



Chartered
Institute of
Environmental
Health



The CIEH Survey of Local Authority Regulatory Activity under the Housing Act 2004

Results of a questionnaire survey

February 2008

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The report examines the level of regulatory activity by local government housing authorities on private sector housing in the years 2005/06 and 2006/07, before and after legislative changes brought about by the Housing Act 2004. It also examines some of the influences on the level of activity.

Commissioned by the CIEH, the research was conducted by the University of Warwick.

The CIEH would like to express its gratitude to Dr Stephen Battersby, Prof David Ormandy and the Safe and Healthy Housing Unit, School of Law, Warwick University.

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1.0 Introduction

The Decent Homes standard now includes a requirement that there should be no Category 1 hazards

The President of the Residential Property Tribunal (RTP) service has been reported as saying the low number of appeals is probably indicative of a low level of enforcement activity under Part 1 of the Housing Act 2004 by local authorities under the Housing Act 2004. At the same time *Rogers Review – national enforcement priorities for local authority regulatory services*¹ did not place regulation of housing standards as one of the priority areas for local authority enforcement. Rogers has asserted that there is no evidence for housing to be in the top five priorities and it is reported that he considers the system for intervention “clunky”. The Housing Health and Safety Rating System (HHSRS) is the method for determining Category 1 hazards and Category 2 hazards in Part 1 of the Act and local authorities have a duty to act in respect of the former, although the same powers (other than emergency action) are the same for both categories.

Although it has been reported that the Department for Communities and Local Government (DCLG) would not release HHSRS data from the English House Condition Survey (EHCS) to the Rogers Review, there is published data from the EHCS 2005² to demonstrate the substantial number of non-decent private sector housing. The Decent Homes standard now includes a requirement that there should be no Category 1 hazards. The EHCS reports that some 41 percent of the private rented housing stock is considered non-decent (more than a million dwellings). Of the 3.2 million vulnerable households living in the private sector in 2005, 66 percent (2.1 million) live in decent homes, but 48 percent of vulnerable households in the private rented sector live in non-decent homes. As the basis of intervention now is the risks to health and safety in the dwellings, if the tools within the 2004 Act are not being used then potentially, there

will be a lost opportunity to reduce the negative health impacts of housing conditions. In 2002 there were 2,122,980 accidents in the home (477,500 involved children under five)³ and there are over 100,000 people treated for scalds alone (26,000 under 5s are burnt or scalded in the home every year). Unsatisfactory housing conditions will increase the likelihood of unintentional injuries and the likelihood of deaths of older people due to cold homes.

The Chartered Institute of Environmental Health (CIEH) contracted the Safe and Healthy Housing Unit of the School of Law, University of Warwick, to investigate the extent to which changes in legislation have affected regulatory activity on private sector housing, and to establish a baseline position to help in the development of policy.

¹ Peter Rogers, National enforcement priorities for local authority regulatory services, Better Regulation Executive, London, March 2007

² Decent Homes and Decent Places, English House Condition Survey 2005 Headline Report, DCLG, London 2007

³ Home Accident Surveillance Statistics 2002 accessed on the RoSPA website www.hassandlass.org.uk/query/reports/2002data.pdf

2.0 Aims

The aims of the project are to:

- Investigate the level of enforcement and regulatory activity leading to improvement in housing condition in 2006/07
- Identify what factors local authority private sector teams believe have limited or continue to constrain action under the Housing Act 2004
- Identify how private sector housing activity will change in the short and medium terms in the context of the housing conditions existing within responding local authorities

Information was sought on the level of activity in the year before the legislative changes. The project sought as part of the survey to identify some influences that determine the level of activity within local authorities. The outputs from this research are intended primarily to enhance the evidence base for CIEH policy development.

3.0 Methodology

The CIEH liaised with the Chartered Institute of Housing (CIH) and LACORS to give the project additional publicity and in an effort to maximise the response rate

The survey of local authorities in England and Wales was by way of a web-based questionnaire. The survey questionnaire was drafted in consultation with representatives of the CIEH and Local Authority Coordinators on Regulatory Services (LACORS). The web-based survey was administered by QUAD research, based at the University of Warwick. Links to the website were provided by the CIEH (on the CIEH website, in CIEH publications such as *Environmental Health News (EHN)* and via e-mails to local authority officers on the environmental health messaging system EHCNet). The CIEH liaised with the Chartered Institute of Housing (CIH) and LACORS to give the project additional publicity and in an effort to maximise the response rate.

The questionnaire was drafted so as to assess the levels of activity (both outputs (notices served) and outcomes) in the years 2005/06 and 2006/07 – the years before the changes and the first year of the implementation of the Housing Act 2004. Questions also sought to identify the influences on the level of activity (e.g. staffing levels, implementation of HMO licensing), and whether it is likely to increase in 2007/08. That part of the questionnaire dealing with influences on activity asked respondents to select the factors in ranking order one to five operated by way of a drop down list for each rank. The draft of the questionnaire was also tested by two local authority based environmental health practitioners prior to it being placed on the web and amended in light of comments on the ease with which it could be completed. (A paper version of the questionnaire is included as Appendix 1.)

The web-based version allowed for drop down questions in light of previous responses. In order to obtain the fullest picture it was a requirement that an answer

should be inserted for each and every question on the activity in the years 2005/06 and 2006/07, however it was possible to insert '0' responses or if the information was not readily available a 'N/A'.

With the active support of the CIEH, LACORS and CIH it was hoped that a 60 percent response rate could be achieved. It was intended to monitor responses so that telephone and other actions to chase-up responses could be directed to ensuring an even representation across the four types of local authorities – London boroughs, Metropolitan Districts and Unitary authorities, Welsh and District councils. (The script for the telephone chase-up is included at Appendix 2.)

With a few exceptions it was not possible to validate all responses, so that the results provided in this report are as provided by the respondents and should be treated with caution.

Table 1 gives the original target number of responses alongside the actual responses.

Table 1 Target and actual responses

| Type of local authority | Number | 60% target (no.) | Actual no. of responses | % |
|-------------------------|------------|------------------|-------------------------|-----------|
| Wales | 22 | 14 | 10 | 45 |
| London boroughs | 33 | 20 | 12 | 36 |
| Districts | 238 | 143 | 67 | 28 |
| Metropolitan | 36 | 22 | 17 | 47 |
| English Unitary | 47 | 28 | 24 | 51 |
| Total | 376 | 227 | 130 | 35 |

The telephone chase-up had been geared to ensuring an even distribution of responses across the different types of authorities (target 60 percent by type). However, as a pragmatic decision in view of the lower than hoped response rate, it was decided to focus telephone calls on the more urban authorities where it is likely that a higher proportion of private rented housing exists. The low response rate also left a larger number of authorities to contact than originally envisaged and so priority was given to contacting London boroughs, Unitary authorities and Metropolitan Districts.

For the Welsh authorities an additional reminder was circulated by the Director of CIEH Wales.

The telephone chase-up was itself time consuming. The starting point was the head of the environmental health service, but in a number of cases private sector housing was not within the remit of that service. In fact there were some 74 different designations of officers, although some

variations were relatively minor this indicates the difficulties in identifying the person who could provide the responses.

As the result of enquiries from a number of officers a PDF version of the questionnaire was made available so as to enable the responses to be gathered before entry onto the questionnaire on the website. The instruction was that responses should still be submitted by completing the on-line questionnaire. Despite this a number were submitted as hard copy and these were entered on the on-line questionnaire by research staff in Warwick University.

Table 2 sets out the regional distribution of those responding and indicates an even geographical spread of responses.

Table 2 Regional distribution of responses

| Region | Frequency (no.) |
|--------------------------|----------------------------|
| North East | 10 |
| Yorkshire and the Humber | 11 |
| North West | 13 |
| East Midlands | 12 |
| West Midlands | 12 |
| East of England | 18 |
| South West | 14 |
| South East | 18 |
| London | 12 |
| Wales | 10 |
| Total | 130 |

4.0 Results and findings

The results provide a snapshot and cannot provide any information as to trends

The results provide a snapshot and cannot provide any information as to trends. The results are also as submitted by the respondents and it is assumed that any errors in the completion of the form will be balanced in the global figures.

Table 3 provides the results of the activity reported by the responding local authorities (n=130) for the year 2005/06. This was the last year of the previous system based on the fitness standard and disrepair (under ss.189 and 190 Housing Act 1985), and fitness of HMO (s.352 Housing Act 1985). The first column lists the various activities and the second column provides the total numbers of such actions taken by the responding authorities. As there were a substantial number of '0' responses (no action) the numbers of these responses are included in column three where relevant. For completeness the numbers of 'not available' are included in column four. The few missing responses were as a result of completion of the questionnaire on paper (referred to in the methodology section), these were submitted late in the fieldwork period and it was not possible to chase these up. The mean level of activity (excluding the 'N/A' – as not readily available or missing responses) is included in column seven and the spread of responses, the maximum and minimum number, is included in columns five and six. The mean has been included to allow some comparison of overall levels of activity in future years, as this is a study to establish the baseline position.

Table 4 shows the level of activity in the year 2006/07, the first year of the implementation of Part 1 of the Housing Act 2004.

The level of activity in the two years under consideration has been analysed by both type of local authority and by government region. The tables showing this analysis are included as additional tables in Appendix 3.

Table 3 Activity in year 2005/06

n = 130

| Activity | Total (no. of activity) | No. of '0' responses | 'N/A' or missing responses | Spread | | Mean |
|--|-------------------------|----------------------|----------------------------|-----------------|------------------|-------|
| | | | | Lowest response | Highest response | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 605 | 47 | 7 | 0 | 57 | 4.92 |
| • Notices complied with under the Housing Act 1985 s.189 | 442 | – | 22 | 0 | 50 | 4.09 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 934 | 52 | 7 | 0 | 123 | 7.59 |
| • Notices complied with under the Housing Act s.190 | 679 | – | 23 | 0 | 123 | 6.35 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 4 | – | 11 | 0 | 1 | 0.03 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 20 | 104 | 13 | 0 | 4 | 0.17 |
| Notices served under the Housing Act 1985 s.352 | 678 | 59 | 7 | 0 | 81 | 5.51 |
| • Notices complied with under the Housing Act 1985 s.352 | 391 | – | 28 | 0 | 44 | 3.83 |
| • No. of improved household accommodation as a result | 740 | – | 39 | 0 | 200 | 8.13 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 28 | 111 | 4 | 0 | 5 | 0.22 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 67 | 99 | 10 | 0 | 18 | 0.56 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 8,376 | 14 | 23 | 0 | 639 | 78.28 |
| Closing Orders made (s.264 Housing Act 1985) | 44 | 104 | 3 | 0 | 5 | 0.35 |
| Demolition Orders made (s.265 Housing Act 1985) | 4 | 123 | 3 | 0 | 1 | 0.03 |

Table 4 Activity in year 2006/07

n = 130

| Activity | Total (no. of activity) | No. of '0' responses | 'N/A' or missing responses | Spread | | Mean |
|--|-------------------------|----------------------|----------------------------|-----------------|------------------|-------|
| | | | | Lowest response | Highest response | |
| Improvement Notices (ss.11 and 12 Housing Act 2004) served | 1,501 | 33 | 2 | 0 | 116 | 11.73 |
| • Residential premises that were subject to Improvement Notices | 1,066 | – | 9 | 0 | 96 | 8.81 |
| • Suspended Improvement Notices (s.14) | 77 | – | 5 | 0 | 45 | 0.62 |
| • Improvement Notices complied with | 679 | – | 8 | 0 | 76 | 5.57 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 76 | 102 | 1 | 0 | 37 | 0.59 |
| Prohibition Orders (ss.20 and 21) served | 172 | 68 | 1 | 0 | 11 | 1.33 |
| • Total number of residential premises subject to Prohibition Orders | 169 | – | 6 | 0 | 17 | 1.36 |
| • Suspended Prohibition Orders | 24 | – | 8 | 0 | 6 | 0.20 |
| • Emergency Prohibition Orders | 38 | – | 8 | 0 | 4 | 0.31 |
| Hazard Awareness Notices served | 497 | 73 | 2 | 0 | 162 | 3.88 |
| • No. of residential premises subjected to Hazard Awareness Notices | 458 | – | 4 | 0 | 162 | 3.63 |
| No. of Housing Act 2004 Part 1 regulatory actions above relating to HMOs | 609 | 67 | 8 | 0 | 116 | 4.99 |
| • Households in HMOs have had accommodation improved as a result of this action | 756 | 72 | 18 | 0 | 135 | 6.75 |
| Total number of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 13 | 117 | 2 | 0 | 3 | 0.10 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 25 | 115 | 1 | 0 | 8 | 0.19 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 133 | 102 | 2 | 0 | 37 | 1.04 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 7,766 | 19 | 17 | 0 | 642 | 68.73 |
| Demolition Orders made (s.265 Housing Act 1985) | 6 | 124 | 1 | 0 | 2 | 0.05 |

The number of premises subject to work in default in 2006/07 was double that in the previous year for action on unfitness and disrepair

Comparison of Tables 3 and 4

The total number of notices served by the responding authorities under ss.189 and 190 of the 1985 Act was 1,539 and the total actions under Part 1 of the 2004 Act in the following year was 2,246. However, adding in the number of s.352 notices served in 2005/06 in respect of fitness of HMOs gives a total of 2,217 notices served in that year. In both years there was a high number of dwellings improved by informal action, 8,376 in 2005/06 and 7,766 the following year. In both years it was a London borough that made greatest use of this approach.

In 2005/06 the greatest number of s.189 notices was served by a Welsh local authority and the greatest number of Improvement Notices in 2006/07 were served by a District council, as was the greatest number of Prohibition Orders. The greatest number of s.190 notices were served by a Metropolitan district in 2005/06, and it was also a Metropolitan district that served most Hazard Awareness Notices in 2006/07. The greatest number of dwellings subject to work in default in 2005/06 was that for a Unitary authority, and in 2006/07 this was the case for a District council. In both years it was Metropolitan Districts that brought most prosecutions.

Use has been made of the emergency powers (Emergency Remedial Action and Emergency Prohibition Orders). In 2006/07 the greatest use of Emergency Remedial Action was made by a District council. It was a District council and a London borough that made most use of Emergency Prohibition Orders. The power to suspend actions has been utilised also. It was District councils that made most use of both suspended Improvement Notices and suspended Prohibition Orders.

