

















Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Summary

1	Support a strong and buoyant local private sector housing market	Complete
2	Understand the city's changing housing market and evidence the influence of additional purpose –built student accommodation	 GREEN
3	Conduct regular reviews of the Housing Strategy's evidence-base	Complete
4	More effectively regulate the conversion properties to HMOs	 GREEN
5	Consider the effects of the Article 4 Direction on the city's HMOs, and the use of licensing schemes and other legislative powers	 GREEN
6	Increase the supply of affordable owner-occupied housing	 GREEN
7	Improve the identification of empty private sector homes and voids, and maximise the use of these properties	 GREEN
8	Joint working with neighbouring local authorities to strategically plan housing supply and demand in a regional context	 GREEN
9	Allow the universities to continue to grow their student populations across the Greater Brighton area	 GREEN
10	Consider the effects of the densification student accommodation on university campuses and the Lewes Road corridor	 AMBER
11	Identify/develop sites for affordable student housing developments in other parts of the Greater Brighton are	 AMBER
12	Promote the development of student union and/or university letting agencies	 AMBER
13	Promote the development of university-endorsed landlords and letting agents, and encourage these to be championed	 AMBER
14	Promote the use of a city-wide rate-my-landlord scheme	 AMBER
15	Develop ethical models for letting agents, estate agents and landlords, and publish these organisation on a website	 AMBER
16	Development and promote the uptake and benefits to landlords of registration to PRS accreditation schemes	No longer appropriate
17	Create a register of landlords proven to have undertaken retaliatory evictions	National Government
18	Increase the supply of private sector housing with rental costs that are affordable	 GREEN
19	Increase the supply of affordable 'social housing' for key workers and vulnerable people	 GREEN
20	Foster joined-up working between city council departments and other relevant organisations	 GREEN
21	Set up a living rent commission	National Government
22	Set up a register of all private rented sector landlords	National Government
23	Petition government to allow a rent cap to be introduced	National Government

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 1	Council Service Lead(s)	Executive Leadership Team (ELT) Lead
To have a commitment to support a strong and buoyant local private sector housing market in the city	Martin Reid (Housing & Strategic Housing Partnership) Sandra Rogers(Planning)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted (Achieved by the publication of the Housing Strategy 2015 and the City Plan Part 1)</p> <p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>The findings from the consultation undertaken during the development of the Housing Strategy 2015 saw clear feedback that <i>we had a thriving private rented sector that generally delivered good quality vital housing but there were ongoing concerns around rising costs and affordability.</i></p> <p>It is the private sector that will deliver the majority of new homes being planned for over the city plan period and the Plan recognizes that this will contribute to a strong and prosperous city.</p> <p>The Private Rented Sector and Houses in Multiple Occupation are priority themes in the Housing Strategy 2015. To ensure we have a strong private rented sector, our strategic actions focus on improving management and housing quality in the sector.</p> <p>The Greater Brighton Devolution Prospectus includes raising standards in the Private Rented Sector in the Living Wage Housing ambition and offer. In particular, interventions to improve the management of the existing private rented stock, combined with the opportunity to bring significant investment into the sector for new private rented homes could transform the tenure into one which fully delivers for the local communities of Greater Brighton, providing high quality, easy-access housing for those working in a growing economy.</p> <p>We have met with the National Landlords Association and they are positive about working with us both in improving quality and management of the city's private rented sector with a track record in work strategically and with government including looking at ways of investing in home energy efficiency. Our Strategic Housing Partnership includes representatives from the local private sector housing market including Southern Landlords Association, Brighton & Hove Estate Agents Association and Brighton & Hove Economic Partnership.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the</p>		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

following strategic actions:

- 7. Work with the local business sector to maximise housing on mixed use developments incorporating homes, offices and retail.
- 9. Where compatible with local and national planning policy, increase housing supply through the conversion of unused and unneeded properties.
- 11. In accordance with City Plan policy, support taller buildings and higher density development in appropriate locations of the city.
- 40. Support a register of landlords in the city.
- 41. Support for landlords to better manage properties.
- 42. Develop an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability.
- 43. Up skill small and accidental landlords to improve tenancy management.
- 46. Promote the HMO licensing scheme so that we can ensure that unlicensed HMO's are reported and licensed properties are of standard.
- 47. Consult on extending HMO licensing to other areas where there is an identified need.

