



GUILDFORD
BOROUGH



Damp & Mould Strategy and Action Plan 2023- 2025

A prosperous, green and caring borough

Guildford Borough Council

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We will ensure Guildford is a place where residents are able to find homes that meet their needs at a price they can afford. Access to high quality housing is crucial to the health and wellbeing of our communities and key to tackling inequality.

Helping Vulnerable residents is at the heart of everything we do and we are committed to our communities.

[Guildford Borough Council Corporate Plan 2021 - 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 and social housing provide 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.

Our program for housing led regeneration of sites in our ownership will provide high quality homes for residents at an affordable price.

Introduction & Purpose

Housing is a key determinant to health¹ and damp and mould is associated with serious negative health outcomes². Poor quality housing can have serious effects on the health and wellbeing of occupants. Taking action on damp and mould is a priority in Guildford 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.

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



Effective and well-targeted regulation is essential in promoting fairness, protection from harm and protecting the amenity of the area. Our aim is to work in a transparent, accountable, proportionate and consistent way, to assist individuals and businesses to comply with relevant legislation.

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 1st, 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 1st, 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.

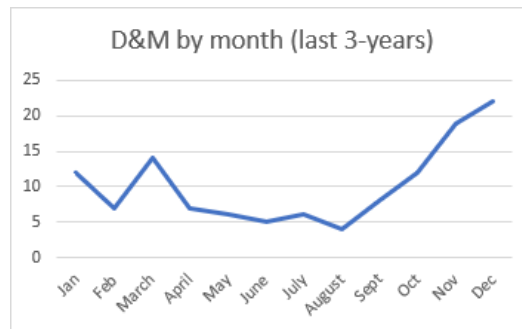
Guildford Council support the following measures...

- Supporting the HMO accreditation scheme – Where landlords of HMOs can attend training on proper property management and compliance with associated legislation including property licensing.
- Contributing to Action Surrey so that residents and responsible persons can receive financial grants to reduce energy consumption, improve property energy efficiency and save residents money for vulnerable and/or eligible persons. National policy has created schemes for delivering grant funding schemes for energy efficiency that Action Surrey help deliver.
 - ✚ [Action Surrey – Surrey’s Low Carbon Community](#)
- Many grants are available to increase thermal comfort of vulnerable persons and dwellings in the community: such as,
 - ✚ Renewable energy loans: [Heating, insulation and renewable energy help - Guildford Borough Council](#)
 - ✚ Insulation grants from the Care & Repair team: [Heating, insulation and renewable energy help - Guildford Borough Council](#)
 - ✚ Modern condensing boiler grants: [Heating, insulation and renewable energy help - Guildford Borough Council](#)
- 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”.

[Our sustainability priorities and progress - Guildford Borough Council](#)

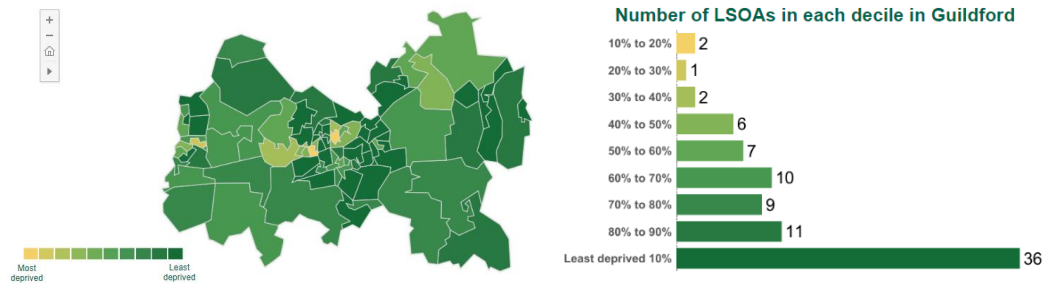
- Social housing providers have been set a target to attain a C rating on Energy Performance Certificates by 2035.

