Department for
Communities and
Local Government

English Local Authorities

Dear colleague

EXISTING POWERS TO COLLECT DATA ON HOUSING TENURE

Dame Angela Watkinson MP introduced into Parliament a Private Member's Bill (the Local Government Finance (Tenure Information) Bill) to help tackle rogue landlords and make provision for local authorities to collect information on tenure and landlords via the council tax system.

This Information Letter reminds local authorities in England of the <u>existing</u> powers they already have through the Local Government Finance Act 1992 ("the 1992 Act") to collect data for the purposes of council tax administration. It is a matter for local authorities to decide what type of data the provisions cover.

Section 237 of the Housing Act 2004 allows data that the local authority has collected for housing benefit or council tax purposes to be used for the exercise of the local authority's housing functions under Part 1 to 4 [1]of the Housing Act 2004. Councils therefore, may wish to consider whether to utilise data collected for council tax administration purposes, to assist them in their housing compliance functions. For example, we are aware that some authorities already use the powers in the1992 Act to collect information on tenanted properties and landlords. This data could help local authorities to get a better understanding of tenanted properties and landlords, which in turn could help enforce housing standards.

Of course, any information collected must be processed lawfully in accordance with the Data Protection Act 1998 and any other relevant legal constraints on the use of the information.

Please email council.tax@communities.gsi.gov.uk if you require any further information on this issue.

Yours faithfully,

Hulya Mustafa
Deputy Director, Council Tax
Local Government Finance

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[1] Parts 1 to 4 deal with property conditions, the licensing of HMOs and other properties, the making of management orders and overcrowding in relation to properties.