Borough Council (Oldham Council) must lead from the front to ensure that our residents benefit from safe and secure housing. As such, OMBC must ensure that housing stock is maintained to the highest quality.

It is especially the case for socially rented properties. There are housing association properties in the borough that are sadly affected by damp and mould. This is a silent killer as so tragically seen in the case of Awab Ishak in our neighbouring Rochdale Council. However, the prevalence of such houses suffering with damp and mould is feared to be in the thousands in Oldham. One can only draw their attention to the increasing interest from litigators from the legal industry to appreciate this is potentially a very big problem that requires immediate action.

Housing associations must do more given that they have a duty of care to the most vulnerable. It is time Oldham Council holds these corporate landlords to account. Too often a culture of secrecy and fear surrounds housing associations and they are seemingly unaccountable to many elected members and residents. We must change that and remind them of the important duty of care that they have to local people.

Amongst the damp and mould issues, all too often many residents who have lived in an area for several years and may have started a family are uprooted from that area due to them having a lower priority over others who may have no links to that ward. We believe that having links to a local area is important and that Oldham Council needs to strengthen the local connection test by ensuring that a set number of new build properties are reserved for local people, i.e people who live in Hollinwood get a home in Hollinwood etc.

Temporary accommodation and management of displaced families is in drastic need of restructure to ensure the most vulnerable in our society are managed in accordance with Human Rights Act 1998. It is also important that Oldham Council reiterate its commitment to HM Armed Forces personnel and ensure that they are always given priority and services that they need and deserve.

This Council acknowledges:

- The letter written to all Councils by Michael Gove (Secretary of State for Levelling Up, Housing and Communities) to council leaders and social housing providers stating that damp and mould complaints must be handled “with sufficient seriousness” and the deaths, such that of two year old Awaab Ishak must ‘never be allowed to happen again’.
- That under the Housing Act 2004, Oldham Metropolitan Borough Council has a legal duty to review housing conditions in their district, identify actions required to remedy ‘Category 1 Hazards’ and then - “they must take the appropriate enforcement action in relation to the hazard”.
- That under the Environmental Protection Act 1990, mould is designated as a ‘Category 1 Hazard’, meaning that local authorities can serve hazard awareness and improvement notices and can also take other emergency action, where housing associations are falling short.

Therefore, this Council resolves to:

- Ensure that repairs are actioned through proper inspections, especially to repairs that need to be made to tenants' homes that can prevent damp and mould. Such as clearing guttering, sealing windows, replacing faulty extraction fans in bathrooms and kitchens as well as providing cavity wall insulation.
- Conduct and publish a full damp and mould survey of properties in the OMBC area. Ensuring that they prioritise damp and mould complaints and resolve them without delay.
- Empower, educate, and enable independent advice and representation for all tenants, on the process for raising and tracking a damp or mould complaint and what their rights are in challenging any delays.
- Where progress is too slow, to use powers including but not limited to hazard awareness notices and hazard improvement notices to ensure that damp and mould complaints are treated with the urgency they are due.
- To ask the Chief Executive and or Deputy Chief Executive/s to write to all housing associations outlining the above resolutions and stating this council's strongly held view that nobody should have to live in a damp, cold or unsafe home.
- That this Council will take the necessary legal action against any housing association that fails in its duty of care and that puts tenants at risk.
- Compel Housing Associations to provide alternative accommodation whilst works are being undertaken in cases that homes are deemed un-inhabitable.
- Strengthen the local connection test and allocate a set number of homes for local people within each district for people who live in that district to strengthen our communities and to priorities local homes for local people.
- Ensure that all residents approaching housing services are asked a question that will identify them at an early stage if they fall into the category of being vulnerable.
- Regularly review staff training processes to ensure that all relevant staff are aware of the housing policies specific to the vulnerable community.
- Ensure that all residents approaching housing services are asked a question that will identify their membership of the Armed Forces community. So that those that served this Country are given top priority for housing.
- Use discretion in waiving the five-year limit and allow veterans to access housing support with an exemption from the local connection requirement regardless of the time elapsed since they left Service.

Amendments – Proposed by Cllr E Taylor, Seconded by Cllr A Jabbar

Delete: "Housing associations must do more given that they have a duty of care to the most vulnerable. It is time Oldham Council holds these corporate landlords to account. Too often a culture of secrecy and fear surrounds housing associations and they are seemingly unaccountable to many elected members and residents. We must change that and remind them of the important duty of care that they have to local people. "

Insert: "Housing Associations have an obligation to ensure their properties are safe and secure and have a duty of care to the most vulnerable. Oldham Council will continue to work closely with all registered providers in the borough to ensure that they take complaints about damp and mould seriously."

Delete: "Amongst the damp and mould issues, all too often many residents who have lived in an area for several years and may have started a family are uprooted from that area due to them having a lower priority over others who may have no links to that ward. We believe that having links to a local area is important and that Oldham Council needs to strengthen the local connection test by ensuring that a set number of new build properties are reserved for local people, i.e people who live in Hollinwood get a home in Hollinwood etc."

