



# **Damp & Mould Action Plan 2023 - 2025**

*Our vision is that Waverley will be environmentally,  
economically and financially sustainable with healthy, inclusive  
communities and housing available for all who need it.*

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*Good quality housing for all income levels and age groups We will optimise the availability of housing that meets the needs of local people at all income levels and which is sustainable and energy efficient.*

*Working in partnership with social housing providers to deliver good quality homes, building and managing communities which are sustainable in the long term.*

[Waverley corporate Strategy 2020 - 2025](#)

## Introduction

### Strategic Priorities

By providing and regulating safe environments for residents to live, the Council can enable the strategic priority to support vulnerable people in our community, tackle inequality and provide access to high quality housing. Private rented housing provides accommodation for a diverse range of people in the community and are often a housing solution for some of the most vulnerable members of society. Well managed mixed housing tenures are an important part of reaching and maintaining our corporate aims.

### Introduction & Purpose

Housing is a key determinant to health<sup>1</sup> and damp and mould is associated with serious negative health outcomes<sup>2</sup>. Poor quality housing can have serious effects on the health and wellbeing of occupants. Taking action on damp and mould is a priority in Waverley by ensuring both private and social housing occupants are living in safe and compliant accommodation.

This strategy sets out how the Council will respond to damp and mould both reactively, proactively, over the short and longer term. It sets out the Council's goals and ambitions, prescribing how they will be measured and when they are to be reviewed. Overall, the strategy sets out how we will continue to improve housing conditions in the borough for the health and well-being of our residents.

This strategy is a response to the 2022 Coroner's report into the tragic death of the two-year-old Awaab Ishak that was ruled as a result of exposure to damp and mould in the social rented sector.

This strategy and the actions planned within it will be reviewed annually by officers.

<sup>1</sup> [Effective Strategies and Interventions: Environmental health and the private housing sector \(cieh.org\)](#). <sup>2</sup> [Damp and mould: understanding and addressing the health risks for rented housing providers - GOV.UK \(www.gov.uk\)](#)



*We aim to be the best council landlord in the South East by...*

- *Ensuring all our tenants have a safe, warm, high quality, energy efficient and affordable home*
- *Providing services and support that our tenants need*
- *Ensuring all new homes on council land achieve energy efficiency level A*
- *Ensuring the service is financially robust to support improvements to our homes and the building of new homes*

## Background & Legislation

There are many pieces of relevant legislation that regulate damp and mould in both the private and social sectors. The council has a statutory duty to ensure that our own stock and the portfolios of private landlords comply with this legislation. We also have a duty to take appropriate enforcement against private landlords, where it is reasonable to do so, in line with Codes of Practice, guidance and enforcement policies.

### Current & Relevant Legislation

#### Part 1: Housing Act 2004

Introduces a risk-based assessment of hazards including damp and mould that applies to all housing tenures. It introduces enforcement options in the private rented sector in relation to housing hazards to health that enable the service of enforcement notices to ensure compliance. There is a duty to take enforcement action where the Council identifies a category 1 hazard.

#### Minimum Energy Efficiency Regulations 2015

Since April 1<sup>st</sup>, 2020, landlords are prohibited from letting dwellings that have an EPC rating of less than E, unless a valid exemption is in place. This has been applicable to all tenancies from April 1<sup>st</sup>, 2020.

Where the Regulations apply, tenants are also able to request their landlords consent for energy efficiency improvements to be made to the property and place a duty on the landlord not to unreasonably refuse such works. Where a tenant has served a tenant's request upon their landlord for energy efficiency improvement and the landlord has failed in their duty, the tenant may apply to the First-tier Tribunal for its consent to make the improvements. The tenant may also report the breach to the Council who may investigate and take enforcement action. A maximum penalty of £5,000 can be issued to landlords that breach the Regulations.

**Homes (Fitness for Human Habitation) Act 2018** Requires landlords to ensure their rented dwellings are free from serious hazards and places a condition for rented properties to be free of damp. Where a landlord fails to meet the standard, the tenant has the right to take action in the courts for breach of contract on the grounds that the property is unfit for human habitation.

### **Environmental Protection Act 1990**

Places a requirement for properties not to be “In such a state to be prejudicial to health” where a statutory nuisance has been identified by an authorised officer. Enforcement action can be taken to address properties in such as state by authorised officers.

### **Landlord & Tenant Act 1985**

Section 11 requires landlords keep the structure/exterior of a rented property in good repair and to carry out basic repairs and is included in most rental tenancy agreements.