There were a similar number of prosecutions brought in the two years, 20 related to

unfitness action and disrepair in 2005/06 and 25 under Part 1 of the Housing Act 2004. The number of premises subject to work in default in 2006/07 was double that in the previous year for action on unfitness and disrepair (133 in 2006/07 and 67 in 2005/06).

The responding authorities also reported three times as many appeals under the 2004 Act in 2006/07 (13) compared to the four in 2005/06 against action under ss.189 and 190.

Analysis of the level of activity by type of local authority appears to indicate that with the exception of London boroughs the level of formal action to secure remedial action for deficiencies in housing increased in 2006/07 (Tables A1 to A10).

Analysis of the level of activity by region (Tables A11 to A26) also appear to indicate that with the exception of London, activity in the regions was either about the same or had increased in 2006/07.

Action and hazards

Respondents were asked whether all the actions under Part 1 of the Housing Act 2004 related to Category 1 hazards (those scoring 1000 or more using the Housing Health and Safety Rating System and where authorities have a duty to take action). Figure 1 shows that for the vast majority (105 out of 127 respondents (82.7 percent)) the answer was no. It was a similar percentage, 84 percent of respondents (or 105 out of 125) that indicated they had dealt with Category 2 hazards (those where there is discretion to act) alongside Category 1 hazards in the same residential premises (Figure 2). Figure 3 indicates that in practice about two-thirds of responding authorities are dealing with Category 2 hazards where no Category 1 hazard exists (83 out of 124 respondents).

Figure 1 Did all action taken in 2006/07 relate to Category 1 hazards only?

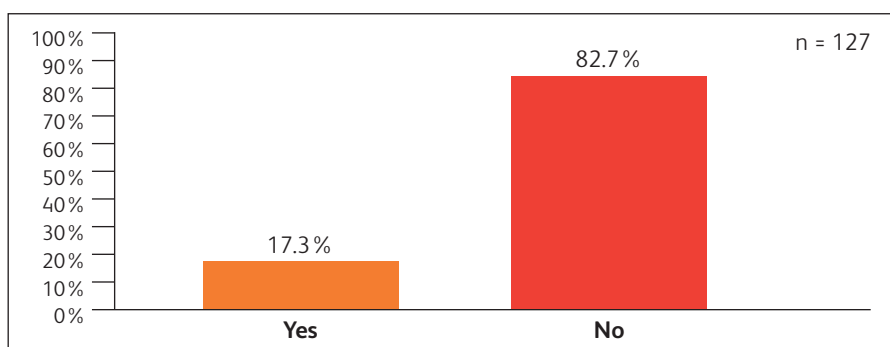


Figure 2 Have Category 1 and 2 hazards been dealt with in the same premises?

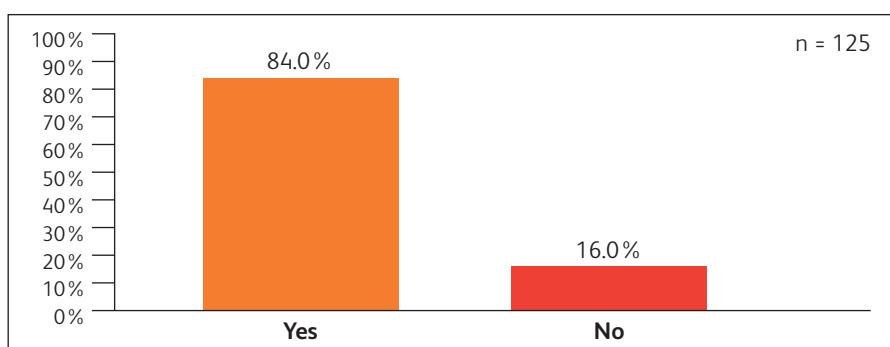


Figure 3 Category 2 hazards dealt with in premises without Category 1 hazards?

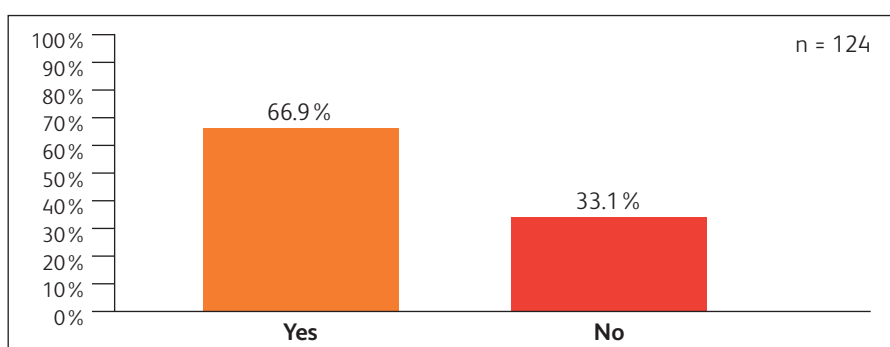


Figure 5 indicates that less than half (44.6 percent) of responding authorities charge for the enforcement action they take

Changes in activity, charging and policies

On the question of whether it is envisaged that regulatory activity would decline in the future, increase or stay the same, two thirds of respondents considered that it would increase and just over two percent of respondents thought it would decline (Figure 4).

Figure 5 indicates that less than half (44.6 percent) of responding authorities charge for the enforcement action they take. Out of 55

authorities that responded over half (56.4 percent) had increased the level of charge compared with the previous regime (Figure 6).

Authorities were asked whether they had a published enforcement policy. More than three-quarters (76.2 percent or 99 out of 130) said they had such a policy. Those with such a policy were then asked whether this included information as to how discretion will be used with Category 2 hazards. Of the 97 that responded just over half (53.6 percent) said that it did.

Figure 4 Anticipated progression of regulatory activity in the current year (2007/08)

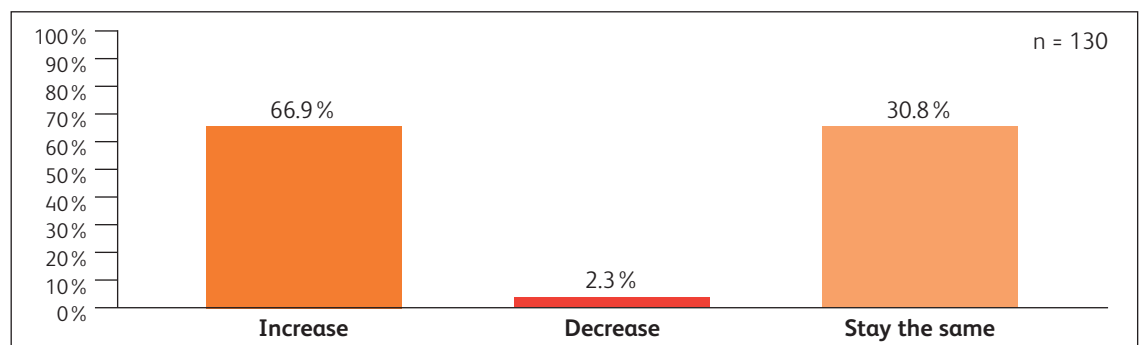


Figure 5 Does your local authority charge for enforcement notices or orders under Part 1 of the Housing Act 2004 (s.49)?

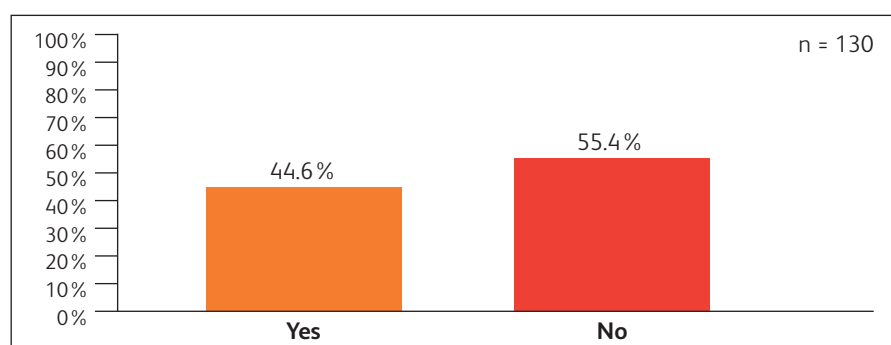


Figure 6 Level changes under s.49 of the 2004 Act in comparison to charges under s.87 of the 1996 Act

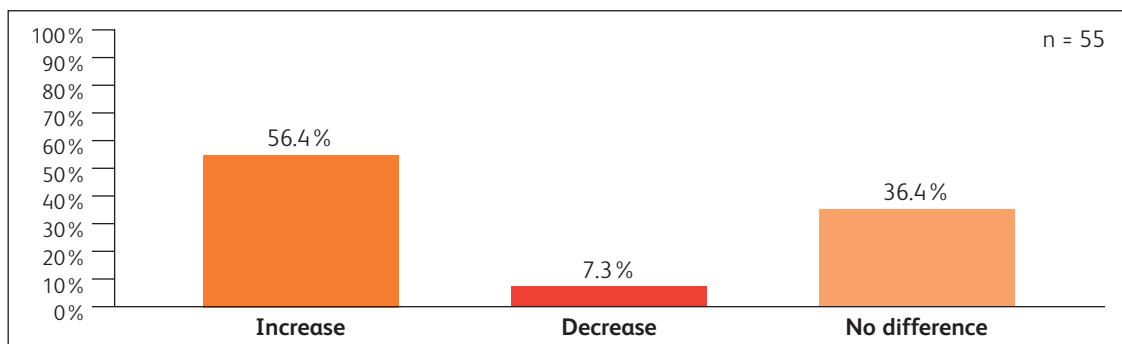


Figure 7 Does your local authority have a published enforcement policy?

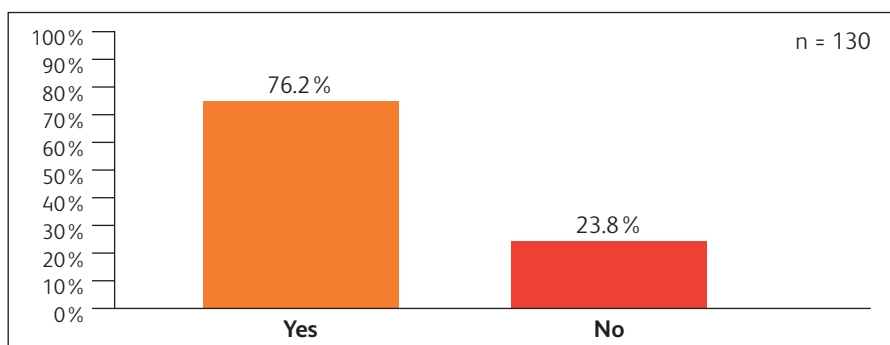
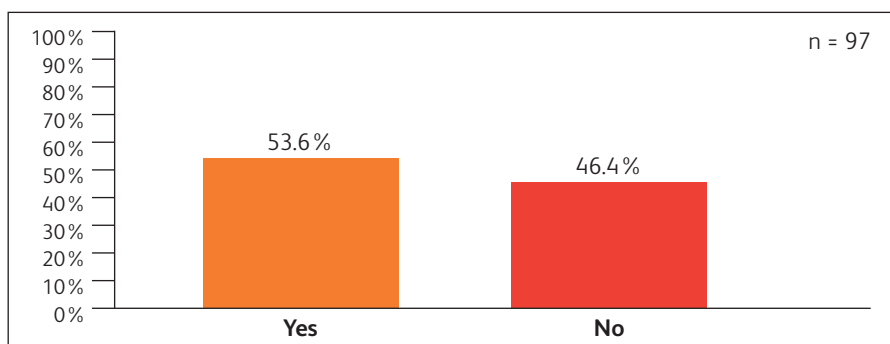


Figure 8 Does your local authority's published enforcement policy include how discretion will be used when dealing with Category 2 hazards?



In order to assess the influences on regulatory activity respondents were asked to rank from a drop down list the top five factors that influence regulatory activity on private sector housing

Influencing factors on the level of activity

In order to assess the influences on regulatory activity respondents were asked to rank from a drop down list the top five factors that influence regulatory activity on private sector housing. The responses are listed in Table 5. The columns under the 'ranking of importance' heading give the number of times each factor was selected in the order of importance. A ranking was produced by giving each first importance a score of five, each second importance a score of four and so on, so that the fifth most important would score one. In the event of an even score the number of first importance would decide the order, and if those were equal it would be the number of second importance and after that the total number of times that factor was indicated. The overall picture as set out in the table is that the number of complaints and the availability of staff are the most important factors.

Appendix 3 includes an analysis of the responses to this question based on three types of local authorities, Metropolitan, Unitary and London boroughs. From tables A27 to A29 it can be seen that complaints by or on behalf of residents remain the most important factor influencing the level of activity. However, in London the most important factor is seen as the HHSRS and Regulations⁴ and complaints come second (although the response rate was lower than for the other types of authority analysed here).

⁴ Housing Health and Safety Rating System (England) Regulations 2005 (SI 2005 No 3208)

Table 5 Top five factors influencing activity rated by order of importance

| Factors | Order of importance (no.) | | | | | Total no. of responses | Scores in descending order* |
|---|---------------------------|-----|-----|-----|-----|------------------------|-----------------------------|
| | 1st | 2nd | 3rd | 4th | 5th | | |
| No. of complaints from or on behalf of residents | 36 | 14 | 26 | 6 | 3 | 85 | 329 |
| No. of staff available to deal with private sector housing conditions | 27 | 22 | 15 | 7 | 11 | 82 | 293 |
| Addressing risks to health and safety in housing | 20 | 10 | 9 | 13 | 6 | 58 | 199 |
| The HHSRS and the regulations | 11 | 12 | 21 | 12 | 7 | 63 | 197 |
| Priority given to HMO licensing in the year | 10 | 12 | 6 | 10 | 3 | 41 | 139 |
| The nature of legal provisions in Part 1 | 3 | 9 | 5 | 11 | 10 | 38 | 98 |
| Size of private rented sector in the district | 2 | 11 | 1 | 13 | 13 | 40 | 96 |
| No. of dwellings in the district that have Category 1 hazards | 5 | 5 | 4 | 14 | 9 | 37 | 84 |
| No. of staff trained on the use of HHSRS | 3 | 6 | 10 | 5 | 5 | 29 | 84 |
| No. of licensable HMOs in the district | 3 | 8 | 4 | 3 | 6 | 24 | 71 |
| Risk of retaliatory eviction of private sector tenants | 2 | 2 | 5 | 5 | 15 | 29 | 58 |
| The council's Housing Renewal Policy | 0 | 4 | 4 | 9 | 9 | 26 | 55 |
| Available staff resources concentrated on HMO licensing | 1 | 7 | 4 | 3 | 3 | 18 | 54 |
| Conditions within the private housing stock as identified in a House Condition Survey | 3 | 1 | 4 | 4 | 3 | 15 | 42 |
| Availability of remedies under other legal provisions | 2 | 0 | 4 | 2 | 5 | 13 | 31 |
| Availability of financial assistance (loans or grants) | 0 | 3 | 2 | 4 | 5 | 14 | 31 |
| Requirement of a Statement of Reasons | 0 | 0 | 0 | 2 | 3 | 5 | 7 |
| Appeals to the Residential Property Tribunal | 0 | 0 | 0 | 1 | 3 | 4 | 5 |
| Ability to charge for enforcement action (under s.49) | 0 | 0 | 1 | 0 | 0 | 1 | 3 |

*Scores in column produced by giving ranking points for preference (first preference received five, second four and so on with, fifth receiving one)

5.0 Discussion

Although the response rate was lower than anticipated it is within the normal rates for surveys such as this and sufficient from which to draw some conclusions

This section discusses in brief some of the main findings from the initial analysis of the responses and results. Although the response rate was lower than anticipated it is within the normal rates for surveys such as this and sufficient from which to draw some conclusions. The lower than anticipated response may also reflect that LACORS had previously carried out a similar exercise on HMO licensing⁵.