Background, Energy Performance & Links to Corporate Priorities



Damp and mould in the private rented sector across Guildford, is reported with highest frequency during the autumn and winter months where the prevalence of cold and damp weather exacerbates housing conditions that can lead to damp and mould.

Deprivation

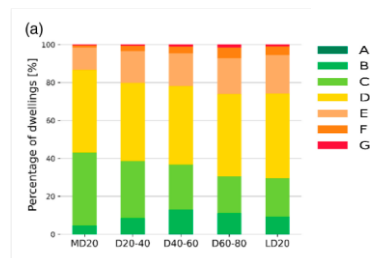


Guildford is fortunate (as of the latest 2019 data) to have 94% of deprivation levels across the borough above the 40-50% least deprived national threshold, with 6% of areas in the borough that contain deprived data below the most deprived 40-50% national thresholds. However, 2 localised areas of the borough are below the most deprived 20% national thresholds. 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 ≤20% 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

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.³ Data published by Bath University (2023)⁴ 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 Guildford has a significant proportion of LD20 (20% least deprived) residents at circa 60% of the population, the council is committed to reaching all housing tenures.

EP Ratings Data - Bath University (2023)⁴



The Chartered Institute of Environmental Health (CIEH)⁵ 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 inequalities¹. The House of Commons⁶ 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.

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

Damp, Mould & Causes

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 inequalities⁶.

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 properties⁷.

Private Sector housing received 46 reports in the last 3 years from residents relating to empty properties and their effect on neighbouring properties and/or the local community. Many of these reports related to structural deficiencies in empty properties that are linked to the potential causes of damp and subsequently mould growth in neighbouring dwellings.

Guildford currently has 779 empty properties and the Council is committed to bringing these properties back into use by reviewing resourcing to implement an empty homes officer to address empty housing stock.



⁶ [Health disparities and health inequalities: applying All Our Health - GOV.UK \(www.gov.uk\)](https://www.gov.uk)

⁷ [Empty Housing \(England\) \(parliament.uk\)](https://parliament.uk)



The Council has currently licensed approximately 700 HMOs across the Borough that are mainly located in GU2 and GU1, where the majority of privately rented properties are also located. The Council operates a mandatory HMO scheme licensing HMOs with 5+ occupants.

The combined licenseable and unlicenseable estimated total HMO population is circa 1,030. The private rented sector is equivalent to circa 10,935 (2021 Census). HMOs represent 9.4% of the private rented market.

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.

Guildford has an estimated private rented sector comprising of circa 10,935 homes and operates a mandatory HMO licensing scheme containing circa 700 licensed rented shared homes.

Over the last 3 years Guildford received 79 reports from private tenants relating to damp and mould. 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 damp & mould on the Council's website here: [Report damp and mould - Guildford Borough Council](#)
- Other privately rented dwelling conditions can be reported separately on the Council's website here: [Conditions of your rented property - Guildford Borough Council](#)
- Suspected unlicensed HMOs can be reported on the Council's website here: [Suspected unlicensed House of Multiple Occupation \(HMO\) - Guildford Borough Council](#)
- The Council's register of HMOs can be observed online here: [Guildford | Guildford Online | Licence Register](#)

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 and report those that are operating unlawfully.
- Report property conditions, including damp & mould directly to us.
- Can find proactive helpful information relating to damp & mould, including official guidance and guidance on managing health conditions connect to damp & mould such as asthma.

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 monthly 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

- Regular meetings with NHS asthma network – Surrey Heartlands Children and Young Peoples Asthma Network meetings
- Quarterly meetings with HMO stakeholders
- Quarterly Surrey housing study group 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 allows reports of damp and mould to be separated from other types of dwelling condition reports in the private rented sector. Reports made online are automatically assigned into our database where officers can triage and assess.
- 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
- 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.

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 routinely 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	01.10.2024	Ongoing	Periodic review – Will require a review of enforcement capacity in Private Sector Housing to cope with demand
Reviews of Additional HMO licensing controls	Periodic 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.	01.10.2024	Ongoing	As directed by members 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 with large influxes of HMO renewals every 5 years alongside other enforcement work.

