

Response to Request for Information

Reference FOI 000677
Date 9 December 2016

Basic Repairs and Maintenance to Properties

Request:

Under Section 11 of the Landlord and Tenant Act 1985 all landlords have an obligation to carry out basic repairs and maintenance to the properties for which they are responsible for.

Where a local authority maintains control over its social housing stock it is defined by statute as being the landlord.

Local authorities also have a statutory duty to ensure that all of the social homes within their control meet the Decent Homes Standard.

Should a social housing tenant report to their local authority who is acting as a landlord, an issue of disrepair, which is subsequently not dealt with in a period of reasonable time, the tenant has the right to bring a legal claim against the local authority.

Under the Freedom of Information legislation please disclose to me the following information:

- In each of the last five financial years the number of claims that have been brought against your authority, for failing to adequately maintain or undertake repairs, on the housing stock for which your authority had control of.
In the past five years the following number of claims have been made alleging the Council or its Managing Agents has failed to adequately maintained or undertaken repairs:

*2016/2017 = 18
2015/2016 = 35
2014/2015 = 18
2013/2014 = 21*

With reference to the year 2012/2013, it has been established after careful consideration that the Council does not hold the above information. Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1(1) (a) of the Act, that states:

"Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request".

- In each of the last five financial years how many claims have been settled by your authority, for failing to adequately maintain or undertake repairs, on the housing stock for which your authority had control of.
2016/2017 = 6
2015/2016 = 10
2014/2015 = 14
2013/2014 = 18

With reference to the year 2012/2013, it has been established after careful consideration that the Council does not hold the above information. Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1(1) (a) of the Act, that states:

"Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request".

- In respect of the settled claims made within the last five financial years, please disclose to me the amount of money that your local authority paid in damages and legal costs , for failing to adequately maintain or undertake repairs on the housing stock for which your authority had control.
2016/2017 – Legal Fees - £39,987.16 and Compensation - £ 8,857.04
2015/2016 – Legal Fees - £17,650.62 and Compensation - £13,678.00
2014/2015 – Legal Fees - £7,644 and Compensation - £ 7,516.00
2013/2014 – Legal Fees - £24,979 and Compensation - £12,409.00

With reference to the year 2012/2013, it has been established after careful consideration that the Council does not hold the above information. Consequently, we are unable to provide any information relating to the above, and are informing you as required by Section 1(1) (a) of the Act, that states:

"Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request".