This study was intended to be a quick exercise to identify the level of regulatory activity under the provisions of Part 1 of the Housing Act 2004 and to answer some of the points previously raised that suggested such activity was low, and that in part this may be a consequence of the change in legislation and the legislation itself, and in particular the HHSRS.

Level of activity found

The information in Tables 3 and 4 indicate that there was no obvious reduction in regulatory activity as the result of changes in the legislation for those Local Housing Authorities (LHAs) responding. However the figures should be treated with caution when considering whether this reflects the true rate of activity as the telephone chase-up ensured that those authorities that might be expected to be more active were better represented in the total responses than the District councils. At the same time it should be recognised that the responses to this survey indicate that District councils may be more active than may had been anticipated as they served most Improvement Notices, took more Emergency Remedial Action and undertook most work in default in 2006/07.

However, taking the overall responses to this study there appears to have been a slight increase in regulatory activity between the two years. This is borne out by the analysis of activity by both regions and

types of local authority. It is not possible to give a reason for this at this time and further investigation may be required. This does not take account of the fact that unsatisfactory conditions in houses in multiple occupation may also have been dealt with by way of the licensing regime that came into force at the same time as Part 1 and no account is taken of that activity in this study. This would also appear to be borne out to some extent by an examination of decisions in appeals to the Residential Property Tribunal (RPT) on HMO licence conditions. Also fewer local authorities recorded a zero response to questions on level of action for the new regime than the last year of the 'unfitness regime' with 47 authorities not serving s.189 notices but 33 reporting that they had not served any Improvement Notices. For the 130 authorities responding there were also many more Prohibition Orders used than Closing Orders (172 of the former in 2006/07 compared with 44 Closing Orders in 2005/06).

The view that fewer appeals to the RPT than anticipated may have reflected a lower level of enforcement under Part 1 of the 2004 Act may not be correct. One possible explanation is that the new provisions have been designed so that landlords better understand the reasons for interventions and what is required of them. For example the statement of reasons under s.8 should provide a justification for the action taken, should include information on the assessed hazards, and explain why the particular action was considered most appropriate and why other options were not used. Another possible explanation is that the government funded training on the HHSRS and enforcement given to local authority officers avoided delays, mistakes and confusion in utilising the provisions. The largest number of appeals experienced by one local authority was three (an Unitary authority).

⁵ LACORS Houses in Multiple Occupation (HMO) Licensing Survey Report August 2007 accessed at www.lacors.gov.uk/lacors/upload/14696.pdf

At the same time fewer dwellings are being renovated with financial assistance from local authorities by way of grant or loan assistance than previously, as demonstrated in the report of the *CIEH Commission on Housing Renewal and Public Health*⁶.

Most respondents (two-thirds) do however also expect an increase in regulatory activity (Figure 4). The reasons for this have not been sought as part of this study but should be explored further in any follow-up study.

Informal action and Hazard Awareness Notices

In view of the moves on better regulation it is interesting that more units of residential accommodation have been improved via informal means than by use of the formal procedures under both the 1985 Act regime and the newer 2004 Act regime. In 2005/06 the mean number of units per local authority brought into compliance was 78.28 and the following year this was 68.73. For comparison the equivalent figure for 1989/90 was 69.7⁷.

It may be surprising that, although reduced in 2006/07, there is still such widespread use of informal action given the new Hazard Awareness Notices. One possible explanation is that for those local authorities seeking to work and establish effective partnerships with their responsible landlords the less formal approach may be preferred.

Nevertheless, use is being made of Hazard Awareness Notices and as they carry no sanctions these could be seen as a less formal approach. However, there appears to be continued use of the 'minded-to notice' and letters before action, as well as even more informal approaches to landlords. While this could be a reflection of the better regulation initiatives and the enforcement concordat, the mean figures for this are of the same order as in 1989/90.

Even where there is initial contact with a landlord such as by telephone or site meeting, it would be good practice to confirm a conversation in writing. Issuing a Hazard Awareness Notice may seem a formal approach but, as there is no prescribed form, it can be drafted similar to a letter to confirm such conversations (providing it contains the information required by s.28 of the Act). Such an approach would not be inconsistent with better regulation principles or as advised by the Enforcement Guidance⁸, which refers to the Enforcement Concordat.

Prosecutions

The number of prosecutions in both years seems low particularly given that according to the EHCS the private rented sector contains some of the worst housing conditions.

Influence of the HHSRS and HMO licensing

The view that the HHSRS is "clunky and cumbersome" and will be rarely used until it beds in as reportedly suggested by Peter Rogers⁹ is not borne out by the findings of study. However, this view from the Chief Executive of the London Borough of Westminster could be explained by the differences shown in Tables A27 to A29. Unlike local authorities generally, London authorities reported that the HHSRS and the associated regulations are the most important factor influencing Part 1 regulatory activity.

The priority given to HMO licensing factor is only fifth in the rankings. Even if all the scores for HMO related factors are added to give an amalgamated score of 264, HMOs would still be only the third most important factor influencing Part 1 regulatory activity – although a more important factor for

⁶ CIEH, *Housing Renewal and Public Health – Report of the CIEH Commission on Housing and Public Health*, London 2007

⁷ IEHO, *Environmental Health Report 1987-90*, (NOW CIEH) London, 1991

⁸ ODPM, *Housing Health and Safety Rating System – Enforcement Guidance – Housing Act 2004 Part 1 Housing Conditions*

⁹ Stuart Spear, "Rogers' top five", *Environmental Health Practitioner*, April 2007 Vol 115/04 12-14, London, 2007

Metropolitan Districts than other types of local authority. This can also be explained by the fact that the LACORS HMO survey⁵ reported that almost three quarters of LHAs have fewer than 100 licensable HMOs.

Priorities for action

One aim of the study was to assess the level of activity and to determine the level of priority given to Part 1 actions. Given the scarcity of resources it might be expected that the focus of interventions would therefore be on Category 1 hazards where there is a duty to take action.

Only 17 percent of the responding authorities reported that intervention was only taken in respect of Category 1 hazards, while two-thirds of local authorities reported that action had been taken in respect of premises where there were Category 2 hazards only. It would be useful in any further study to explore the nature of these Category 2 hazards.

Policies and practice

Figure 5 shows a surprising result in that the majority of respondent local authorities did not charge for enforcement action despite the power to do so. Of those who charge just over half have indicated that under the new regime charges have increased. This survey did not seek to ascertain the level of charges imposed nor the reasons why local authorities have chosen not to charge. This is an area that could be examined in any further study.

Of particular concern is that almost a quarter of respondents said they had no published enforcement policy. Given the concerns and debate about better regulation this seems surprising.

Although authorities cannot fetter their discretion when it comes to dealing with Category 2 hazards it would be reasonable to make public the factors that will be taken into account when discretion is being used. However when asked whether the local authority's published enforcement policy included how discretion will be used when dealing with Category 2 hazards almost a half (46 percent) of those responding said it did not, noting that just under a quarter (23.85) of all respondents indicated that they did not have a published enforcement policy anyway.

The results also show that a council's Housing Renewal Policy (a requirement since the Regulatory Reform Order¹⁰ and see also Office of the Deputy Prime Minister (ODPM) Circular 05/2003¹¹) is a relatively unimportant factor in influencing regulatory activity.

¹⁰ Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 (SI 2002 No. 1860)

¹¹ ODPM, Circular 05/2003 *Housing Renewal*, 23 June 2003, TSO London

6.0 Conclusions

Informal action remains the most frequently used method of securing improvements in housing conditions and the nature of these actions needs further investigation

This preliminary study provides some baseline information from which the CIEH can further develop policies even though the level of detailed analysis that could be undertaken so far has been limited.

Given the newness of the provisions in the Housing Act 2004 and the change in approach it entailed, plus the implementation of HMO licensing, coupled with the familiarity with the previous regime a reduction in regulatory activity might have been expected. However from this study, overall there is no evidence that the level of regulatory activity has fallen as the result of the 2004 Act. Rather the indications are that there has been an increase in activity and that there will be a further increase. One factor that may have influenced this is the government funding training programme on HHSRS assessment and the enforcement options.

The results from this study seem to indicate that, outside London, the HHSRS has not proved to be a noticeable issue in influencing interventions and the level of regulatory activity is likely to increase in the current year.

Overall, HMO licensing does not appear to have been as significant an influencing factor on the level of activity under Part 1 as might have been anticipated as a substantial majority of LHAs have fewer than 100 licensable HMOs.

Informal action remains the most frequently used method of securing improvements in housing conditions and the nature of these actions needs further investigation and why this approach is taken without the use of Hazard Awareness Notices. The notion that this is part of a better regulation approach is not substantiated by the overall responses to this survey.

The level of regulatory activity does seem lower than at the end of the 1980s, but changes in local government structures and resources as evidenced by the problems of identifying the appropriate departments in this research could explain this in part. However, there was also greater access to grant aid in the 1980s that is far less available now and there will have to be a greater reliance on regulatory activity to secure improvements in residential accommodation.

Although in general there has not been an obvious reduction in regulatory activity between the last year under the old system and the first year of the new system there must be some question as to whether as yet the best use is being made of the provisions in the 2004 Act so far as public health and reducing inequalities in health is concerned. Local authorities in general do not appear to be using the new provisions strategically in order to address the greatest risks to health and safety arising from housing conditions.

According to the English House Condition Survey (EHCS) 2005 some 780,000 or 25 percent of vulnerable households in the private sector live in homes that fail to provide adequate thermal comfort (600,000 of these fail on thermal comfort alone). Some 1.003 million non-decent homes exist in the private rented sector and the most common failure is on thermal comfort. At the same time there were 25,700 excess winter deaths in England and Wales in 2005/6¹². This situation does not appear to have influenced local authorities' approach to implementation of Part 1 of the 2004 Act.

The HHSRS provides a means to set priorities and strategies to target those properties which pose the greatest threat to health and safety. In the circumstances it

¹² Department of Health, Regional Public Health Group, *Fact Sheet Health And Winter Warmth: Reducing Health Inequalities*, Regional Public Health Group in the South East, November 2007

must therefore be a matter of some concern that interventions at this stage do not seem to be focussed on the greatest risks to health and safety in the housing stock and it may be that local authorities are not yet using the HHSRS in a strategic way. This contention is supported by the relatively low importance given to conditions within the private housing stock as identified in a House Condition Survey as a factor influencing activity. If local authorities rely primarily on the level of complaint or representations, then there can be no certainty that they will be addressing the greatest health and safety risks in poor quality housing.

CIEH Survey of Regulatory Activity/Enforcement under Part 1 of the Housing Act 2004

This survey is being undertaken by the Law School of Warwick University on behalf of the Chartered Institute of Environmental Health. It is being carried out so as to establish a true base-line position for local authority activity on regulating housing conditions under Part 1 of the Housing Act 2004 which came into force in April 2006 and to compare that to the level of activity in the previous year under the Housing Act 1985.

The main aims of the project are to:

- Establish the actual level of enforcement and regulatory activity leading to improvement in housing condition in 2006/07
- Identify what factors local authority private sector teams believe have limited or continue to constrain action under the Housing Act 2004

All responses will be treated in confidence and will be aggregated. No individual local authority or member of staff will be identified in any subsequent reporting without prior consent. **QUAD research**, an external organisation, will handle all responses independently. All of the information you supply will remain confidential in accordance with the 1998 Data Protection Act and the Market Research Society Code of Conduct. Please see our Privacy Statement for more information.

The save button will allow you to return to complete the survey at a later stage. Please ensure that you follow the survey link on the same computer you used previously when using this facility.

Background information

- Q1 First name** _____
- Q2 Surname** _____
- Q3 Designation** _____
- Q4 Telephone** _____
- Q5 email** _____
- Q6 Type of local authority**
- London borough Unitary
 Welsh District
 Metropolitan District
- Q7 Please indicate the relevant government region**
- North East North West West Midlands South West
 Yorkshire and the Humber East Midlands East of England South East

Activity 2005/06

In the following section, please provide responses to **all** of the questions, putting '0' or 'N/A' (if information is not readily available) as necessary.

Referring to the year 2005/06, how many:

- Q8 Notices were served under the Housing Act 1985 s.189 (all subsections)**
- Q9 Of these how many have been complied with?**
Compliance need not be in the 2005/06 financial year
- Q10 Notices were served under the Housing Act 1985 s.190 (all subsections)**
- Q11 Of these how many have been complied with?**
Compliance need not be in the 2005/06 financial year
- Q12 Appeals in total have been made (and not withdrawn) with respect to notices served under ss.189 and 190 of the Housing Act 1985 in the year**
- Q13 Prosecutions were or have been brought for failure to comply with Housing Act 1985 ss.189 or 190 notices served in the year**
- Q14 Notices were served under the Housing Act 1985 s.352**
- Q15 Of these how many have been complied with?**
Compliance need not be in the 2005/06 financial year
- Q16 Households have had accommodation improved as the result of this action**
- Q17 Deferred action notices (Housing Grants Construction and Regeneration Act 1996 s.81) were served**
- Q18 Dwellings were subject to work in default of compliance with either s.189 or s.190 Notices (with or without the agreement of the owner) served in the year**
- Q19 Units of accommodation in the private rented sector were repaired or improved as the result of informal regulatory action based on powers under the Housing Act 1985**
Please include letters and 'minded to' notices. A letting in an HMO is considered a unit for these purposes
- Q20 Closing Orders were made (s.264 Housing Act 1985)**
- Q21 Demolition Orders were made (s.265 Housing Act 1985)**

Activity 2006/07 and the first year of implementation of the Housing Act 2004

In the following section, please provide responses to all of the questions, putting '0' or 'N/A' (if information is not readily available) as necessary.

