

14 July 2021
Our ref: 7428072

Thank you for your request received on 23 June 2021, for the following information:

This FOI request is for the attention of the council department that deals with criminal prosecutions against private landlords and general enforcement activity in the private rented sector.

1) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

**Service of an abatement notice ss.79-82, Environmental Protection Act 1990.
Please break this down for 2018/2019, 2019/2020 & 2020/2021.**

2) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Failure to comply with management regulations in respect of Houses in Multiple Occupation (section 234 of the Housing Act 2004)

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

3) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Prohibition orders relating to category 1 hazards (ss.20, Housing Act 2004).

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

4) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Prohibition orders relating to category 2 hazards (ss.21, Housing Act 2004)

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

5) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

An emergency remedial order (section 40, Housing Act 2004) because the dwelling has a category one hazard that poses an immediate risk to the

occupants

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

6) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

An emergency prohibition order served because the dwelling has a category one hazard that poses an immediate risk to the occupants (section 43, Housing Act 2004)

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

7) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

A criminal offence under section 72, Housing Act 2004

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

8) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Repayment of rent if occupier(s) was in receipt of housing benefit and applied to a Residential Property Tribunal for repayment of up to 12 months' rent (ss.73-75, Housing Act 2004)

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

10) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Section 331 of the Housing Act 1985 (causing or permitting overcrowding)

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

11) How much (£) do these prosecutions cost on average for the local authority?

12) How much (£) does a civil penalty cost the local authority on average?

We have processed this request under the Environmental Information Regulations 2004.

Response

1) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

***Service of an abatement notice ss.79-82, Environmental Protection Act 1990.
Please break this down for 2018/2019, 2019/2020 & 2020/2021.***

None

2) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Failure to comply with management regulations in respect of Houses in

Multiple Occupation (section 234 of the Housing Act 2004)

Please break this down for

2018/2019 - 3

2019/2020 - 2

2020/2021 - 2

3) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Prohibition orders relating to category 1 hazards (ss.20, Housing Act 2004).

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

None

4) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

Prohibition orders relating to category 2 hazards (ss.21, Housing Act 2004)

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

None

5) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

An emergency remedial order (section 40, Housing Act 2004) because the dwelling has a category one hazard that poses an immediate risk to the occupants

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

None

6) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

An emergency prohibition order served because the dwelling has a category one hazard that poses an immediate risk to the occupants (section 43, Housing Act 2004)

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

None

7) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:

A criminal offence under section 72, Housing Act 2004

Please break this down for

2018/2019 - 5

2019/2020 - 3

2020/2021 - 2

**8) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:
Repayment of rent if occupier(s) was in receipt of housing benefit and applied to a Residential Property Tribunal for repayment of up to 12 months' rent (ss.73-75, Housing Act 2004)**

Please break this down for

2018/2019 - 0

2019/2020 - 1

2020/2021 - 0

**10) The total number of successful criminal prosecutions on formal notices served to private landlords for the following offences:
Section 331 of the Housing Act 1985 (causing or permitting overcrowding)**

Please break this down for 2018/2019, 2019/2020 & 2020/2021.

None

11) How much (£) do these prosecutions cost on average for the local authority?

£3868.38* average based on costs awarded at court thus not a true reflection of the cost incurred as this is not recorded separately.

12) How much (£) does a civil penalty cost the local authority on average?

We do not record this information.

Further information

If you are interested in the data that the council holds you may wish to visit Open Barnet, the council's data portal. This brings together all our published datasets and other information of interest on one searchable database for anyone, anywhere to access. <http://open.barnet.gov.uk/>

Advice and Assistance : Direct Marketing

If you are a company that intends to use the names and contact details of council officers (or other officers) provided in this response for direct marketing, you need to be registered with the Information Commissioner to process personal data for this purpose. You must also check that the individual (whom you wish to contact for direct marketing purposes) is not registered with one of the Preference Services to prevent Direct Marketing. If they are you must adhere to this preference.

You must also ensure you comply with the Privacy Electronic and Communications

Regulations (PECR). For more information follow this Link www.ico.org.uk

For the avoidance of doubt the provision of council (and other) officer names and contact details under FOI does not give consent to receive direct marketing via any media and expressly does not constitute a 'soft opt-in' under PECR.

Your rights

If you are unhappy with the way your request for information has been handled, you can request a review within the next 40 working days by writing to the Information Management Team at: foi@barnet.gov.uk. Or by post to Information Management Team (FOI) London Borough of Barnet, 2 Bristol Avenue, Colindale, NW9 4EW

If, having exhausted our review procedure, you remain dissatisfied with the handling of your request or complaint, you will have a right to appeal to the Information Commissioner at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF (telephone: 0303 123 1113; website www.ico.org.uk). There is no charge for making an appeal.