

# Crawley Borough Council

23 November 2007

Agenda for the **General Purposes Committee** which will be held in Committee Room B, Town Hall, Crawley, on **Monday 3 December 2007** at **7.30pm**

Nightline Telephone No. (01293) 551636

## Head of Democratic Services

Members                      Councillors R D Burrett (Chair), C R Eade (Vice-Chair), B K Blake, C A Cheshire, D G Crow, M T Head, R A Lanzer, J Mortimer, D W Murdoch and L A Walker.

Please note that Members requiring refreshments should contact Member Services on 01293 438391 no later than 48 hours before the meeting

Please contact Mez Matthews (Democratic Services Division) if you have any queries regarding this agenda.

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## Business - Part A

### 1. Minutes

To approve as a correct record the [minutes](#) of the meeting of the Committee held on 1 October 2007 (**Enclosure A**).

### 2. Apologies for Absence

### 3. Members' Disclosures of Interest

Members must declare if they think they have an interest in any item on this agenda and what the interest is. They have a personal interest if a reasonable person thought they had a greater interest in it than other residents of the ward. If this was considered so great it would affect Members' judgements, it becomes prejudicial.

If a Member has a:

**Personal and Non Prejudicial Interest** – they must declare it, they may stay in the meeting, speak and vote.

However, if the interest arises either from the Member representing the Council on an outside body or because the Member serves on another body exercising functions of a public nature, they only need to declare the interest if they wish to speak on the item.

**Personal and Prejudicial Interest** – they must declare it, leave the meeting while the item is discussed and take no part in the decision making.

However, if it is an item on which the public are allowed to make representations, the Member may make representations on their own behalf or on behalf of their constituents but must leave the meeting before the item is discussed and voted upon.

### 4. Audit and Governance Sub-Committee

To receive the following minutes of the meetings of the Audit and Governance Sub Committee held on:

- (i) 24 September 2007 ([Enclosure B](#))
- (ii) 29 October 2007 ([Enclosure C](#))

### 5. Final Report of the Call-In Scrutiny Panel

To consider report [OSC/64](#) of the Chair of the Call-In Scrutiny Panel which had also been referred to the meeting of the Overview and Scrutiny Commission held on 19 November 2007 (**Enclosure D**).

### 6. Changes to the Constitution

The Committee is asked to **RECOMMEND** the Council to agree the changes to the Constitution as proposed in ([Enclosure E](#)) to this agenda.

#### Delegations under the Housing Act 2004 – Changes to the Constitution

##### 1 Introduction

- 1.1 The Housing Act 2004 (the Act) which came into force on the 6 April 2006 makes provision for dealing with conditions relating to Private Sector Housing.
- 1.2 The Act replaces many of the powers contained within the Housing Act 1985. The Constitution was amended to take into account the changes that were made to the Licensing powers relating to Houses in Multiple Occupation but not in connection with the powers relating to private sector housing conditions. As a result new delegations to officers need to be agreed.

## 2 Changes in Legislation

- 2.1 The Housing Act 2004 repeals many of the powers contained within the Housing Act 1985 and gives local authorities new statutory powers for the enforcement of housing standards. The Parts to the Act relevant to dealing with poor housing conditions are covered in the proposals attached.
  - 2.2 Part I introduces the new Housing Health and Safety Rating System. This is a new risk assessment system for assessing the suitability of dwellings for occupation and it replaces the old standard of fitness for human habitation.
  - 2.3 Part I also introduces a new range of enforcement powers that are available to the Authority to deal with poor housing conditions. These powers range from simple hazard awareness notices to emergency powers to resolve matters that pose a serious and imminent risk to the occupiers. If a dwelling is found to have hazards that pose sufficient risk to the health and safety of the occupants then the Authority is obliged to take the most appropriate enforcement action. An updated policy outlining how the Authority will deal with poor housing and, in particular where we intervene in owner occupied and privately rented dwellings will be approved in due course by the Executive.
  - 2.4 Part III gives the Authority powers to designate areas for selective licensing. One of the conditions for designation is that the area is one of low housing demand with poor social and economic conditions.
  - 2.5 Part IV gives the Authority the power to take control of certain dwellings. This includes the Empty Dwelling Management order which will enable the Council to take over the running of an empty property, carry out works, set up a tenancy and take the rent.
- ## 3 Request for Delegation of Powers
- 3.1 A Local Authority, referred to in the Act as an Enforcement Authority, may authorise persons to act in matters arising under the Act. The Powers recommended to be delegated are set out in **(Enclosure E)**.

## 7. **Supplemental Agenda**

Any urgent item(s) complying with Section 100(B) of the Local Government Act 1972.

**Please contact Democratic Services on 01293 438282 if you would like a translation of any part of this agenda or copies in Braille, large print, audio tape or computer disk. If you require information on how to get to the meeting by public transport please ring West Sussex Traveline number on 0870 6082608**