Referring to the year 2006/07 and the first year of the implementation of the Housing Act 2004, how many:

- Q22 Improvement Notices (under ss.11 & 12) were served in total**
Recognising that more than one Improvement Notice can be served with respect to a single premise, and although different courses of action can also be taken with regards to different hazards within the same premises at this stage that information is not required
- Q23 Residential premises were the subject of Improvement Notice(s)**
'Residential premises' as defined in the Housing Act 2004 and includes a dwelling which can be a part of a building occupied or intended to be occupied as a separate dwellings, and bearing in mind the HHSRS Operating Guidance would include a bedsit
- Q24 Of the improvement notices served were suspended (s.14)**
- Q25 Of the Improvement Notices served have been complied with**
Compliance need not be in the 2006/07 financial year
- Q26 Residential premises were the subject of Emergency Remedial Action (under s.40)**
- Q27 Prohibition Orders (under ss.20 & 21) were made in total**
- Q28 Residential premises in total were the subject to Prohibition Order (PO) action**
- Q29 Of the Prohibition Orders made were suspended (s.23)**
- Q30 Of the Prohibition Orders were Emergency POs (s.43)**
- Q31 Hazard Awareness Notices were served (under ss.28 & 29)**
- Q32 Residential premises were the subject of Hazard Awareness Notice action**
- Q33 Of the Housing Act 2004 Part 1 regulatory actions referred to above related to HMOs**
- Q34 Households in HMOs have had accommodation improved as the result of this action**
- Q35 Appeals in total were made (and not withdrawn) against action in this year under Part 1 of the 2004 Act**
- Q36 Prosecutions have or are being brought as the result of a failure to comply with one of the courses of action taken in the year 2006/07 under Part 1 of the 2004 Act**
- Q37 Residential premises were subject to work in default of compliance with an Improvement Notice with or without the agreement of the owner**
- Q38 Dwellings in total have been improved or repaired as the result of informal action with Part 1 of the Housing Act 2004 as the basis**
In assessing the number, where action has been taken with respect to an HMO include each bedsit as a separate dwelling. Please include letters before action or a continuance of the 'minded to' approach
- Q39 Demolition Orders were made (s.265 Housing Act 1985)**

Regulatory activity under Part 1 of the Housing Act 2004 in 2006/07

Please consider the level of regulatory activity under Part 1 of the Housing Act 2004 in 2006/07. Below, please indicate which you consider to be the five most important factors that influenced this activity.

Q40 1st most important factor

- Number of complaints from or on behalf of residents
- Ability to charge for enforcement action (under s.49)
- The number of licensable HMOs in the district
- Priority given to HMO licensing in the year
- Number of staff available to deal with private sector housing conditions
- Size of private rented sector in the district
- Available staff resources concentrated on HMO licensing
- Addressing risks to health and safety in housing
- The nature of the legal provisions in Part 1
- Conditions within the private housing stock as identified in a House Condition Survey
- Number of staff trained on the use of HHSRS
- The HHSRS and the Regulations
- Numbers of dwellings in the district that have Category 1 hazards
- Requirement of a Statement of Reasons
- Appeals to the Residential Property Tribunal
- The council's Housing Renewal Policy
- Risk of retaliatory eviction of private sector tenants
- Availability of financial assistance (loans or grants)
- Availability of remedies under other legal provisions (if ticked please specify below which used)

Q41 2st most important factor

- Number of complaints from or on behalf of residents
- Ability to charge for enforcement action (under s.49)
- The number of licensable HMOs in the district
- Priority given to HMO licensing in the year
- Number of staff available to deal with private sector housing conditions
- Size of private rented sector in the district
- Available staff resources concentrated on HMO licensing
- Addressing risks to health and safety in housing
- The nature of the legal provisions in Part 1
- Conditions within the private housing stock as identified in a House Condition Survey
- Number of staff trained on the use of HHSRS
- The HHSRS and the Regulations
- Numbers of dwellings in the district that have Category 1 hazards
- Requirement of a Statement of Reasons
- Appeals to the Residential Property Tribunal
- The council's Housing Renewal Policy
- Risk of retaliatory eviction of private sector tenants
- Availability of financial assistance (loans or grants)
- Availability of remedies under other legal provisions (if ticked please specify below which used)

Q42 3rd most important factor

- Number of complaints from or on behalf of residents
- Ability to charge for enforcement action (under s.49)
- The number of licensable HMOs in the district
- Priority given to HMO licensing in the year
- Number of staff available to deal with private sector housing conditions
- Size of private rented sector in the district
- Available staff resources concentrated on HMO licensing

- Addressing risks to health and safety in housing
- The nature of the legal provisions in Part 1
- Conditions within the private housing stock as identified in a House Condition Survey
- Number of staff trained on the use of HHSRS
- The HHSRS and the Regulations
- Numbers of dwellings in the district that have Category 1 hazards
- Requirement of a Statement of Reasons
- Appeals to the Residential Property Tribunal
- The council's Housing Renewal Policy
- Risk of retaliatory eviction of private sector tenants
- Availability of financial assistance (loans or grants)
- Availability of remedies under other legal provisions (if ticked please specify below which used)

Q43 4th most important factor

- Number of complaints from or on behalf of residents
- Ability to charge for enforcement action (under s.49)
- The number of licensable HMOs in the district
- Priority given to HMO licensing in the year
- Number of staff available to deal with private sector housing conditions
- Size of private rented sector in the district
- Available staff resources concentrated on HMO licensing
- Addressing risks to health and safety in housing
- The nature of the legal provisions in Part 1
- Conditions within the private housing stock as identified in a House Condition Survey
- Number of staff trained on the use of HHSRS
- The HHSRS and the Regulations
- Numbers of dwellings in the district that have Category 1 hazards
- Requirement of a Statement of Reasons
- Appeals to the Residential Property Tribunal
- The council's Housing Renewal Policy
- Risk of retaliatory eviction of private sector tenants
- Availability of financial assistance (loans or grants)
- Availability of remedies under other legal provisions (if ticked please specify below which used)

Q44 5th most important factor

- Number of complaints from or on behalf of residents
- Ability to charge for enforcement action (under s.49)
- The number of licensable HMOs in the district
- Priority given to HMO licensing in the year
- Number of staff available to deal with private sector housing conditions
- Size of private rented sector in the district
- Available staff resources concentrated on HMO licensing
- Addressing risks to health and safety in housing
- The nature of the legal provisions in Part 1
- Conditions within the private housing stock as identified in a House Condition Survey
- Number of staff trained on the use of HHSRS
- The HHSRS and the Regulations
- Numbers of dwellings in the district that have Category 1 hazards
- Requirement of a Statement of Reasons
- Appeals to the Residential Property Tribunal
- The council's Housing Renewal Policy
- Risk of retaliatory eviction of private sector tenants
- Availability of financial assistance (loans or grants)
- Availability of remedies under other legal provisions (if ticked please specify below which used)

Q45 Please specify any remedies under other legal provisions

Q46 If, after indicating the relative importance of the factors above, there are other factors that you consider important, please specify these here

Q47 Did all the action taken above (in 2006/07) relate only to Category 1 hazards?

- Yes
- No

Q48 Have you dealt with both Category 1 and 2 hazards in the same residential premises?

- Yes
- No

Q49 Have you dealt with Category 2 hazards in residential premises where there was no Category 1 hazard?

- Yes
- No

Regulatory activity under Part 1 of the Housing Act 2004 in the current year 2007/08 and other activities

Q50 Do you expect the regulatory activity in the current year 2007/08 to:

- Increase
- Decrease
- Stay about the same

Q51 Please give reasons for this

Q52 Does your local authority charge for enforcement notices or orders under Part 1 of the Housing Act 2004 (s.49)?

- Yes
- No

Q53 How does the level of charge compare to charges under s.87 of the 1996 Act?

- Increase
- Decrease
- No difference

Q54 Does your local authority have a published enforcement policy?

- Yes
- No

Q55 Does this include information as to how discretion will be used to deal with Category 2 hazards?

- Yes
- No

Please forward a copy of the enforcement policy to Dr Stephen Battersby by email or to the following address:

Dr S.A. Battersby, School of Law, University of Warwick, Coventry CV4 7AL

Further research

Q56 This questionnaire survey may be supplemented by a telephone interview. Would you be willing to participate in this?

- Yes
- No

Thank you

Many thanks for taking the time to complete this survey. Please click on the submit button below to submit your response.

Appendix 2

Script for telephone chase-up

I am working with the Law School at Warwick University on a study for the Chartered Institute of Environmental Health (CIEH) to ascertain the actual level of regulatory action on private sector housing under the Housing Act 2004 and how it compares with the previous system. The initial work is by way of an online questionnaire.

Does your department deal with private sector housing?

(This can be asked of anyone answering the telephone).

If NO could you please give me the name and telephone number and e-mail address of the person who deals with private sector housing conditions? Thank you.

If YES are you aware of the study?

(Information has been circulated by the CIEH and LACORS).

Will you be able to visit the URL and complete the questionnaire over the next week or so?

It is not necessary to complete it at one session.

We hope as many local authorities as possible complete the questionnaire so that the CIEH and LACORS have the evidence on which they can base representations to government and others on this issue.

For convenience can I email you the link to the questionnaire? Please could you give me your e-mail address?

Thank you for taking the time to speak to me.

Appendix 3 Additional tables

Additional tables on the level of activity

On the following pages are tables of activity analysed by type of local authority and by regions.

Tables A1 to A10 set out the activity as reported by type of local authority – District councils, Welsh local authorities, London boroughs, Metropolitan Districts and Unitary authorities.

Tables A11 to A26 set out the activity in the two years by government office regions, North East, North West, West Midlands, East of England, Yorkshire and the Humber, East Midland, South East, South West (London and Wales are included in the analysis by type of local authority above).

Tables A27 to A29 set out the factors influencing activity rated by order of importance based on three types of local authority – Metropolitan Districts, Unitary authorities and London boroughs.

Activity by local authority type

District councils

Table A1 Activity in 2005/06 by District councils

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 2 | 0 | 23 | 1.75 | 65 |
| • Notices complied with under the Housing Act 1985 s.189 | 12 | 0 | 23 | 1.78 | 55 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 3 | 0 | 15 | 1.94 | 64 |
| • Notices complied with under the Housing Act s.190 | 11 | 0 | 15 | 1.70 | 56 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 5 | 0 | 1 | 0.02 | 62 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 5 | 0 | 1 | 0.06 | 62 |
| Notices served under the Housing Act 1985 s.352 | 2 | 0 | 31 | 1.66 | 65 |
| • Notices complied with under the Housing Act 1985 s.352 | 15 | 0 | 19 | 1.56 | 52 |
| • No. of improved household accommodation as a result | 14 | 0 | 81 | 4.94 | 53 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 1 | 0 | 3 | 0.15 | 66 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 3 | 0 | 7 | 0.28 | 64 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 9 | 0 | 404 | 40.41 | 58 |
| Closing Orders made (s.264 Housing Act 1985) | 1 | 0 | 5 | 0.21 | 66 |
| Demolition Orders made (s.265 Housing Act 1985) | 1 | 0 | 0 | 0 | 66 |

Table A2 Activity 2006/07 by District councils

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 0 | 0 | 116 | 7.25 | 67 |
| • Residential premises that were subject to Improvement Notices | 2 | 0 | 30 | 4.52 | 65 |
| • Suspended Improvement Notices (s.14) | 3 | 0 | 45 | 0.84 | 64 |
| • Improvement Notices complied with | 3 | 0 | 41 | 3.45 | 64 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 0 | 0 | 37 | 0.66 | 67 |
| Prohibition Orders (ss.20 and 21) served | 0 | 0 | 11 | 1.10 | 67 |
| • Total no. of residential premises subject to Prohibition Orders | 1 | 0 | 17 | 1.17 | 66 |
| • Suspended Prohibition Orders | 3 | 0 | 6 | 0.23 | 64 |
| • Emergency Prohibition Orders | 3 | 0 | 4 | 0.23 | 64 |
| Hazard Awareness Notices served | 0 | 0 | 24 | 1.34 | 67 |
| • Residential premises subjected to Hazard Awareness Notices | 1 | 0 | 19 | 1.17 | 66 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 1 | 0 | 116 | 4.52 | 66 |
| • Households in HMOs have had accommodation improved as a result of this action | 6 | 0 | 135 | 6.56 | 61 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 0 | 0 | 1 | 0.07 | 67 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 0 | 0 | 4 | 0.12 | 67 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 0 | 0 | 37 | 1.19 | 67 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 4 | 0 | 465 | 45.89 | 63 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 1 | 0.01 | 67 |

Activity by local authority type

Welsh authorities

Table A3 Activity in 2005/06 in Wales

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|--------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 0 | 0 | 57 | 9.70 | 10 |
| • Notices complied with under the Housing Act 1985 s.189 | 0 | 0 | 35 | 5.80 | 10 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 0 | 0 | 34 | 5.50 | 10 |
| • Notices complied with under the Housing Act s.190 | 0 | 0 | 26 | 4.30 | 10 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 0 | 0 | 0 | 0 | 10 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 0 | 0 | 2 | 0.30 | 10 |
| Notices served under the Housing Act 1985 s.352 | 0 | 0 | 64 | 9.20 | 10 |
| • Notices complied with under the Housing Act 1985 s.352 | 0 | 0 | 25 | 4.10 | 10 |
| • No. of improved household accommodation as a result | 3 | 0 | 10 | 4.14 | 7 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 0 | 0 | 1 | 0.10 | 10 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 1 | 0 | 4 | 0.44 | 9 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 3 | 12 | 225 | 100.71 | 7 |
| Closing Orders made (s.264 Housing Act 1985) | 0 | 0 | 4 | 0.80 | 10 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 1 | 0.10 | 10 |

