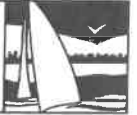


Executive decision taken by Leader

EASTBOURNE

Borough Council



Working in partnership with **Eastbourne Homes**

Pro-forma for completion in respect of executive decisions taken by Leader of the Council.

**** If matter includes exempt information, complete addendum section of pro-forma (found separately on the Hub).***

Decision taken by:

Councillor David Tutt

Date of decision:

10 July 2019

Subject of report:

To note and agree to the use of the new powers allowing the Council to impose civil penalties as summarised in Section 2 of this report.

Exempt matter (if any as given under Schedule 12A of the Local Government Act 1972):

None

Key decision?:

Non-key decision

Open summary of decision made:

(1) To approve the Civil Penalties Policy as attached at Appendix 1 to the report

(2) To delegate authority to the Senior Specialist Advisor (Housing Standards) in consultation with Legal Services to agree the sum of civil penalties to be issued on a case by case basis in accordance with the proposed policy with the reviewing Officer to be the Housing Needs and Standards Lead.

Reason(s) for decision:

The recommendations will enable the Council to utilise additional legislative powers as an alternative to prosecution for certain private housing offences. The Penalties are a quick, easy, cost effective sanction and a useful tool in driving up management standards within the private rented sector as well as income generating for the team.

Alternative options considered:

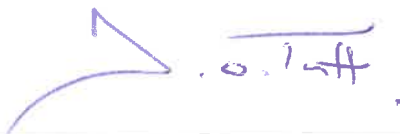
To issue a Civil Penalty Notice the Council must have an approved and published Civil Penalties Policy. Without a policy the Council would have to take a case to Court for non compliance of any relevant Housing Act Notice served. The Civil Penalties enable the Council to take prompt enforcement action negating the need to prepare a prosecution file and spend time in Court. The penalty comes directly to the Council rather than in a trial any resultant fine goes to the Treasury. Civil Penalties are an additional tool rather than alternative to prosecution.

Was an executive councillor(s) consulted before decision was taken?

Councillor Tutt

If councillor(s) consulted, did they declare any personal interest relating to the decision, had they been given a dispensation in respect of the matter?

None

Signed:A handwritten signature in blue ink, appearing to read 'C. Tutt', is written over a faint, curved line.