### **Decent Homes Standard**

Applies to the social sector and ensures a minimum standard in properties so that they are free from category 1 serious hazards, in good state of repair, have reasonably modern facilities and have a good degree of thermal comfort.



### **Waverley Council support the following measures...**

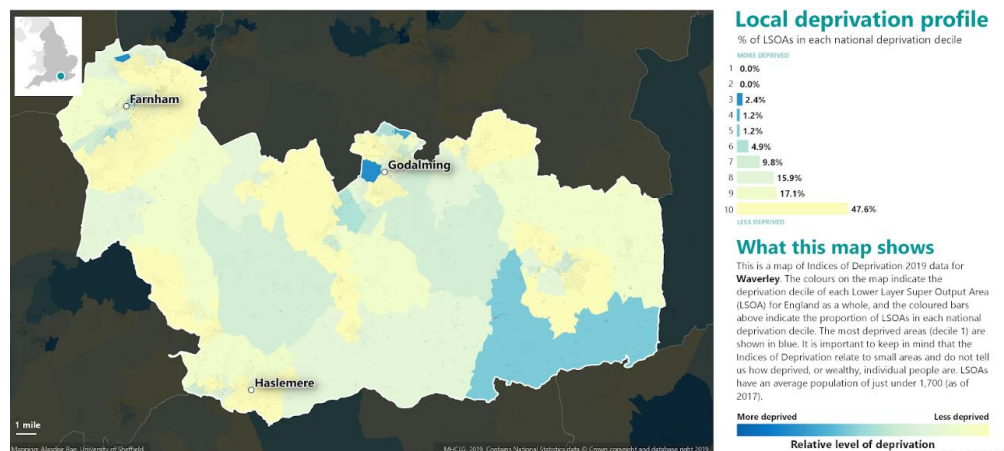
- Safe and warm grants are available for vulnerable and/or eligible persons to help with heating homes and energy efficiency measures.  
[Waverley Borough Council - Safe and warm grant](#)
- The Council’s Climate Emergency declaration committed the council to “working with partners across the Borough to evaluate and determine how and when Guildford Borough could become carbon neutral, with a target goal of 2030 for reaching net zero emissions”.  
[Read our latest news | Council updates | Waverley Borough Council](#)

## Background, Energy Performance & Links to Corporate Priorities

### Deprivation

## English Indices of Deprivation 2019

### WAVERLEY



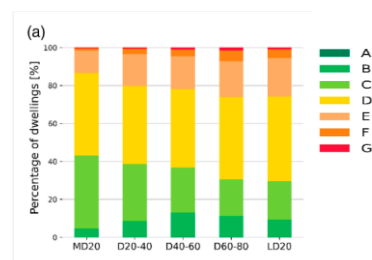
Waverley is fortunate (as of the latest 2019 data) to have 97.7% of deprivation levels across the borough above the 40-50% least deprived national threshold, with 2.3% of areas in the borough that contain deprived data at 30% deprivation national thresholds. There are no areas within the borough that have the lowest deprivation markers of 10-20% most deprived and just under half (47.6%) of the borough is comprised of areas that meet the least deprived national threshold. However, there are 4x localised areas where higher levels of deprivation are present, namely north of Ockford, a small pocket of north Farnham, Farncombe and the area comprising rural Cranleigh and Alford. In such areas it is possible that health inequalities may provide conditions where damp and mould may be present. The housing tenure that makes up the 30-40% most deprived areas in the borough are unknown. This data is likely to include owner occupiers where most enforcement provisions are not applicable and are rarely reported to the council. The council is committed to reaching all housing tenures, in a risk based targeted a manner and we have captured this in our action plan.

### Low Energy Performance (EP) in Homes & the Connection to Deprivation

The Councils corporate strategy 2020-2025 aims to deliver safe and warm properties for its tenants that are efficiently heated and also aims to deliver new built homes with an EPC rating of A. Properties

with low EP are often hard to heat and can also be more likely to contain damp and/or mould. Citizens Advice publications indicate there is a strong connection between poor EPC's and the prevalence of damp and mould.<sup>3</sup> Data published by Bath University (2023)<sup>4</sup> indicates that energy efficiency ratings decrease in the least deprived areas (LD20) containing larger, harder to heat detached properties with poor "form factors". These dwellings were typically in the owner-occupied sector, where minimal energy efficiency regulation applies. Where Waverley has a significant proportion of the least deprived residents at circa 80% of the population living at or above the least 80% deprivation thresholds, the council is committed to reaching all housing tenures.