Insert: "Whilst many residents feel that they are uprooted from their community due to needing a new home, this is a consequence of legislation which states that a local connection with the district of the local authority, not a ward or area."

Delete: "Temporary accommodation and management of displaced families is in drastic need of restructure to ensure the most vulnerable in our society are managed in accordance with Human Rights Act 1998. "

Insert: "The Council has been hampered by consistent government cuts to local authority budgets, constraining Oldham and other local authorities in managing displaced families in temporary accommodation, with statutory services being cut to the bone."

Delete: "It is also important that Oldham Council reiterate its commitment to HM Armed Forces personnel and ensure that they are always given priority and services that they need and deserve."

Insert: "Oldham Council have continued to affirm their commitment to Serving and former HM Armed Forces personnel, through ensuring that they are identified whenever accessing council services, including Housing Options"

Before "Therefore this council resolves to"

Insert "This council notes

- That via the Strategic Housing Group, we have identified single points of contact at each local housing provider to deal with damp and mould.
- A draft Damp and Mould protocol has been created and shared with Housing Associations, which will be presented at the next meeting of the Strategic Housing Group."

Delete: "Ensure that repairs are actioned through proper inspections, especially to repairs that need to be made to tenants' homes that can prevent damp and mould. Such as clearing guttering, sealing windows, replacing faulty extraction fans in bathrooms and kitchens as well as providing cavity wall insulation.

Conduct and publish a full damp and mould survey of properties in the OMBC area. Ensuring that they prioritise damp and mould complaints and resolve them without delay.

Empower, educate, and enable independent advice and representation for all tenants, on the process for raising and tracking a damp or mould complaint and what their rights are in challenging any delays.

Where progress is too slow, to use powers including but not limited to hazard awareness notices and hazard improvement notices to ensure that damp and mould complaints are treated with the urgency they are due.

To ask the Chief Executive and or Deputy Chief Executive/s to write to all housing associations outlining the above resolutions and stating this council's strongly held view that nobody should have to live in a damp, cold or unsafe home.

That this Council will take the necessary legal action against any housing association that fails in its duty of care and that puts tenants at risk. "

Insert: To ask that the Chief Executive writes to all housing associations operating in the borough stating this council's strongly held view that no one should have to live in a damp, cold or unsafe home, and remind them of their obligations to inspect properties at risk of mould and damp and to make timely repairs, otherwise the council will take the necessary action, through enforcement or legal proceedings, to ensure that tenants are not put at risk.

Delete: "Compel Housing Associations to provide alternative accommodation whilst works are being undertaken in cases that homes are deemed un-inhabitable."

Insert: "Work with housing associations to provide alternative accommodation whilst works are being undertaken in cases that homes are deemed un-inhabitable"

Delete: "Strengthen the local connection test and allocate a set number of homes for local people within each district for people who live in that district to strengthen our communities and to priorities local homes for local people."

Delete: "Ensure that all residents approaching housing services are asked a question that will identify them at an early stage if they fall into the category of being vulnerable."

Insert: "Continue to follow best practice and ask all residents approaching Housing Options questions to identify vulnerability or membership of the Armed Forces Community."

Delete: "Ensure that all residents approaching housing services are asked a question that will identify their membership of the Armed Forces community. So that those that served this Country are given top priority for housing."

Delete: "Use discretion in waiving the five-year limit and allow veterans to access housing support with an exemption from the local connection requirement regardless of the time elapsed since they left Service."

Insert: "Continue to use discretion on a case by case basis to support veterans accessing housing support in Oldham."

Amended Motion to read

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attention to the increasing interest from litigators from the legal industry to appreciate this is potentially a very big problem that requires immediate action.

Housing Associations have an obligation to ensure their properties are safe and secure and have a duty of care to the most vulnerable. Oldham Council will continue to work closely with all registered providers in the borough to ensure that they take complaints about damp and mould seriously.

Whilst many residents feel that they are uprooted from their community due to needing a new home, this is a consequence of legislation which states that a local connection with the district of the local authority, not a ward or area.

Oldham Council has been hampered by consistent government cuts to local authority budgets, constraining Oldham and other local authorities in managing displaced families in temporary accommodation, with statutory services being cut to the bone.

Oldham Council have continued to affirm their commitment to Serving and former HM Armed Forces personnel, through ensuring that they are identified whenever accessing council services, including Housing Options

This Council acknowledges:

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This council notes

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Therefore, this Council resolves to:

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- Work with housing associations to provide alternative accommodation whilst works are being undertaken in cases that homes are deemed un-inhabitable

- Continue to follow best practice and ask all residents approaching Housing Options questions to identify vulnerability or membership of the Armed Forces Community.
- Continue to use discretion on a case by case basis to support members of the Armed Forces Community accessing housing support in Oldham.