In addition the City Plan Part 1, together with its evidence base, recognises that the Private Sector plays an important role in the city's housing market and is likely to continue to do so.

Current position – short commentary by service lead(s):

2016 Update:

This is an ongoing commitment and all actions listed above remain relevant.

The City Plan Part One was adopted by Council March 2016. The Private sector will deliver the majority of additional housing being planned for over the Plan period to 2030.

Greater Brighton Devolution Housing & Growth Working Group continues to take forward work arising from the GB Devolution Prospectus. Strategic actions from 2015 Housing Strategy are ongoing.

Status

(Sept 2016)

Red – Off target and not likely to come back to on target without intervention.

Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).

Green – On or above target

Complete

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 2	Council Service Lead(s)	ELT Lead
To more fully understand how the local private sector housing market has changed in Brighton and Hove since 2011, and to evidence the impacts of new purpose-built student accommodation on the wider private sector housing market	Andy Staniford (Housing) Steve Tremlett (Planning)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted (Part 1 achieved by the publication of the Housing Strategy 2015)</p> <p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <ol style="list-style-type: none"> 1. Housing Market Understanding: the new Housing Strategy 2015 was supported by an extensive analysis of housing data: http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/2%20HS2015%20Supporting%20Data%20Analysis.pdf 2. It is useful to look at the changes since the Census in 2001 and that in 2011. Owner occupation in the city fell by 8% between the 2001 and 2011 Census from 61% to 53%. Households in the private rented sector increased from 20% (2001) to 29.6% (2011). The private rented sector plays a wider role than just the accommodation of the city's students. This sector is also important for many working people and families unable to purchase owner-occupied housing and for those choosing not to purchase owner-occupied housing. 3. The Planning Policy and Housing Strategy teams have just commissioned new research to investigate more fully the supply and demand for student accommodation in the city including the needs from the Universities, the Music School and from Language Schools. This work will include looking at the impacts of new purpose built student housing on the wider private sector housing market. This work is expected to be completed in November 2015. 4. The University of Sussex has worked collaboratively with the researcher commissioned to complete the study into supply and demand for student accommodation and will continue to support the project to its completion. <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Continue to support the development of new affordable purpose built student accommodation in a range of locations within the city in accordance with City Plan policies. 		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Current position – short commentary by service lead(s):		
<p>2016 Update:</p> <p>The Student Housing Study, expected to be completed in autumn 2016, will consider the demand for and supply of purpose built student accommodation (PBSA), and how this could impact on the need for other private rented homes in the city to house students.</p> <p>The findings of this research will be used to inform the City Plan Part 2 which will consider potential locations for new PBSA in the context of demand for other housing, and also a new Student Housing Strategy.</p>		
<p>Status (Sept 2016)</p>	<p><i>Red – Off target and not likely to come back to on target without intervention.</i></p> <p><i>Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).</i></p> <p><i>Green – On or above target</i></p>	 GREEN