#### EP Ratings Data - Bath University (2023)<sup>4</sup>



The Chartered Institute of Environmental Health (CIEH)<sup>5</sup> detail that an estimated 810,000 owner occupied properties have an EPC of F or G (the lowest energy performance ratings). The CIEH also demonstrate that the groups living in poverty and with the lowest incomes tend to be more likely to live in properties with less effective heating systems that require a higher standard of build quality. The CIEH also detail that homes in the private rented sector (PRS) can have some of the most acute health inequalities<sup>1</sup>. The House of Commons<sup>6</sup> has also detailed that the PRS has the worst housing conditions, and its properties are more likely to contain a serious hazard (such as damp & mould) in comparison to other housing tenures. The Commons further mention that 23% of homes in the PRS are estimated to not meet the decent homes standard, as compared to 13% owner occupied and 10% social-rented homes.

The literature demonstrates that there are challenges nationally across all housing tenures in relation to housing standards and indices of deprivation where there are indications of the likelihood of presence of damp and mould occurring in homes of all types and tenures.

<sup>3</sup> [Damp, cold and full of mould \(citizensadvice.org.uk\)](https://citizensadvice.org.uk) <sup>4</sup> [Decarbonising at scale: Extracting strategic thinking from EPC and deprivation data - Petros Amperozides, Emily Bowyer, David Coley, Victoria Stephenson, 2023 \(sagepub.com\)](#) <sup>5</sup> [Cold homes and energy efficiency - CIEH](#); <sup>6</sup> [CBP-7328.pdf \(parliament.uk\)](#)

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## Damp, Mould & Causes

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### What is Damp?

Damp can be caused by structural defects in properties;

- Leaking pipes, poor drainage, and overflows
- Defective roofing,
- Blocked or leaking gutters and broken downpipes
- Penetrating dampness
- Building conditions such as raised ground levels.
- Rising damp due to lack of, or ineffective dampproof coursing

### What is Mould?

The development of mould growth can lead to significant health and wellbeing effects. Mould can also lead to property damage such as staining, damage to wallpaper, wall surfaces, window frames, furniture, and clothing. The appearance of mould may be black, white, yellow or green in colour, depending on the specific type of mould. Moulds are hydrophilic fungi and require high levels of moisture to facilitate growth. Rising damp is, generally, not sufficient to cause mould growth.

To avoid dampness and mould growth it is important that occupants of private and socially rented homes are able to:

- Sufficiently ventilate the dwelling
- Sufficiently heat the dwelling
- Structurally sound dwelling with no major defects

### Vulnerable Groups & Inequalities

Vulnerable groups at risk groups include:

- Babies and children
- Older people
- Existing skin conditions, such as eczema
- Respiratory conditions, such as asthma
- Weakened immune systems.



Poor property conditions including those likely to contain damp and mould are unequal between socioeconomic groups, poverty and deprivation. People that struggle to heat homes are often from lower socioeconomic groups are at increased risk of encountering poor housing conditions, including damp and mould, as a direct result health inequalities<sup>6</sup>.

## Empty properties

With damp & mould prevalence across all housing tenures, some housing tenures, particularly vacant owner-occupied stock, can be responsible for serious impacts on communities, hold serious disrepair and be directly causational of damp & mould in neighbouring, usually terraced properties<sup>7</sup>.

Private Sector housing investigates reports relating to empty properties and their effect on neighbouring properties and/or the local community from local residents. Many of these reports relate to structural deficiencies in empty properties that are linked to the potential causes of damp and subsequently mould growth in neighbouring dwellings.

The Council is committed to bringing empty properties back into use by reviewing resourcing to implement an empty homes officer to address empty housing stock.



<sup>6</sup> [Health disparities and health inequalities: applying All Our Health - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/policies/all-our-health)

<sup>7</sup> [Empty Housing \(England\) \(parliament.uk\)](https://www.parliament.uk/business/committees/committees-a-z/commons-select/housing-and-communities-committee/inquiries/empty-housing/)



## **Approaches to Reports of Damp & Mould**

### **Property Assessment, Property Licensing & Enforcement**

Reports received to the council are fully investigated by appropriately qualified officers. Officers are authorised to take enforcement action where deficiencies are identified during the routine inspection of licensed shared housing stock and/or direct reports relating to privately rented homes in the borough.

The Council usually responds to such reports with the assessment of damp and mould or excess cold under Part 1 of the Housing Act 2004, however sometimes alternative legislation may be considered such as the Minimum Energy Regulations or Statutory nuisance legislation.