Damp and Mould Action Plan

Regular liaison with HMO stakeholder group	Quarterly HMO stakeholder group meeting, chaired by the Private Sector Housing Manager – where elected members can present cases to the Council and where new guidance and advice on damp and mould can be shared with letting agents, landlords, higher education providers, PRS housing providers and other stakeholders.	08.12.2023	Ongoing	Members reviewed annually
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.	01.06.2023	Pending – Surrey Environmental Health Managers for new advice leaflets	Contents of leaflet reviewed annually Website reviewed annually
Update landlords of licensed HMOs with the latest damp and mould government guidance	Send a letter to all landlords of licensed HMOs across the Borough that contains a summary of the new damp and mould guidance and a direct link to the guidance to promote landlord responsibilities	01.01.2024	Completed	Review responses
Update tenants of licensed HMOs with the latest damp and mould government guidance	Send a letter to all occupiers of licensed HMOs across the Borough that contains a summary of the new damp and mould guidance and a direct link to the guidance to promote awareness with tenants and also a link to the councils report damp and mould webpage	01.01.2024	Completed	Review responses
Promote new damp and mould guidance	Promotion of new 2023 damp and mould guidance via internal comms team across the councils business bulletin and property press contacts	01.01.2024	Completed	Review responses

Damp and Mould Action Plan

Asthma network leaflets	Secure information leaflets from the Asthma Network to be able to provide asthma diagnosis/treatment information handouts to any customers that officers encounter during damp and mould inspections that inform officers about suffering from asthma.	01.01.2024	Completed	Annual – review of version and reach
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 councils website	01.01.2024	Completed	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 is operational and enables residents to report damp and mould directly to the council for officer triage and inspection	01.01.2024	Completed	Annual review of content
Create enhanced Damp & Mould procedures and officer aide-memoires for Damp and Mould inspections	Ensure that officers are provided with the latest guidance and inspection outcomes relating to damp and mould assessments to ensure a consistent and effective approach to damp and mould assessments	01.01.2024	Completed	Annual review of legislation/guidance and officer consultation
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 referrals and any ongoing cases in both private and social sectors.	Pending resourcing	Pending resourcing	Reviewed once resourced to deliver

Damp and Mould Action Plan

<p>Increased enforcement in the private rented sector</p>	<p>Increased enforcement will be a natural result of enhanced resourcing in the private rented sector.</p> <ul style="list-style-type: none"> • Enhanced HMO licence condition checks • Enhanced unlicensed HMO investigations • Enhanced HMO licensing schemes • Enhanced proactive housing visits • Enhanced reach & education events to residents generating reports of D&M • Enhanced project working with stakeholders <p>• 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.</p>	<p>Pending review of resourcing</p>	<p>Pending review of resourcing</p>	<p>Annual review of resourcing and Annual review of enforcement taken</p> <p>Enhanced enforcement will require enhanced resourcing in private sector housing</p>
<p>Reducing empty properties</p>	<p>Reducing empty properties is only deliverable through the resourcing of an empty homes enforcement officer.</p>	<p>Pending review of resourcing</p>	<p>Pending review of resourcing</p>	<p>Annual review of resourcing and Annual review of enforcement taken</p> <p>Enhanced enforcement will require enhanced resourcing in private sector housing</p>
<p>Increased use of technology – such as portable damp monitors to measure damp during investigations</p>	<p>Increased budgets and resourcing can deliver the use of damp monitoring in the private rented sector to assist investigations and provide hard data for enforcement and/or prosecutions.</p>	<p>Pending review of private sector housing equipment budgets</p>	<p>Pending review of private sector housing equipment budgets</p>	<p>Reviewed annually and in monthly budget reviews</p>

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 & resourcing</p>	<p>Pending review of private sector housing equipment budgets & resourcing</p>	<p>Reviewed annually and in monthly budget reviews & 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 & resourcing</p>	<p>Pending review of private sector housing equipment budgets & resourcing</p>	<p>Reviewed annually and in monthly budget reviews & resourcing reviews.</p>