

APPENDIX 3: ASSESSMENT OF RISKS RELATED TO THE ENFORCEMENT POLICY

Description of Risk	Description of impact	Probability of risk	Level of Impact	Risk prevention, management or mitigation
1. Enforcement action in HMOs may result in landlords reverting to single family use to avoid the need to comply with specific HMO requirements.	Loss of affordable, shared accommodation.	Low	Medium	There has been no evidence of this to date.
2. Enforcement action may result in landlords exiting the rental market.	Reduction of PRS units in the borough. Increase in abandoned and vacant properties. Increased homelessness.	Low	Medium	There has been no evidence of this to date.
5. Displacement of criminal landlords to neighbouring boroughs.	Increased criminal activity in neighbouring areas.	Low	Medium	There has been no evidence of this to date. Neighbouring boroughs have equivalent enforcement policies.
7. Local Authority inadequately resources the scheme(s).	Lower level of enforcement activity will result in continuing poor standards and practices in the PRS. Non-compliance with, and potential failure of, the property licensing schemes.	Low	High	The PSH team structure includes a “compliance team” staffed by environmental health officers and managed by an experienced Principal Officer. Income from Civil Penalty Notices is retained in the PSH budget and contributes to resource provision.

<p>8. Local Authority is unable to recruit suitable staff to deliver the schemes.</p>	<p>Low staff numbers leading to low morale and incomplete work processes.</p> <p>Lower level of enforcement activity will result in continuing poor standards and practices in the PRS.</p> <p>Non-compliance with, and potential failure of, the property licensing schemes.</p> <p>Reputational damage to the Council and internally reflecting negatively on the PSH team.</p>	<p>Medium</p>	<p>Medium</p>	<p>A review of the recruitment and retention package is underway to ensure Hackney's offer is competitive with peer Boroughs.</p>
<p>9. Enforcement activity may be unsuccessful in Court or Tribunal.</p>	<p>Poor housing conditions remain un-remedied.</p> <p>Legal costs may be awarded against the Council.</p> <p>Reputational damage to the Council and internally reflecting negatively on the PSH team.</p>	<p>Medium</p>	<p>Medium</p>	<p>PSH staff are trained and experienced in taking enforcement action.</p> <p>Potential cases are reviewed by the Council's legal team prior to court/tribunal action.</p>
<p>10. IT outage - Non-availability of IT systems as a result of cyber attack.</p>	<p>Landlords unable to apply for licences providing a "reasonable excuse" defence against enforcement action - failure in Court or Tribunal.</p> <p>Reduced CPN income.</p>	<p>Low</p>	<p>High</p>	<p>Since the Cyber attack of December 2020 more resilient cloud-based systems are/have been introduced. Alternative temporary workarounds were put in place in the meantime.</p>

	<p>Failure to deliver the licensing scheme(s) ; reduced fee income.</p> <p>Failure to improve housing conditions.</p> <p>Reputational damage to the Council.</p>			
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