### **Resident Reporting Mechanisms**

- If you are a privately renting tenant or landlord you can report disrepair, including damp & mould on the Council's website here: [Waverley Borough Council - Problems with disrepair](#)
- If you are a privately renting tenant you can find information and advice about renting on the councils website: [Waverley Borough Council - Advice and protection for private tenants](#)
- Advice relating to damp and mould prevention and control can be found on the councils website: [Housing Conditions](#) | [Private sector housing](#) | [Housing](#) | [Services](#) | [Waverley Borough Council](#)

## **Providing information, Education, Guidance & Advice to our Tenants/Residents**

We are committed to regularly reviewing our website to ensure that residents and tenants can easily and effectively:

- Apply for HMO licenses.
- Report property conditions, including damp & mould directly to us.
- Can find proactive helpful information relating to damp & mould.

## **Proactive Approaches & Reaching the Most Vulnerable**

We are committed to enhancing our proactive approaches to both identifying and being referred damp and mould to reach the most vulnerable persons across all housing tenures in the borough. We will be considering:

- Implementing a damp and mould referral system
- Reviewing the national EPC database on a periodic basis for private rented sector housing enforcement
- We will regularly consider proactive stock modelling and use of heat mapping across the borough to identify at risk areas of damp and mould, enabling targeted and proactive project working.

## **Liaising with Stakeholders**

- Quarterly Surrey housing study group meetings

- Regular meetings with NHS asthma network – Surrey Heartlands Children and Young Peoples Asthma Network meetings

### **Data collection, Use of Technology & Qualifications**

- Our officers are properly and appropriately trained, qualified and authorised to assess and inspect reports of damp and mould in the private rented sector.
- Our database will be reviewed to enable reports of damp and mould to be separated from other types of dwelling condition reports in the private rented sector. Reports made online are currently emailed directly to trained officers for triage.
- We will regularly review the procurement of new and/or emerging technologies to aid officer assessments of damp and mould.

### **Property Licensing**

- Frequent reviews of additional HMO controls at formal Council Committees, where requested.
- Ensuring every licensed HMO has a full property inspection, at least every 5 years.



## Enforcement & Resourcing

- We will regularly review our enforcement capacity in Regulatory Services to ensure that there is appropriate resourcing to delivery proportionate responses to reports relating to the private rented sector.
- We will regularly review training needs in Private Sector Housing to ensure all officers are refreshed with the relevant and/or required training/qualifications.



## Damp and Mould Action Plan

Planned Action	Description of Action	Target/Next Date	Status	Review
Review the private rented Energy Performance Certificate (EPC) records national database records	Review the EPC national database records periodically for F or G unlawfully private rented sector lets under the Minimum Energy Efficiency Regulations 2015 in the Borough. Ensure any F or G EPC's are either registered as exempted, enforced or no longer let	01.09.2024	Ongoing	Period – Will require a review of enforcement capacity in Private Sector Housing to cope with demand
Reviews of Additional HMO licensing controls	Regularly and as directed by members, review whether it is appropriate to introduce enhanced HMO regulation such as Additional HMO licensing Schemes. Additional regulation (if appropriate) can assist in regulating damp & mould across the borough.	01.01.2025	Ongoing	Bi-annually and when requested  Implementation of any additional HMO controls and licensing schemes required suitable additional resourcing to private sector housing
Ensure every licensed HMO has a full property inspection, at least every 5 years	Inspections to be secured for all licensed HMOs under Part 1 and Part 2 of Housing Act 2004 as part of a new or renewal HMO licensing application to the Council.	01.10.2028	Ongoing	At least every 5 years or renewal of HMO licenses. A review of resourcing is recommended to cope

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				with large influxes of HMO renewals every 5 years alongside other enforcement work.
Quarterly Housing Surrey Housing Study Group	Share information and best practice, new legislation, approaches to enforcement including to damp and mould and other PRS matters.	07.12.2023	Ongoing	Members reviewed annually
Advise all tenures on damp and mould prevention and health risks	Issue enhanced D&M guidance on Council website, Regular reviews of online damp and mould information on our website, Provide D&M advice leaflets to OT's, Community outreach officers and NHS health visitors.	01.06.2024	Pending – Surrey Environmental Health Managers for new advice leaflets	Contents of leaflet reviewed annually Website reviewed annually
Update/promote landlords, tenants and all property stakeholders of the latest damp and mould government guidance	Send communications that directly link to the latest DLUHC damp and mould guidance via the Councils external comms teams to reach as many people as possible.	01.01.2024	Completed	Review responses
Asthma network leaflets	Secure information leaflets from the Asthma Network to be able to provide asthma diagnosis/treatment	01.01.2024	Pending	Annual – review of version and reach

