

Time started: 9.30am
Time ended: 9.37am

Streetpride and Public Spaces Cabinet Member Meeting 18 February 2022

Present: Councillor J Pearce

In Attendance: Doug Walkman – Head of Service

10/21 Apologies

There were no apologies.

11/21 Late Items

There were no late items.

12/21 Declarations of Interest

There were no declarations of interest.

13/21 Minutes of the Meeting held on 19 November 2021

The minutes of the meeting held on 19 November 2021 were agreed as a correct record.

14/21 Enforcement Policy Relating to Landlords, Letting and Estate Agents

The Cabinet Member considered a report which stated that the report followed the resolution approved on the 26 May 2021 seeking to make constitutional amendments to relevant tenancy legislation enforced by Trading Standards. Relevant tenancy legislation means:

- Tenant Fees Act 2019 (Prohibiting certain payments in respect of Assured Shorthold Tenancies);
- Consumer Rights Act 2015, Part 3, Chapter 3 (Duty on letting agents to publish their Fees);
- Enterprise and Regulatory Reform Act 2013, Section 83(1) and 84(1) (Redress Scheme Membership for Letting Agents); and
- Housing and Planning Act 2016, Sections 133 – 135 (Client Money Protection Schemes).

Changes in this legislation had resulted in additional powers being granted to the council in relation to Trading Standards, which had been authorised for enforcement purposes following that resolution. In order to undertake this

enforcement function, the Council must agree an appropriate enforcement policy for the imposition of financial penalties and the appropriateness of prosecution as an alternative to those penalties.

The report sought approval for the Enforcement Policy on Financial Penalties relating to Landlords, Letting and Estate Agencies. The Policy detailed the aforementioned considerations and also incorporated the imposition of financial penalties for the following legislation, which was also enforced by Trading Standards:

- Estate Agents (Redress Scheme) Order 2008 made under s23A Estate Agents Act 1979 (Redress Scheme Membership for Estate Agents); and
- The Energy Performance of Buildings (England and Wales) Regulations 2012 (EPC commissioned before sale).

Resolved to approve the proposed Enforcement Policy attached to the report.

MINUTES END