Table A4 Activity in 2006/07 in Wales

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 0 | 0 | 54 | 14.30 | 10 |
| • Residential premises that were subject to Improvement Notices | 0 | 0 | 42 | 8.30 | 10 |
| • Suspended Improvement Notices (s.14) | 0 | 0 | 1 | 0.20 | 10 |
| • Improvement Notices complied with | 0 | 0 | 20 | 4.30 | 10 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 0 | 0 | 0 | 0 | 10 |
| Prohibition Orders (ss.20 and 21) served | 0 | 0 | 3 | 1.40 | 10 |
| • Total no. of residential premises subject to Prohibition Orders | 0 | 0 | 8 | 2.00 | 10 |
| • Suspended Prohibition Orders | 0 | 0 | 3 | 0.30 | 10 |
| • Emergency Prohibition Orders | 0 | 0 | 1 | 0.30 | 10 |
| Hazard Awareness Notices served | 0 | 0 | 36 | 5.80 | 10 |
| • Residential premises subjected to Hazard Awareness Notices | 0 | 0 | 23 | 4.50 | 10 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 0 | 0 | 37 | 5.50 | 10 |
| • Households in HMOs have had accommodation improved as a result of this action | 3 | 0 | 17 | 3.14 | 7 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 0 | 0 | 0 | 0 | 10 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 0 | 0 | 1 | 0.20 | 10 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 2 | 0 | 1 | 0.10 | 10 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 0 | 0 | 150 | 79.50 | 8 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 0 | 0 | 10 |

Activity by local authority type

London boroughs

Table A5 Activity in 2005/06 in London

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|--------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 1 | 0 | 26 | 10.55 | 11 |
| • Notices complied with under the Housing Act 1985 s.189 | 3 | 0 | 26 | 8.22 | 9 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 1 | 0 | 79 | 25.45 | 11 |
| • Notices complied with under the Housing Act s.190 | 3 | 1 | 55 | 19.44 | 9 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 2 | 0 | 1 | 0.10 | 10 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 3 | 0 | 1 | 0.22 | 9 |
| Notices served under the Housing Act 1985 s.352 | 2 | 0 | 73 | 19.00 | 10 |
| • Notices complied with under the Housing Act 1985 s.352 | 3 | 0 | 35 | 9.78 | 9 |
| • No. of improved household accommodation as a result | 6 | 0 | 200 | 45.83 | 6 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 1 | 0 | 3 | 0.55 | 11 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 1 | 0 | 8 | 1.18 | 11 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 3 | 0 | 639 | 151.11 | 9 |
| Closing Orders made (s.264 Housing Act 1985) | 1 | 0 | 3 | 0.64 | 11 |
| Demolition Orders made (s.265 Housing Act 1985) | 1 | 0 | 0 | 0 | 11 |

Table A6 Activity in 2006/07 in London

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|--------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 1 | 0 | 84 | 20.91 | 11 |
| • Residential premises that were subject to Improvement Notices | 2 | 0 | 78 | 22.20 | 10 |
| • Suspended Improvement Notices (s.14) | 1 | 0 | 0 | 0 | 11 |
| • Improvement Notices complied with | 2 | 0 | 22 | 7.80 | 10 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 1 | 0 | 1 | 0.09 | 11 |
| Prohibition Orders (ss.20 and 21) served | 1 | 0 | 6 | 1.36 | 11 |
| • Total no. of residential premises subject to Prohibition Orders | 2 | 0 | 4 | 1.20 | 10 |
| • Suspended Prohibition Orders | 2 | 0 | 1 | 0.10 | 10 |
| • Emergency Prohibition Orders | 2 | 0 | 4 | 0.60 | 10 |
| Hazard Awareness Notices served | 1 | 0 | 3 | 1.00 | 11 |
| • Residential premises subjected to Hazard Awareness Notices | 1 | 0 | 3 | 0.91 | 11 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 2 | 0 | 46 | 9.30 | 10 |
| • Households in HMOs have had accommodation improved as a result of this action | 2 | 0 | 8 | 1.30 | 10 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 2 | 0 | 1 | 0.20 | 10 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 1 | 0 | 2 | 0.18 | 11 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 1 | 0 | 1 | 0.18 | 11 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 4 | 0 | 642 | 139.13 | 8 |
| Demolition Orders made (s.265 Housing Act 1985) | 1 | 0 | 1 | 0.09 | 11 |

Activity by local authority type

Metropolitan Districts

Table A7 Activity in 2005/06 by Metropolitan Districts

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|--------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 0 | 0 | 56 | 9.06 | 17 |
| • Notices complied with under the Housing Act 1985 s.189 | 1 | 0 | 50 | 7.94 | 16 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 0 | 0 | 123 | 13.65 | 17 |
| • Notices complied with under the Housing Act s.190 | 2 | 0 | 123 | 13.53 | 15 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 0 | 0 | 1 | 0.12 | 17 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 2 | 0 | 4 | 0.47 | 15 |
| Notices served under the Housing Act 1985 s.352 | 0 | 0 | 10 | 2.53 | 17 |
| • Notices complied with under the Housing Act 1985 s.352 | 1 | 0 | 9 | 1.88 | 16 |
| • No. of improved household accommodation as a result | 3 | 0 | 25 | 6.36 | 14 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 0 | 0 | 1 | 0.12 | 17 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 1 | 0 | 3 | 0.44 | 16 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 2 | 0 | 399 | 155.93 | 15 |
| Closing Orders made (s.264 Housing Act 1985) | 0 | 0 | 4 | 0.65 | 17 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 1 | 0.18 | 17 |

Table A8 Activity in 2006/07 by Metropolitan Districts

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|--------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 0 | 0 | 76 | 14.71 | 17 |
| • Residential premises that were subject to Improvement Notices | 1 | 0 | 76 | 12.06 | 16 |
| • Suspended Improvement Notices (s.14) | 0 | 0 | 0 | 0 | 17 |
| • Improvement Notices complied with | 1 | 0 | 76 | 10.50 | 16 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 0 | 0 | 1 | 0.29 | 17 |
| Prohibition Orders (ss.20 and 21) served | 0 | 0 | 8 | 1.06 | 17 |
| • Total no. of residential premises subject to Prohibition Orders | 1 | 0 | 8 | 0.94 | 16 |
| • Suspended Prohibition Orders | 1 | 0 | 1 | 0.06 | 16 |
| • Emergency Prohibition Orders | 1 | 0 | 1 | 0.13 | 16 |
| Hazard Awareness Notices served | 0 | 0 | 162 | 13.94 | 17 |
| • Residential premises subjected to Hazard Awareness Notices | 0 | 0 | 162 | 13.47 | 17 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 1 | 0 | 21 | 2.19 | 16 |
| • Households in HMOs have had accommodation improved as a result of this action | 1 | 0 | 84 | 9.75 | 16 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 0 | 0 | 0 | 0 | 17 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 0 | 0 | 8 | 0.59 | 17 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 0 | 0 | 22 | 1.53 | 17 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 2 | 0 | 412 | 119.07 | 15 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 2 | 0.18 | 17 |

Activity by local authority type

Unitary authorities

Table A9 Activity in 2005/06 by Unitary authorities

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 4 | 0 | 30 | 6.20 | 20 |
| • Notices complied with under the Housing Act 1985 s.189 | 6 | 0 | 19 | 4.72 | 18 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 3 | 0 | 55 | 11.57 | 21 |
| • Notices complied with under the Housing Act s.190 | 7 | 0 | 30 | 9.59 | 17 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 4 | 0 | 0 | 0 | 20 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 3 | 0 | 2 | 0.19 | 21 |
| Notices served under the Housing Act 1985 s.352 | 3 | 0 | 81 | 11.67 | 21 |
| • Notices complied with under the Housing Act 1985 s.352 | 9 | 0 | 44 | 10.07 | 15 |
| • No. of improved household accommodation as a result | 13 | 0 | 44 | 7.73 | 11 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 2 | 0 | 5 | 0.41 | 22 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 4 | 0 | 18 | 1.25 | 20 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 6 | 0 | 263 | 90.44 | 18 |
| Closing Orders made (s.264 Housing Act 1985) | 1 | 0 | 2 | 0.17 | 23 |
| Demolition Orders made (s.265 Housing Act 1985) | 1 | 0 | 0 | 0 | 23 |

Table A10 Activity in 2006/07 by Unitary authorities

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 1 | 0 | 65 | 17.04 | 23 |
| • Residential premises that were subject to Improvement Notices | 4 | 0 | 96 | 13.70 | 20 |
| • Suspended Improvement Notices (s.14) | 1 | 0 | 7 | 0.91 | 23 |
| • Improvement Notices complied with | 2 | 0 | 26 | 7.68 | 22 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 0 | 0 | 7 | 1.08 | 24 |
| Prohibition Orders (ss.20 and 21) served | 0 | 0 | 9 | 2.13 | 24 |
| • Total no. of residential premises subject to Prohibition Orders | 2 | 0 | 9 | 2.05 | 22 |
| • Suspended Prohibition Orders | 2 | 0 | 3 | 0.18 | 22 |
| • Emergency Prohibition Orders | 2 | 0 | 3 | 0.55 | 22 |
| Hazard Awareness Notices served | 1 | 0 | 45 | 4.39 | 23 |
| • Residential premises subjected to Hazard Awareness Notices | 2 | 0 | 45 | 4.41 | 22 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 4 | 0 | 26 | 6.40 | 20 |
| • Households in HMOs have had accommodation improved as a result of this action | 6 | 0 | 64 | 9.17 | 18 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 0 | 0 | 3 | 0.25 | 24 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 0 | 0 | 1 | 0.13 | 24 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 1 | 0 | 7 | 1.04 | 23 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 5 | 0 | 289 | 70.53 | 19 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 1 | 0.04 | 24 |

Activity by region (excluding Wales and London, see Tables A4 to A6)

North East

Table A11 Activity in 2005/06 in the North East

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 0 | 0 | 23 | 3.50 | 10 |
| • Notices complied with under the Housing Act 1985 s.189 | 2 | 0 | 23 | 4.25 | 8 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 0 | 0 | 25 | 4.80 | 10 |
| • Notices complied with under the Housing Act s.190 | 2 | 0 | 19 | 5.13 | 8 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 1 | 0 | 0 | 0 | 9 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 1 | 0 | 0 | 0 | 9 |
| Notices served under the Housing Act 1985 s.352 | 0 | 0 | 2 | 0.40 | 10 |
| • Notices complied with under the Housing Act 1985 s.352 | 3 | 0 | 2 | 0.57 | 7 |
| • No. of improved household accommodation as a result | 2 | 0 | 7 | 1.63 | 8 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 0 | 0 | 1 | 0.10 | 10 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 1 | 0 | 3 | 0.33 | 9 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 2 | 0 | 210 | 41.75 | 8 |
| Closing Orders made (s.264 Housing Act 1985) | 0 | 0 | 2 | 0.30 | 10 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 0 | 0 | 10 |

Table A12 Activity in 2006/07 in the North East

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 0 | 0 | 14 | 5.50 | 10 |
| • Residential premises that were subject to Improvement Notices | 0 | 0 | 14 | 5.30 | 10 |
| • Suspended Improvement Notices (s.14) | 0 | 0 | 1 | 0.10 | 10 |
| • Improvement Notices complied with | 0 | 0 | 14 | 4.60 | 10 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 0 | 0 | 2 | 0.40 | 10 |
| Prohibition Orders (ss.20 and 21) served | 1 | 0 | 1 | 0.20 | 10 |
| • Total no. of residential premises subject to Prohibition Orders | 1 | 0 | 1 | 0.22 | 9 |
| • Suspended Prohibition Orders | 1 | 0 | 0 | 0 | 9 |
| • Emergency Prohibition Orders | 0 | 0 | 1 | 0.11 | 9 |
| Hazard Awareness Notices served | 1 | 0 | 8 | 1.00 | 10 |
| • Residential premises subjected to Hazard Awareness Notices | 0 | 0 | 8 | 1.11 | 9 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 0 | 0 | 2 | 0.30 | 10 |
| • Households in HMOs have had accommodation improved as a result of this action | 0 | 0 | 2 | 0.30 | 10 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 0 | 0 | 1 | 0.10 | 10 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 0 | 0 | 0 | 0 | 10 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 0 | 0 | 4 | 0.80 | 10 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 0 | 0 | 210 | 40.90 | 10 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 0 | 0 | 10 |

Activity by region (excluding Wales and London, see Tables A4 to A6)

North West

Table A13 Activity in 2005/06 in the North West

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|--------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 1 | 0 | 7 | 1.67 | 12 |
| • Notices complied with under the Housing Act 1985 s.189 | 3 | 0 | 4 | 1.30 | 10 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 0 | 0 | 123 | 11.00 | 13 |
| • Notices complied with under the Housing Act s.190 | 5 | 0 | 123 | 16.75 | 8 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 2 | 0 | 0 | 0 | 11 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 3 | 0 | 1 | 0.10 | 10 |
| Notices served under the Housing Act 1985 s.352 | 0 | 0 | 5 | 1.54 | 13 |
| • Notices complied with under the Housing Act 1985 s.352 | 4 | 0 | 3 | 1.11 | 9 |
| • No. of improved household accommodation as a result | 6 | 0 | 9 | 2.57 | 7 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 1 | 0 | 1 | 0.08 | 12 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 2 | 0 | 1 | 0.09 | 11 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 2 | 0 | 399 | 127.64 | 11 |
| Closing Orders made (s.264 Housing Act 1985) | 1 | 0 | 3 | 0.50 | 12 |
| Demolition Orders made (s.265 Housing Act 1985) | 1 | 0 | 0 | 0 | 12 |

Table A14 Activity in 2006/07 in the North West

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|--------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 0 | 0 | 17 | 6.46 | 13 |
| • Residential premises that were subject to Improvement Notices | 0 | 0 | 17 | 6.00 | 13 |
| • Suspended Improvement Notices (s.14) | 0 | 0 | 0 | 0 | 13 |
| • Improvement Notices complied with | 1 | 0 | 10 | 4.75 | 12 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 0 | 0 | 1 | 0.38 | 13 |
| Prohibition Orders (ss.20 and 21) served | 0 | 0 | 8 | 1.62 | 13 |
| • Total no. of residential premises subject to Prohibition Orders | 1 | 0 | 8 | 1.33 | 12 |
| • Suspended Prohibition Orders | 1 | 0 | 0 | 0 | 12 |
| • Emergency Prohibition Orders | 1 | 0 | 2 | 0.17 | 12 |
| Hazard Awareness Notices served | 0 | 0 | 45 | 5.69 | 13 |
| • Residential premises subjected to Hazard Awareness Notices | 0 | 0 | 45 | 5.54 | 13 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 1 | 0 | 4 | 0.75 | 12 |
| • Households in HMOs have had accommodation improved as a result of this action | 1 | 0 | 40 | 4.50 | 12 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 0 | 0 | 0 | 0 | 13 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 0 | 0 | 4 | 0.38 | 13 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 0 | 0 | 3 | 0.46 | 13 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 2 | 0 | 412 | 135.09 | 11 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 2 | 0.15 | 13 |