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	information handouts to any customers that officers encounter during damp and mould inspections that inform officers about suffering from asthma.			
Surrey Heartlands Children and Young People's Asthma network routine meetings	Private Sector Housing to attend routine Asthma Network stakeholder meetings with the NHS to discuss health effects, property concerns and NHS community outreach involving asthma and D&M	18.11.2023	Ongoing	Review members & discussion content annually
Provide link to Asthma network guide on the Councils Damp & Mould page	Ensure a link is available for residents to obtain the asthma diagnosis and treatment PDF – located on Damp & Mould page of the councils website	01.01.2024	Pending	Annual review of link and content
Ensure there is a place for the public to report Damp & Mould directly to the Council online on its website	Ensure the link(s) is/are operational and enables residents to report property conditions, including damp and mould directly to trained officers, via a triaged inbox.	01.01.2024	Completed	Annual review of content
Focus on vulnerable persons: Damp & Mould referral system with monthly stakeholder panel meeting	Stakeholders such as NHS outreach, Occupational Therapists, Community services staff, enabled to refer damp and mould directly to PRS and Social sector in the Council. The creation of a damp & mould referral form and inbox with officer duty days for triage of referrals. A monthly D&M panel to be established to discuss new	Pending resourcing	Pending resourcing	Reviewed once resourced to deliver



## Damp and Mould Action Plan

	referrals and any ongoing cases in both private and social sectors.			
Increased enforcement in the private rented sector	<p>Increased enforcement will be a natural result of enhanced resourcing in the private rented sector.</p> <ul style="list-style-type: none"> <li>Enhanced HMO licence condition checks</li> <li>Enhanced unlicensed HMO investigations</li> <li>Enhanced HMO licensing schemes</li> <li>Enhanced proactive housing visits</li> <li>Enhanced reach &amp; education events to residents generating reports of D&amp;M</li> <li>Enhanced project working with stakeholders</li> </ul> <ul style="list-style-type: none"> <li>We will regularly review our enforcement capacity in Regulatory Services to ensure that there is appropriate resourcing to delivery proportionate responses to reports relating to the private rented sector.</li> </ul>	Pending review of resourcing	Pending review of resourcing	<p>Annual review of resourcing and Annual review of enforcement taken</p> <p>Enhanced enforcement will require enhanced resourcing in private sector housing</p>

## Damp and Mould Action Plan

Reducing empty properties	Reducing empty properties is only deliverable through the resourcing of an empty homes enforcement officer.	Pending review of resourcing	Pending review of resourcing	Annual review of resourcing and Annual review of enforcement taken  Enhanced enforcement will require enhanced resourcing in private sector housing
Review methods of recoding damp and mould data	Review how to best collect, record and report on reports of damp and mould received to the private rented sector within the councils internal database.	Pending review of software database	01.09.2024	Annual review of reporting methodologies
Increased use of technology – such as portable damp monitors to measure damp during investigations	Increased budgets and resourcing can deliver the use of damp monitoring in the private rented sector to assist	Pending review of private sector housing	Pending review of private sector housing	Reviewed annually and in monthly budget reviews

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	investigations and provide hard data for enforcement and/or prosecutions.	equipment budgets	equipment budgets	
Regularly review training needs in Private Sector Housing to ensure all officers are refreshed with the relevant and/or required training/qualifications.	Review officer training in Part 1 of the Housing Act 2004 to assess hazards to health across private sector housing and enforce upon them as required and/or appropriate.	01.01.2024	Completed	Reviewed annually and/or as required/proportionate and in monthly budget reviews

## Damp and Mould Action Plan

Enhanced data monitoring for proactive actions	<p>Use of Stock Modelling to identify at risk properties and better understand the stock quality and condition across tenures in Guildford.</p> <p>Pending review of resourcing as actions will create enhanced enforcement, that will require enhanced resourcing in private sector housing.</p>	<p>Pending review of private sector housing equipment budgets &amp; resourcing</p>	<p>Pending review of private sector housing equipment budgets &amp; resourcing</p>	<p>Reviewed annually and in monthly budget reviews &amp; resourcing reviews</p>
	<p>Use of drone heat mapping to identify at risk properties and better understand the stock quality and condition across tenures in Guildford.</p> <p>Pending review of resourcing as actions will create enhanced enforcement, that will require enhanced resourcing in private sector housing.</p>	<p>Pending review of private sector housing equipment budgets &amp; resourcing</p>	<p>Pending review of private sector housing equipment budgets &amp; resourcing</p>	<p>Reviewed annually and in monthly budget reviews &amp; resourcing reviews.</p>

Damp and Mould Action Plan