

**JOINT CABINET AND EMPLOYMENT & GENERAL COMMITTEE****Tuesday, 19th September, 2023**

Present:-

Councillor J Innes (Chair)

|             |              |             |          |
|-------------|--------------|-------------|----------|
| Councillors | Holmes       | Councillors | Falconer |
|             | Baldauf-Good |             | P Innes  |
|             | Brock        |             | Staton   |
|             | Davenport    |             | Stone    |
|             | Davies       |             | Culley   |

\*Matters dealt with under the Delegation Scheme

**8 DECLARATION OF MEMBERS' AND OFFICERS' INTERESTS  
RELATING TO ITEMS ON THE AGENDA**

No declarations of interest were received.

**9 APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillors Gilby, Serjeant and Sarvent.

**10 MINUTES****RESOLVED –**

That the minutes of the meeting of Joint Cabinet and Employment &amp; General Committee held on 18 July, 2023 be approved as a correct record and signed by the Chair.

**11 EXCLUSION OF PUBLIC****RESOLVED –**

That under Section 100(A)(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 1 and 3 of Part 1 of Schedule 12A of the Act.

## 12 **HOUSING DISREPAIR CLAIMS - ADDITIONAL LEGAL CAPACITY**

The Local Government and Regulatory Law Manager presented a report seeking approval to establish two new posts in Regulatory Law to increase the Council's in-house capacity and capability to deal with housing law casework, particularly disrepair claims.

Since July 2021 the Council had been dealing with ever increasing numbers of disrepair claims submitted by external firms of solicitors on behalf of tenants. It was hoped that the increase in disrepair claims would be short lived, and so the Council had placed the claims handling work with external specialist solicitors.

However, the number of disrepair claims had continued to rise and at the time of writing the report there were over 100 live cases lodged with external specialist solicitors. The costs of defending the claims was placing a heavy strain on the Housing Revenue Account and alternative approaches to the use of external specialist solicitors were now felt to be needed.

The Council had been working with Derbyshire Law Centre (DLC), since January 2022, to provide an alternative way for tenants to pursue their disrepair claims against the Council. Bolsover and North East Derbyshire District Councils were also part of the project. There were 29 live cases currently lodged with DLC. A further 17 cases had been closed, with the majority resolved without claims being formally issued to the courts.

The project with DLC was proving very successful especially in terms of controlling costs to the HRA. However, it was felt that the Council would still benefit from appointing a full-time specialist housing law solicitor with experience of the disrepair claims process, together with a paralegal to assist them. This new in-house capacity and capability would be expected to deal with the full range of disrepair claims, as an alternative to the continued use of external specialist solicitors, with any spare capacity deployed to deal with other housing law related matters.

The 2no. new posts would be established on a permanent basis and funded by the HRA.

**\*RESOLVED –**

That the proposal to establish two additional posts in the Regulatory Law team, namely a solicitor and paralegal, for the purposes of increasing in-house capacity for dealing with housing law and housing disrepair cases be approved.

**REASON FOR DECISION**

To help ensure the Regulatory Law service provides a cost effective and efficient legal service and support the Council and its Housing Directorate to deal with housing law casework, particularly disrepair claims.