Activity by region (excluding Wales and London, see Tables A4 to A6)

West Midlands

Table A15 Activity in 2005/06 in the West Midlands

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|--------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 0 | 0 | 56 | 8.33 | 12 |
| • Notices complied with under the Housing Act 1985 s.189 | 0 | 0 | 50 | 7.33 | 12 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 1 | 0 | 36 | 5.91 | 11 |
| • Notices complied with under the Housing Act s.190 | 1 | 0 | 28 | 5.00 | 11 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 0 | 0 | 1 | 0.17 | 12 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 0 | 0 | 4 | 0.42 | 12 |
| Notices served under the Housing Act 1985 s.352 | 0 | 0 | 13 | 2.17 | 12 |
| • Notices complied with under the Housing Act 1985 s.352 | 1 | 0 | 11 | 1.91 | 11 |
| • No. of improved household accommodation as a result | 2 | 0 | 44 | 8.20 | 10 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 0 | 0 | 1 | 0.08 | 12 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 0 | 0 | 2 | 0.33 | 12 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 4 | 0 | 359 | 127.25 | 8 |
| Closing Orders made (s.264 Housing Act 1985) | 0 | 0 | 1 | 0.08 | 12 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 1 | 0.17 | 12 |

Table A16 Activity in 2006/07 in the West Midlands

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 0 | 0 | 35 | 8.75 | 12 |
| • Residential premises that were subject to Improvement Notices | 0 | 0 | 96 | 13.58 | 12 |
| • Suspended Improvement Notices (s.14) | 0 | 0 | 3 | 0.42 | 12 |
| • Improvement Notices complied with | 0 | 0 | 26 | 5.92 | 12 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 0 | 0 | 1 | 0.17 | 12 |
| Prohibition Orders (ss.20 and 21) served | 0 | 0 | 4 | 0.83 | 12 |
| • Total no. of residential premises subject to Prohibition Orders | 0 | 0 | 3 | 0.67 | 12 |
| • Suspended Prohibition Orders | 0 | 0 | 0 | 0 | 12 |
| • Emergency Prohibition Orders | 0 | 0 | 2 | 0.25 | 12 |
| Hazard Awareness Notices served | 0 | 0 | 162 | 15.58 | 12 |
| • Residential premises subjected to Hazard Awareness Notices | 0 | 0 | 162 | 15.25 | 12 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 0 | 0 | 21 | 3.75 | 12 |
| • Households in HMOs have had accommodation improved as a result of this action | 0 | 0 | 84 | 14.75 | 12 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 0 | 0 | 0 | 0 | 12 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 0 | 0 | 8 | 0.67 | 12 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 0 | 0 | 33 | 2.92 | 12 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 1 | 0 | 465 | 84.09 | 11 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 0 | 0 | 12 |

Activity by region (excluding Wales and London, see Tables A4 to A6) East of England

Table A17 Activity in 2005/06 in the East of England

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 0 | 0 | 28 | 2.50 | 18 |
| • Notices complied with under the Housing Act 1985 s.189 | 1 | 0 | 14 | 1.47 | 17 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 0 | 0 | 16 | 2.94 | 18 |
| • Notices complied with under the Housing Act s.190 | 1 | 0 | 11 | 2.18 | 17 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 0 | 0 | 0 | 0 | 18 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 0 | 0 | 1 | 0.06 | 18 |
| Notices served under the Housing Act 1985 s.352 | 0 | 0 | 31 | 4.61 | 18 |
| • Notices complied with under the Housing Act 1985 s.352 | 1 | 0 | 19 | 3.35 | 17 |
| • No. of improved household accommodation as a result | 2 | 0 | 81 | 9.63 | 16 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 0 | 0 | 3 | 0.22 | 18 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 1 | 0 | 7 | 0.53 | 17 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 3 | 0 | 73 | 20.93 | 15 |
| Closing Orders made (s.264 Housing Act 1985) | 0 | 0 | 2 | 0.22 | 18 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 0 | 0 | 18 |

Table A18 Activity in 2006/07 in the East of England

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 0 | 0 | 65 | 8.78 | 18 |
| • Residential premises that were subject to Improvement Notices | 1 | 0 | 24 | 5.59 | 17 |
| • Suspended Improvement Notices (s.14) | 1 | 0 | 1 | 0.12 | 17 |
| • Improvement Notices complied with | 1 | 0 | 14 | 2.76 | 17 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 0 | 0 | 37 | 2.17 | 18 |
| Prohibition Orders (ss.20 and 21) served | 0 | 0 | 4 | 1.11 | 18 |
| • Total no. of residential premises subject to Prohibition Orders | 0 | 0 | 17 | 1.89 | 18 |
| • Suspended Prohibition Orders | 0 | 0 | 1 | 0.06 | 18 |
| • Emergency Prohibition Orders | 0 | 0 | 2 | 0.22 | 18 |
| Hazard Awareness Notices served | 0 | 0 | 14 | 1.33 | 18 |
| • Residential premises subjected to Hazard Awareness Notices | 0 | 0 | 14 | 1.28 | 18 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 0 | 0 | 30 | 4.06 | 18 |
| • Households in HMOs have had accommodation improved as a result of this action | 1 | 0 | 135 | 9.94 | 17 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 0 | 0 | 1 | 0.06 | 18 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 0 | 0 | 0 | 0 | 18 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 0 | 0 | 37 | 2.17 | 18 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 2 | 0 | 150 | 35.63 | 17 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 0 | 0 | 18 |

Activity by region (excluding Wales and London, see Tables A4 to A6)

Yorkshire and the Humber

Table A19 Activity in 2005/06 in Yorkshire and the Humber

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|--------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 0 | 1 | 27 | 8.82 | 11 |
| • Notices complied with under the Housing Act 1985 s.189 | 0 | 0 | 22 | 7.09 | 11 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 0 | 0 | 41 | 12.45 | 11 |
| • Notices complied with under the Housing Act s.190 | 0 | 0 | 30 | 8.45 | 11 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 0 | 0 | 1 | 0.09 | 11 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 1 | 0 | 3 | 0.30 | 10 |
| Notices served under the Housing Act 1985 s.352 | 0 | 0 | 10 | 3.64 | 11 |
| • Notices complied with under the Housing Act 1985 s.352 | 3 | 0 | 9 | 3.13 | 8 |
| • No. of improved household accommodation as a result | 5 | 0 | 25 | 11.17 | 6 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 0 | 0 | 4 | 0.45 | 11 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 1 | 0 | 18 | 2.50 | 10 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 1 | 0 | 300 | 106.60 | 10 |
| Closing Orders made (s.264 Housing Act 1985) | 0 | 0 | 5 | 0.82 | 11 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 1 | 0.09 | 11 |

Table A20 Activity in 2006/07 in Yorkshire and the Humber

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 0 | 0 | 76 | 23.45 | 11 |
| • Residential premises that were subject to Improvement Notices | 2 | 0 | 76 | 17.78 | 9 |
| • Suspended Improvement Notices (s.14) | 0 | 0 | 7 | 1.18 | 11 |
| • Improvement Notices complied with | 1 | 0 | 76 | 12.90 | 10 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 0 | 0 | 4 | 0.73 | 11 |
| Prohibition Orders (ss.20 and 21) served | 0 | 0 | 11 | 3.18 | 11 |
| • Total no. of residential premises subject to Prohibition Orders | 0 | 0 | 8 | 2.36 | 11 |
| • Suspended Prohibition Orders | 0 | 0 | 1 | 0.18 | 11 |
| • Emergency Prohibition Orders | 0 | 0 | 4 | 0.91 | 11 |
| Hazard Awareness Notices served | 0 | 0 | 23 | 5.00 | 11 |
| • Residential premises subjected to Hazard Awareness Notices | 0 | 0 | 23 | 4.64 | 11 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 2 | 0 | 26 | 5.22 | 9 |
| • Households in HMOs have had accommodation improved as a result of this action | 3 | 0 | 26 | 7.63 | 8 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 0 | 0 | 1 | 0.09 | 11 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 0 | 0 | 1 | 0.27 | 11 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 0 | 0 | 22 | 3.00 | 11 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 1 | 0 | 350 | 75.50 | 10 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 1 | 0.18 | 11 |

Activity by region (excluding Wales and London, see Tables A4 to A6)

East Midlands

Table A21 Activity in 2005/06 in the East Midlands

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 0 | 0 | 5 | 1.08 | 12 |
| • Notices complied with under the Housing Act 1985 s.189 | 2 | 0 | 5 | 1.10 | 10 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 0 | 0 | 10 | 2.00 | 12 |
| • Notices complied with under the Housing Act s.190 | 1 | 0 | 10 | 1.91 | 11 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 0 | 0 | 0 | 0 | 12 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 0 | 0 | 1 | 0.08 | 12 |
| Notices served under the Housing Act 1985 s.352 | 0 | 0 | 2 | 0.25 | 12 |
| • Notices complied with under the Housing Act 1985 s.352 | 2 | 0 | 1 | 0.20 | 10 |
| • No. of improved household accommodation as a result | 2 | 0 | 15 | 2.10 | 10 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 0 | 0 | 1 | 0.08 | 12 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 0 | 0 | 2 | 0.42 | 12 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 0 | 3 | 404 | 64.42 | 12 |
| Closing Orders made (s.264 Housing Act 1985) | 0 | 0 | 0 | 0 | 12 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 0 | 0 | 12 |

Table A22 Activity in 2006/07 in the East Midlands

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 0 | 0 | 14 | 3.42 | 12 |
| • Residential premises that were subject to Improvement Notices | 0 | 0 | 12 | 3.00 | 12 |
| • Suspended Improvement Notices (s.14) | 1 | 0 | 1 | 0.09 | 11 |
| • Improvement Notices complied with | 1 | 0 | 9 | 1.91 | 11 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 0 | 0 | 1 | 0.17 | 12 |
| Prohibition Orders (ss.20 and 21) served | 0 | 0 | 2 | 0.50 | 12 |
| • Total no. of residential premises subject to Prohibition Orders | 0 | 0 | 2 | 0.50 | 12 |
| • Suspended Prohibition Orders | 2 | 0 | 0 | 0 | 10 |
| • Emergency Prohibition Orders | 2 | 0 | 0 | 0 | 10 |
| Hazard Awareness Notices served | 0 | 0 | 1 | 0.17 | 12 |
| • Residential premises subjected to Hazard Awareness Notices | 0 | 0 | 1 | 0.17 | 12 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 1 | 0 | 2 | 0.27 | 11 |
| • Households in HMOs have had accommodation improved as a result of this action | 2 | 0 | 10 | 1.00 | 10 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 0 | 0 | 1 | 0.17 | 12 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 0 | 0 | 1 | 0.17 | 12 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 0 | 0 | 2 | 0.17 | 12 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 0 | 0 | 287 | 53.92 | 12 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 0 | 0 | 12 |

Activity by region (excluding Wales and London, see Tables A4 to A6)

South East

Table A23 Activity in 2005/06 in the South East

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 2 | 0 | 30 | 4.56 | 16 |
| • Notices complied with under the Housing Act 1985 s.189 | 4 | 0 | 19 | 3.93 | 14 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 2 | 0 | 27 | 4.25 | 16 |
| • Notices complied with under the Housing Act s.190 | 4 | 0 | 23 | 3.36 | 14 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 3 | 0 | 0 | 0 | 15 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 3 | 0 | 2 | 0.20 | 15 |
| Notices served under the Housing Act 1985 s.352 | 2 | 0 | 61 | 6.75 | 16 |
| • Notices complied with under the Housing Act 1985 s.352 | 5 | 0 | 41 | 6.31 | 13 |
| • No. of improved household accommodation as a result | 7 | 0 | 17 | 5.00 | 11 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 1 | 0 | 5 | 0.47 | 17 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 1 | 0 | 2 | 0.18 | 17 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 4 | 0 | 216 | 62.57 | 14 |
| Closing Orders made (s.264 Housing Act 1985) | 1 | 0 | 2 | 0.29 | 17 |
| Demolition Orders made (s.265 Housing Act 1985) | 1 | 0 | 0 | 0 | 17 |

Table A24 Activity in 2006/07 in the South East

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 0 | 0 | 116 | 12.39 | 18 |
| • Residential premises that were subject to Improvement Notices | 1 | 0 | 30 | 6.12 | 17 |
| • Suspended Improvement Notices (s.14) | 0 | 0 | 4 | 0.39 | 18 |
| • Improvement Notices complied with | 0 | 0 | 41 | 5.83 | 18 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 0 | 0 | 1 | 0.11 | 18 |
| Prohibition Orders (ss.20 and 21) served | 0 | 0 | 11 | 1.89 | 18 |
| • Total no. of residential premises subject to Prohibition Orders | 0 | 0 | 9 | 1.67 | 18 |
| • Suspended Prohibition Orders | 0 | 0 | 6 | 0.72 | 18 |
| • Emergency Prohibition Orders | 0 | 0 | 2 | 0.22 | 18 |
| Hazard Awareness Notices served | 0 | 0 | 24 | 3.50 | 18 |
| • Residential premises subjected to Hazard Awareness Notices | 0 | 0 | 19 | 2.72 | 18 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 1 | 0 | 116 | 8.88 | 17 |
| • Households in HMOs have had accommodation improved as a result of this action | 3 | 0 | 41 | 7.20 | 15 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 0 | 0 | 1 | 0.06 | 18 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 0 | 0 | 1 | 0.06 | 18 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 0 | 0 | 1 | 0.11 | 18 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 4 | 0 | 193 | 55.71 | 14 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 1 | 0.06 | 18 |

Activity by region (excluding Wales and London, see Tables A4 to A6)