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 3	Council Service Lead(s)	ELT Lead
To provide more regular systematic reviews of the evidence-base underpinning the Housing Strategy	Andy Staniford (Housing)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted</p> <p>Regular reviews are already undertaken with provision for additional reviews to be commissioned to meet identified needs and / or specific requirements, for example research into student accommodation supply and demand.</p> <p>This work is already in place:</p> <ul style="list-style-type: none"> • Housing Joint Strategic Needs Assessment updated annually • Housing Statistics Bulletin updated quarterly • Housing Market Report updated quarterly • Rent & Local Housing Allowance Report updated monthly • HMO data (from all sources) for the 5 wards covered by the Article 4 Direction are monitored and mapped by Planning. • From 2014/15 the number of applications for HMO's approved and refused in the five wards will be monitored and reported in the Authority Monitoring report produced by planning <p>These reports are available at:</p> <ul style="list-style-type: none"> • http://www.bhconnected.org.uk/content/local-intelligence • http://www.brighton-hove.gov.uk/content/housing/general-housing/housing-strategy-statistical-bulletins • http://www.brighton-hove.gov.uk/content/housing/general-housing/housing-market-reports <p>In addition, housing supply and demand issues are regularly reviewed to support the development of the city plan:</p> <ul style="list-style-type: none"> • Objectively Assessed Need for Housing Report June 2015: http://www.brighton-hove.gov.uk/sites/brighton-hove.gov.uk/files/GL%20Hearn%20HSG%20OAN%20Rprt%20%20Jun%202015.pdf <p>It is considered that the data collection and analysis carried out at present is the most appropriate given the resources available.</p> <p>The Planning Policy team already provides a significant amount of evidence that can also be used to help monitor and inform the Housing Strategy. This includes residential development monitoring, including for affordable housing; regular reviews of the Strategic Housing Land Availability Assessment, which indicates how much new housing is likely to be built in the city, the types and tenures of housing; updates to the need for affordable housing, monitoring student HMOs etc. Much of the ongoing monitoring is reported through the Authority Monitoring Report.</p>		


Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Current position – short commentary by service lead(s):		
<p>2016 Update: Action already achieved as per original response above.</p>		
Status (Sept 2016)	<p><i>Red – Off target and not likely to come back to on target without intervention.</i></p> <p><i>Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).</i></p> <p><i>Green – On or above target</i></p>	Complete

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 4	Council Service Lead(s)	ELT Lead
To more effectively regulate the conversion of owner-occupied, family dwellings into shared private rented housing in relevant areas of the city, using licensing schemes and other legislative powers, to assess and improve the management and standards in HMOs	Mike Slagter (Housing) Steve Tremlett (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>The Article 4 Direction Order introduced in 2013 which brought into control changes of use from family homes to small HMO's (normally permitted development not requiring consent) will have some impact on the number of family dwellings being used for shared private sector housing. Policy CP21 in the City Plan Part 1 sets out the thresholds for HMO's where controls apply and as the plan approaches adoption the policy has gained greater weight and is now being used more successfully at appeal. As of October 2015 about 45-50 properties were under investigation. It is anticipated that notices will continue to need to be served over the next few months. In the past notices gave 6 month compliance this is now being reduced to 3 months. As notices take one month to come into effect this gives 4 months from the date the notice is served to find alternative accommodation.</p> <p>Policies in the currently adopted 2005 Brighton & Hove Local Plan resist the loss of smaller sized family homes where sub-division is of such properties are proposed. This is in recognition of the city's need for family housing. These policies will be reviewed under Part 4 of the City Plan.</p> <p>HMO licensing cannot regulate or prevent conversion of family dwellings to HMOs. It does, however, impact on how properties are managed, especially in terms of recommended levels of safety and amenities. It also places licence holder details in the public domain so people can see who is responsible for running any licensed HMO. Though mainly intended for the benefit of occupiers, there are Management Regulations that apply to all HMOs and these contain provisions, for example in terms of keeping shared areas tidy, that can impact on neighbourhoods as a whole.</p> <p>Following the introduction of additional licensing for smaller HMOs in 5 wards identified as having high levels of the smaller HMO in November 2012, the scheme will be extended to 7 other wards in the city on 2 November 2015. Discretionary licensing will be kept under review and subject to proliferation of smaller HMOs and any issues arising with management and standards.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> Promote the HMO licensing scheme so that we can ensure that un-licensed 		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