South West

Table A25 Activity in 2005/06 in the South West

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Notices served under the Housing Act 1985 s.189 (all sub sections) | 3 | 0 | 6 | 0.82 | 11 |
| • Notices complied with under the Housing Act 1985 s.189 | 7 | 0 | 3 | 0.86 | 7 |
| Notices served under the Housing Act 1985 s.190 (all sub sections) | 3 | 0 | 55 | 5.55 | 11 |
| • Notices complied with under the Housing Act s.190 | 6 | 0 | 28 | 4.13 | 8 |
| Total appeals made (and not withdrawn) under ss.189 and 190 within the year | 3 | 0 | 0 | 0.00 | 11 |
| Prosecutions brought for failure to comply with ss.189 and 190 within the year | 2 | 0 | 1 | 0.08 | 12 |
| Notices served under the Housing Act 1985 s.352 | 3 | 0 | 81 | 10.18 | 11 |
| • Notices complied with under the Housing Act 1985 s.352 | 6 | 0 | 44 | 7.63 | 8 |
| • No. of improved household accommodation as a result | 4 | 0 | 13 | 2.60 | 10 |
| Deferred Action Notices (Housing Grants Construction and Regeneration Act 1996 s.81) served | 1 | 0 | 0 | 0.00 | 13 |
| Dwellings that were subject to work in default of compliance with ss.189 and 190 Notices (with or without owner's consent) | 2 | 0 | 0 | 0.00 | 12 |
| Dwellings improved as a result of informal regulatory action under the Housing Act 1985 | 1 | 0 | 186 | 40.15 | 13 |
| Closing Orders made (s.264 Housing Act 1985) | 0 | 0 | 1 | 0.07 | 14 |
| Demolition Orders made (s.265 Housing Act 1985) | 0 | 0 | 0 | 0.00 | 14 |

Table A26 Activity in 2006/07 in the South West

| Activity | N/A or missing | Spread | | Mean | No. of responses |
|--|----------------|-----------------|------------------|-------|------------------|
| | | Lowest response | Highest response | | |
| Total Improvement Notices (ss.11 and 12 Housing Act 2004) served | 1 | 0 | 98 | 15.69 | 13 |
| • Residential premises that were subject to Improvement Notices | 3 | 0 | 40 | 6.55 | 11 |
| • Suspended Improvement Notices (s.14) | 2 | 0 | 45 | 3.83 | 12 |
| • Improvement Notices complied with | 2 | 0 | 26 | 6.83 | 12 |
| Residential premises that were the subject of Emergency Remedial Action (s.40) | 0 | 0 | 7 | 0.93 | 14 |
| Prohibition Orders (ss.20 and 21) served | 0 | 0 | 9 | 1.07 | 14 |
| • Total no. of residential premises subject to Prohibition Orders | 2 | 0 | 9 | 1.25 | 12 |
| • Suspended Prohibition Orders | 2 | 0 | 3 | 0.33 | 12 |
| • Emergency Prohibition Orders | 2 | 0 | 1 | 0.42 | 12 |
| Hazard Awareness Notices served | 1 | 0 | 8 | 1.00 | 13 |
| • Residential premises subjected to Hazard Awareness Notices | 2 | 0 | 8 | 1.08 | 12 |
| No. of the Housing Act 2004 Part 1 regulatory actions referred to above relating to HMOs | 1 | 0 | 72 | 10.00 | 13 |
| • Households in HMOs have had accommodation improved as a result of this action | 3 | 0 | 84 | 12.64 | 11 |
| Total no. of appeals (not withdrawn) made against action this year under Part 1 of the 2004 Act | 0 | 0 | 3 | 0.36 | 14 |
| Prosecutions brought as a result of failure to comply with action taken this year under Part 1 of the 2004 Act | 0 | 0 | 1 | 0.14 | 14 |
| Residential premises subject to work in default of compliance with Improvement Notices (with or without owner's consent) | 1 | 0 | 1 | 0.38 | 13 |
| Total dwellings improved or repaired as a result of informal action under Part 1 of the Housing Act 2004 | 1 | 0 | 234 | 34.23 | 13 |
| Demolition Orders made (s.265 Housing Act 1985) | 1 | 0 | 98 | 15.69 | 13 |

Factors influencing activity Metropolitan Districts

Table A27 Factors influencing activity rated by order of importance for Metropolitan Districts

| Factors | Order of importance (no.) | | | | | Total no. of responses | Scores in descending order |
|---|---------------------------|-----|-----|-----|-----|------------------------|----------------------------|
| | 1st | 2nd | 3rd | 4th | 5th | | |
| No. of complaints from or on behalf of residents | 5 | 2 | 3 | 0 | 0 | 10 | 38 |
| Priority given to HMO licensing in the year | 5 | 1 | 1 | 0 | 0 | 7 | 32 |
| The HHSRS and the regulations | 1 | 3 | 3 | 2 | 1 | 10 | 31 |
| Addressing risks to health and safety in housing | 2 | 2 | 2 | 2 | 0 | 8 | 28 |
| No. of staff available to deal with private sector housing conditions | 1 | 2 | 2 | 4 | 1 | 10 | 28 |
| The nature of legal provisions in Part 1 | 1 | 1 | 0 | 2 | 1 | 5 | 14 |
| Size of private rented sector in the district | 0 | 2 | 0 | 1 | 4 | 7 | 14 |
| No. of staff trained on the use of HHSRS | 0 | 1 | 2 | 1 | 1 | 5 | 13 |
| No. of licensable HMOs in the district | 1 | 1 | 0 | 0 | 1 | 3 | 10 |
| Numbers of dwellings in the district that have Category 1 hazards | 0 | 1 | 2 | 0 | 0 | 3 | 10 |
| Risk of retaliatory eviction of private sector tenants | 1 | 0 | 0 | 0 | 2 | 3 | 7 |
| Available staff resources concentrated on HMO licensing | 0 | 1 | 1 | 0 | 0 | 2 | 7 |
| Availability of remedies under other legal provisions | 0 | 0 | 1 | 1 | 0 | 2 | 5 |
| The council's Housing Renewal Policy | 0 | 0 | 0 | 1 | 3 | 4 | 5 |
| Appeals to the Residential Property Tribunal | 0 | 0 | 0 | 1 | 1 | 2 | 3 |
| Conditions within the private housing stock as identified in a House Condition Survey | 0 | 0 | 0 | 1 | 0 | 1 | 2 |
| Requirement of a Statement of Reasons | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Availability of financial assistance (loans or grants) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ability to charge for enforcement action (under s.49) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Factors influencing activity Unitary authorities

Table A28 Factors influencing activity rated by order of importance for Unitary authorities

| Factors | Order of importance (no.) | | | | | Total no. of responses | Scores in descending order |
|---|---------------------------|-----|-----|-----|-----|------------------------|----------------------------|
| | 1st | 2nd | 3rd | 4th | 5th | | |
| No. of complaints from or on behalf of residents | 6 | 4 | 4 | 2 | 0 | 16 | 62 |
| Priority given to HMO licensing in the year | 3 | 6 | 4 | 0 | 2 | 15 | 53 |
| The HHSRS and the regulations | 7 | 0 | 1 | 2 | 1 | 11 | 43 |
| Addressing risks to health and safety in housing | 0 | 1 | 7 | 4 | 0 | 12 | 33 |
| No. of staff available to deal with private sector housing conditions | 3 | 2 | 0 | 0 | 0 | 5 | 23 |
| The nature of legal provisions in Part 1 | 1 | 1 | 2 | 1 | 4 | 9 | 21 |
| Size of private rented sector in the district | 1 | 0 | 1 | 6 | 1 | 9 | 21 |
| No. of staff trained on the use of HHSRS | 1 | 2 | 0 | 1 | 5 | 9 | 20 |
| No. of licensable HMOs in the district | 0 | 3 | 2 | 1 | 0 | 6 | 20 |
| Numbers of dwellings in the district that have Category 1 hazards | 1 | 1 | 0 | 1 | 2 | 5 | 11 |
| Risk of retaliatory eviction of private sector tenants | 0 | 1 | 1 | 1 | 0 | 3 | 9 |
| Available staff resources concentrated on HMO licensing | 0 | 1 | 0 | 2 | 0 | 3 | 8 |
| Availability of remedies under other legal provisions | 0 | 0 | 0 | 1 | 1 | 2 | 3 |
| The council's Housing Renewal Policy | 0 | 0 | 0 | 0 | 1 | 1 | 1 |
| Appeals to the Residential Property Tribunal | 0 | 0 | 0 | 0 | 1 | 1 | 1 |
| Conditions within the private housing stock as identified in a House Condition Survey | 0 | 0 | 0 | 0 | 1 | 1 | 1 |
| Requirement of a Statement of Reasons | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Availability of financial assistance (loans or grants) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ability to charge for enforcement action (under s.49) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Factors influencing activity London boroughs

Table A29 Factors influencing activity rated by order of importance for London boroughs

| Factors | Order of importance (no.) | | | | | Total no. of responses | Scores in descending order |
|---|---------------------------|-----|-----|-----|-----|------------------------|----------------------------|
| | 1st | 2nd | 3rd | 4th | 5th | | |
| No. of complaints from or on behalf of residents | 2 | 3 | 1 | 0 | 1 | 7 | 26 |
| Priority given to HMO licensing in the year | 3 | 0 | 2 | 0 | 2 | 7 | 23 |
| The HHSRS and the regulations | 2 | 2 | 0 | 0 | 1 | 5 | 19 |
| Addressing risks to health and safety in housing | 1 | 1 | 1 | 0 | 0 | 3 | 12 |
| No. of staff available to deal with private sector housing conditions | 1 | 0 | 1 | 2 | 0 | 4 | 12 |
| The nature of legal provisions in Part 1 | 1 | 1 | 0 | 1 | 0 | 3 | 11 |
| Size of private rented sector in the district | 1 | 1 | 0 | 1 | 0 | 3 | 11 |
| No. of staff trained on the use of HHSRS | 0 | 1 | 1 | 1 | 1 | 4 | 10 |
| No. of licensable HMOs in the district | 0 | 0 | 2 | 0 | 1 | 3 | 7 |
| Numbers of dwellings in the district that have Category 1 hazards | 0 | 1 | 0 | 1 | 0 | 2 | 6 |
| Risk of retaliatory eviction of private sector tenants | 0 | 0 | 0 | 2 | 1 | 3 | 5 |
| Available staff resources concentrated on HMO licensing | 0 | 0 | 0 | 2 | 0 | 2 | 4 |
| Availability of remedies under other legal provisions | 0 | 1 | 0 | 0 | 0 | 1 | 4 |
| The council's Housing Renewal Policy | 0 | 0 | 1 | 0 | 0 | 1 | 3 |
| Appeals to the Residential Property Tribunal | 0 | 0 | 0 | 0 | 2 | 2 | 2 |
| Conditions within the private housing stock as identified in a House Condition Survey | 0 | 0 | 0 | 0 | 1 | 1 | 1 |
| Requirement of a Statement of Reasons | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Availability of financial assistance (loans or grants) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |
| Ability to charge for enforcement action (under s.49) | 0 | 0 | 0 | 0 | 0 | 0 | 0 |

Annex Extract from *English House Condition Survey 2005* Headline Report

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Housing conditions continue to improve; since 1996 the number of non-decent homes has reduced by over 3 million

Decent Homes

- Housing conditions continue to improve; since 1996 the number of non-decent homes has reduced by over 3 million, from 9.1 million (45%) to 6 million (27%) in 2005, Table 1.
- Homes in the private sector are less likely to be non-decent than social sector homes (27% compared to 29%), but

within the private sector conditions of privately rented homes are considerably worse than the owner occupied stock (41% compared to 25%). Privately rented homes are on average more likely to be non-decent than any of the other three tenure groups. Within the social sector RSL homes continue to be in better condition than local authority homes.

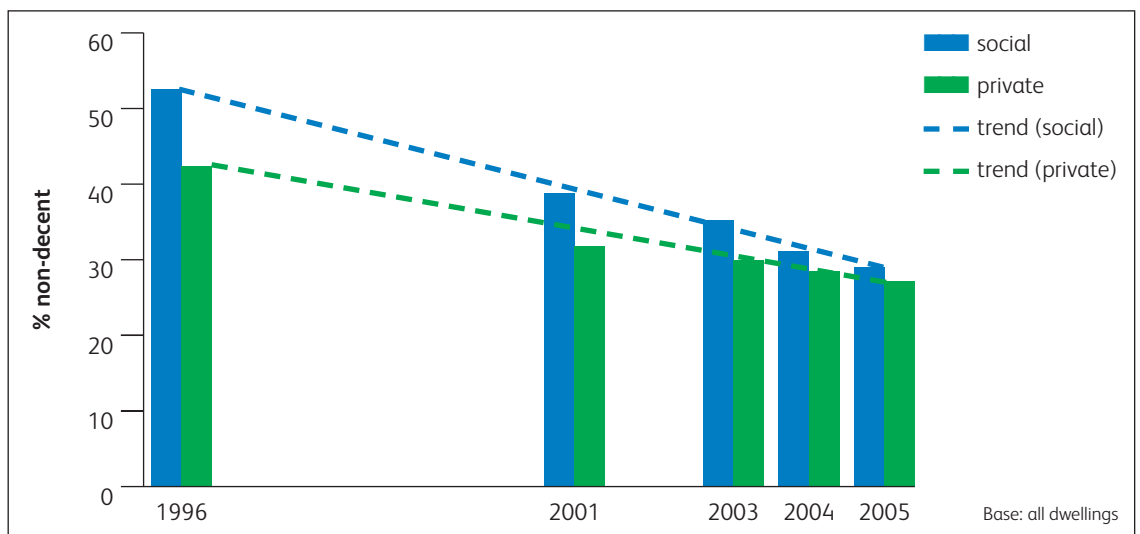
Table 1 Non-decent homes by housing tenure 1996 – 2005

| | | Owner occupied | Private rented | All private | LA | RSL | All social | All tenures |
|-----------------------|------------|----------------|----------------|---------------|-------|-------|--------------|---------------|
| Number (000s): | | | | | | | | |
| 1996 | decent | 8,391 | 752 | 9,144 | 1,600 | 493 | 2,092 | 11,236 |
| | non-decent | 5,535 | 1,246 | 6,781 | 1,869 | 448 | 2,318 | 9,099 |
| 2001 | decent | 10,483 | 1,072 | 11,554 | 1,637 | 952 | 2,589 | 14,143 |
| | non-decent | 4,316 | 1,101 | 5,416 | 1,174 | 472 | 1,647 | 7,063 |
| 2003 | decent | 10,982 | 1,149 | 12,131 | 1,482 | 1,154 | 2,636 | 14,767 |
| | non-decent | 4,219 | 1,056 | 5,275 | 975 | 467 | 1,442 | 6,717 |
| 2004 | decent | 11,213 | 1,340 | 12,553 | 1,519 | 1,228 | 2,748 | 15,301 |
| | non-decent | 4,066 | 994 | 5,060 | 816 | 437 | 1,252 | 6,312 |
| 2005 | decent | 11,509 | 1,464 | 12,974 | 1,437 | 1,384 | 2,821 | 15,794 |
| | non-decent | 3,822 | 1,003 | 4,825 | 729 | 433 | 1,162 | 5,987 |
| Percentage: | | | | | | | | |
| 1996 | decent | 60.3 | 37.6 | 57.4 | 46.1 | 52.4 | 47.4 | 55.3 |
| | non-decent | 39.7 | 62.4 | 42.6 | 53.9 | 47.6 | 52.6 | 44.7 |
| 2001 | decent | 70.8 | 49.3 | 68.1 | 58.2 | 66.8 | 61.1 | 66.7 |
| | non-decent | 29.2 | 50.7 | 31.9 | 41.8 | 33.2 | 38.9 | 33.3 |
| 2003 | decent | 72.2 | 52.1 | 69.7 | 60.3 | 71.2 | 64.6 | 68.7 |
| | non-decent | 27.8 | 47.9 | 30.3 | 39.7 | 28.8 | 35.4 | 31.3 |
| 2004 | decent | 73.4 | 57.4 | 71.3 | 65.1 | 73.8 | 68.7 | 70.8 |
| | non-decent | 26.6 | 42.6 | 28.7 | 34.9 | 26.2 | 31.3 | 29.2 |
| 2005 | decent | 75.1 | 59.4 | 72.9 | 66.3 | 76.2 | 70.8 | 72.5 |
| | non-decent | 24.9 | 40.6 | 27.1 | 33.7 | 23.8 | 29.2 | 27.5 |

The proportion of homes failing thermal comfort only is similar in both the private and social sectors

- Progress in the social sector continues at a greater rate than that of the private sector, (Figure 1). The gap of 10% points in 1996 has been reduced to just 2% points in 2005.

Figure 1 Proportion of non-decent homes by sector 1996 – 2005



Reasons for failing the decent homes standard

- In 2005, 4.4 million homes (20% of all homes) fail to provide adequate thermal comfort and this remains the most common reason for failing the standard (73% of non-decent homes fail on this criterion, 59% on this criterion alone). However there have been considerable improvements in insulation and heating and the number of homes failing this criterion has reduced by almost 3 million since 1996, Table 2. The social sector has seen the greatest improvement where the number of homes failing thermal comfort has more than halved, (from 2 million to 850 thousand).

13 Figures presented here are based on the new SAP 2005 methodology and are therefore inconsistent with previously published SAP data which were based on the SAP 2001 methodology. For a brief explanation of change to the SAP methodology and 2005 results based on the superseded SAP 2001 methodology see annex table A3

- The proportion of homes failing thermal comfort only is similar in both the private and social sectors, (16% and 18% respectively) while 11% of homes in both sectors fail the standard for one of the other criteria (fitness, repair and modernisations), Annex Table A1.
- The methodology for assessing the energy efficiency of homes – the standard assessment procedure (SAP) – was updated in 2005¹³. Under the 2005 methodology the energy efficiency rating of the housing stock overall has improved from an average of 42.1 in 1996 to 48.1 in 2005. Social sector homes are on average more energy efficient than those in the private sector (56.9 compared to 46.1 respectively) and are improving at a faster rate.

Table 2 Homes failing to meet the thermal comfort criterion 1996 – 2005

| | 1996 | 2001 | 2003 | 2004 | 2005 |
|------------------------|--------------|--------------|--------------|--------------|--------------|
| Numbers (000s): | | | | | |
| Private | 5,284 | 4,200 | 3,856 | 3,698 | 3,526 |
| Social | 1,986 | 1,321 | 1,061 | 913 | 848 |
| All tenures | 7,270 | 5,520 | 4,917 | 4,610 | 4,374 |
| Percentage: | | | | | |
| Private | 33.2 | 24.7 | 22.2 | 21.0 | 19.8 |
| Social | 45.0 | 31.2 | 26.0 | 22.8 | 21.3 |
| All tenures | 35.8 | 26.0 | 22.9 | 21.3 | 20.1 |

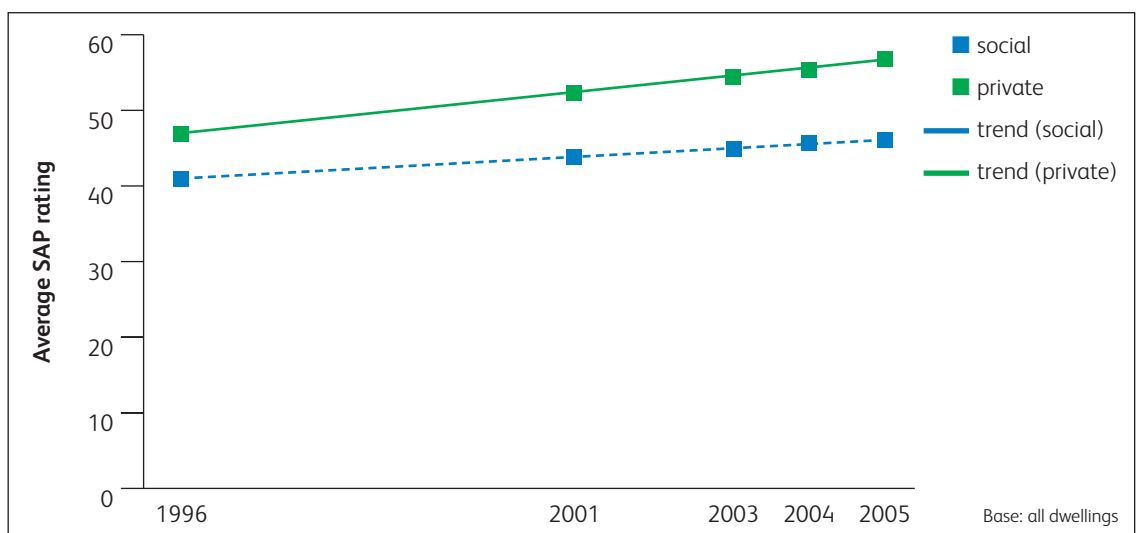
Table 3 Energy Efficiency, SAP rating by tenure 1996 – 2005

| numbers (000s): | 1996 | 2001 | 2003 | 2004 | 2005 |
|-----------------------|-------------|-------------|-------------|-------------|-------------|
| Owner occupied | 41.1 | 44.4 | 45.0 | 45.6 | 46.1 |
| Private rented | 37.9 | 41.9 | 44.4 | 45.7 | 46.0 |
| Private sector | 40.7 | 44.1 | 44.9 | 45.6 | 46.1 |
| Local authority | 45.7 | 49.6 | 52.0 | 53.9 | 55.3 |
| RSL | 50.9 | 56.4 | 56.7 | 57.3 | 58.9 |
| Social sector | 46.8 | 51.9 | 53.9 | 55.3 | 56.9 |
| All | 42.1 | 45.6 | 46.6 | 47.4 | 48.1 |

Note: Results have been calculated using the SAP 2005 methodology

Vulnerable owner occupiers tend to live in better conditions than their counterparts in the private rented sector

Figure 2 Average SAP rating by tenure 1996 – 2005



Vulnerable households living in the private sector

- Of the 3.2 million vulnerable households living in the private sector in 2005, 66% (2.1 million) live in decent homes, Table 4. Vulnerable owner occupiers tend to live in better conditions than their counterparts in the private rented sector; 71% live in decent homes compared to just 52% of private tenants.

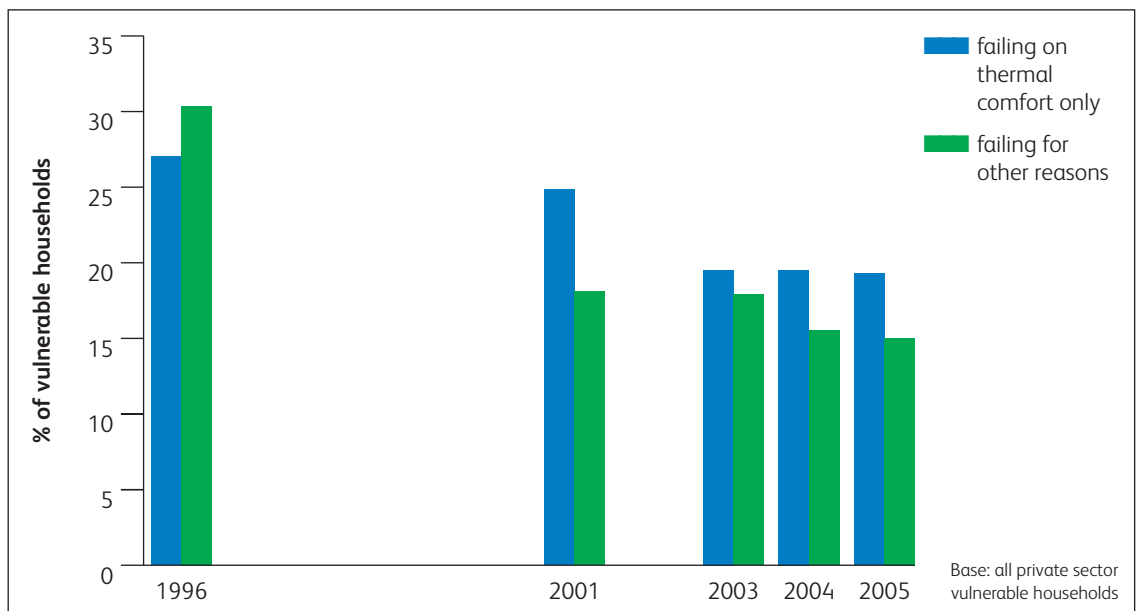
Table 4 Private sector vulnerable households living in non-decent homes 1996 – 2005

| | | Owner occupied | Private rented | All private |
|-----------------------|------------|---------------------------|---------------------------|------------------------|
| Number (000s): | | | | |
| 1996 | decent | 880 | 196 | 1,076 |
| | non-decent | 929 | 504 | 1,433 |
| 2001 | decent | 1,285 | 256 | 1,542 |
| | non-decent | 784 | 366 | 1,151 |
| 2003 | decent | 1,506 | 277 | 1,783 |
| | non-decent | 722 | 335 | 1,056 |
| 2004 | decent | 1,617 | 347 | 1,963 |
| | non-decent | 691 | 342 | 1,033 |
| 2005 | decent | 1,697 | 387 | 2,084 |
| | non-decent | 709 | 362 | 1,071 |
| Percentage: | | | | |
| 1996 | decent | 48.6 | 28.0 | 42.9 |
| | non-decent | 51.4 | 72.0 | 57.1 |
| 2001 | decent | 62.1 | 41.2 | 57.3 |
| | non-decent | 37.9 | 58.8 | 42.7 |
| 2003 | decent | 67.6 | 45.3 | 62.8 |
| | non-decent | 32.4 | 54.7 | 37.2 |
| 2004 | decent | 70.1 | 50.3 | 65.5 |
| | non-decent | 29.9 | 49.7 | 34.5 |
| 2005 | decent | 70.5 | 51.7 | 66.1 |
| | non-decent | 29.5 | 48.3 | 33.9 |

Base: all vulnerable private sector households

- As in the social sector the thermal comfort criterion is the most commonly failed of the four criteria. Some 780 thousand (25% of) vulnerable households in the private sector live in homes which fail to provide adequate thermal comfort (600 thousand of these fail on thermal comfort alone). Despite this, improvements in the housing conditions of vulnerable households since 2001 have been largely driven by improvements in thermal comfort, Figure 3.

Figure 3 Private sector vulnerable households by reasons for failing 1996 – 2005



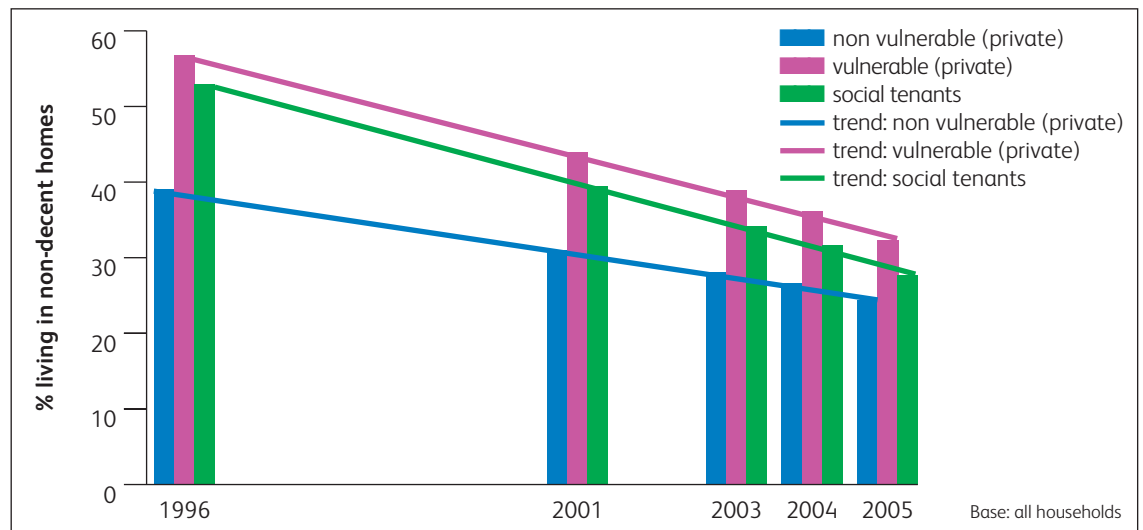
Note: See annex table for underlying data

The proportion of social tenants and private sector vulnerable households has fallen by an average of 2.5 percentage points each year

Disparities in living conditions

Social tenants and vulnerable households living in the private sector are more likely than other households to live in non-decent homes. However the gap is closing in both absolute and relative terms. The proportion of social tenants and private sector vulnerable households has fallen by an average of 2.5 percentage points each year compared to around 1.5 percentage points for other generally more affluent households, Figure 4.

Figure 4 Disparity between PSA7 – related and other households living in non-decent homes 1996 – 2005



Note: the bars represent the survey estimate for each sector the trend and the disparity between groups is modelled using all available results for the period – see annex on modelling disparities.

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