<p>HMO's are reported and licensed properties are of standard. Respond to issues where legal standards are not being met.</p> <ul style="list-style-type: none"> • Consult on extending HMO licensing to other areas where there is an identified need. 		
<p>Current position – short commentary by service lead(s):</p>		
<p>2016 Update:</p> <p>The new additional licensing scheme affecting 7 further central and coastal wards began as planned on 2 November 2015, with over 250 applications received to date. In total around 3,000 HMOs across the city are now licensed. HMO licensing enforcement work is ongoing.</p> <p>Research is being undertaken into whether or not further discretionary licensing would be appropriate anywhere in the city and the results will be reported to a future Housing & New Homes Committee.</p> <p>The council is engaging much more closely with community groups via the HMO Forum, which is improving communications and empowering local residents to take action themselves to identify potential unauthorised HMOs. The Article 4 Direction continues to be enforced and the Council has been successful in a number of recent appeal decisions which will now require HMOs to revert to family homes.</p> <p>Monitoring of Article 4 requests to convert homes into HMO shows that between April 2013 and March 2016, 97 applications were received for a change of use from 'C3 – dwelling house' to 'C4 – small House in Multiple Occupation'. Of these:</p> <ul style="list-style-type: none"> • 57 applications were approved (4 on appeal) • 40 applications refused (4 on appeal). <p>Resourcing of the planning enforcement team has improved and as of August 2016, an additional 90+ properties which may be unauthorised HMOs were under investigation.</p>		
<p>Status (Sept 2016)</p>	<p><i>Red – Off target and not likely to come back to on target without intervention.</i></p> <p><i>Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).</i></p> <p><i>Green – On or above target</i></p>	 <p>GREEN</p>

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 5	Council Service Lead(s)	ELT Lead
To consider the effects of the Article 4 Direction on the proliferation of HMOs in the city, and the use of licensing schemes and other legislative powers	Mike Slagter (Housing) Steve Tremlett (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>Monitoring is already in place within the planning team which will help consider the effects of Article 4 Direction. The results of monitoring will be reported annually in the Authority Monitoring Report. The Authority Monitoring report produced by planning monitors development retrospectively. From 2014/15 the number of applications for HMO's approved and refused in the five wards will be monitored. HMO data (from all sources) for the 5 wards covered by the Article 4 Direction is monitored and mapped by the planning team and is updated monthly.</p> <p>The Article 4 Direction covers only the 5 wards along the Lewes Road corridor and not the additional 7 city centre wards where additional HMO licensing is to be extended.</p> <p>HMO licensing does not impact on the upward proliferation of HMOs as it is not a tool that can be used to control HMO numbers. There is no evidence to suggest that HMO licensing has affected the numbers of HMOs in the city, either upwards or downwards. It has brought about many safety and amenity improvements, as reported to Housing Committee on a number of occasions. Though licence holders are not directly responsible for the behaviour of their tenants, licensing can have an impact in requiring licence holders to engage in terms of possible breach of licence conditions or tenancy agreements if their tenants' behaviour causes problems for neighbouring residents.</p> <p>New research commissioned by the Planning Policy and Housing Strategy teams will help identify student demographics, the impact of projected changes to student population and housing supply. This work will be completed in November 2015.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • 46. Promote the HMO licensing scheme so that we can ensure that unlicensed HMO's are reported and licensed properties are of standard. • 47. Consult on extending HMO licensing to other areas where there is an identified need. • 48. Respond to issues where legal standards are not being met. 		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Current position – short commentary by service lead(s):

2016 Update:

The new additional HMO licensing scheme affecting 7 further central and coastal wards began as planned on 2 November 2015, with over 250 applications received to date in addition to the Lewes Road scheme and mandatory licensing of all larger HMOs across the city. In total around 3,000 HMOs across the city are now licensed. HMO licensing enforcement work is ongoing.

Research has been undertaken into whether or not further discretionary licensing would be appropriate anywhere in the city and the results will be reported to the soonest possible Housing and New Homes Committee.

The Student Housing Study (expected to be completed in autumn 2016) will consider the effects of a growing student population and different future levels of Purpose Built Student Accommodation provision on the demand for HMOs from the student population.

The council is engaging much more closely with community groups via the HMO Forum, which is improving communications and empowering local residents to take action themselves to identify potential unauthorised HMOs. The Article 4 Direction continues to be enforced and the Council has been successful in a number of recent appeal decisions which will now require HMOs to revert to family homes.

Monitoring of Article 4 requests to convert homes into HMO shows that between April 2013 and March 2016, 97 applications were received for a change of use from 'C3 – dwelling house' to 'C4 – small House in Multiple Occupation'. Of these:

- 57 applications were approved (4 on appeal)
- 40 applications refused (4 on appeal).

Resourcing of the planning enforcement team has improved and as of August 2016, an additional 90+ properties which may be unauthorised HMOs were under investigation.

**Status
(Sept 2016)**

*Red – Off target and not likely to come back to on target without intervention.
Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).
Green – On or above target*



GREEN

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 6	Service Lead(s)	ELT Lead
To explore ways to increase the supply of affordable owner-occupied housing for first-time-buyers and key workers in the city	Martin Reid (Housing) Sandra Rogers (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & new Homes Committee.</p> <p>Recommendation Accepted</p> <p>Planning policy is currently to secure up to 40% affordable housing in new developments and to secure citywide a split of 55:45 affordable rent to intermediate (e.g. shared ownership) – this will assist getting people on the housing ladder including key workers. We are also looking at more innovative ways to increase supply of affordable housing e.g. incorporating a ‘review mechanism’ in S106 agreements where viability is an issue and also in City Plan Part 1 there will be sliding scale of affordable housing requirements so that we can ask for affordable housing contributions on smaller sites.</p> <p>There is also a need to continue to explore and support innovative affordable housing products e.g. ‘Pocket Housing’ in London which secures a significant first time buyer discount on housing for local people who must be on or below the average income of a London Borough and the scheme retains the housing in perpetuity (residents have to sell to someone in a similar position).</p> <p>The recently developed Greater Brighton Devolution Prospectus seeks to pursue models for housing delivery that delivers greater numbers of new and more Living Wage homes through a pilot Joint Venture to deliver 1000 affordable homes with a local housing association, the proposal would be to establish a new Greater Brighton Living Wage housing model. This would involve innovative approaches to providing more affordable housing to working people in Greater Brighton through a new Living Wage Rent Model and a Living Wage Homes Ownership Model.</p> <p>We are reviewing options for the local authority to intervene in the housing market as a potential purchaser / lessee of new accommodation being brought forward on development sites in the City or sub-region in order to meet identified housing needs. This is in addition to affordable housing deemed to be viable for the developer to deliver on site through the Planning process.</p> <p>This includes the procurement off-plan of residential accommodation on private sector housing developments with developers entering into arrangements with us to offer residential units for sale and/or lease at discounted rates on the basis of potential leaseback arrangements. This discounted sale option has previously been explored on the most recent Anston House Planning application and we have also submitted a letter reserving our option to buy off-plan on the forthcoming Preston</p>		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Barracks scheme.

The delivery of Major Project / Strategic Development Sites which achieve citywide regeneration provides additional affordable housing within the development brief, for example Circus Street, Brighton Marina, Preston Barracks, Pelham Street etc.

If enacted, the Housing and Planning Bill 2015 will create a new duty on all local authority planning departments to promote the supply of starter homes in their area. The Bill also proposes allowing the government to set regulations requiring starter homes to be included on residential sites as a condition of securing planning permission. If agreed these regulations will be issued at a later date. In terms of starter homes, it is not yet clear whether this will be in addition to or as a replacement for affordable homes. The Bill still has to be debated. There will need to be a change in National Planning Policy framework for starter homes to be counted as affordable housing. Starter homes do not currently fit the formal definition of affordable housing for planning purposes.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- 1. Prioritise support for new housing development that delivers a housing mix the city needs with a particular emphasis on family, Affordable Rent and where feasible, Social Rented housing.
- 2. Continue work with a range of partners including Homes Communities Agency, housing associations and the community housing sector to develop more affordable housing.
- 3. Directly provide more council housing, such as by developing ourselves through our New Homes for Neighbourhoods programme, buying new homes off-plan or by supporting others to build and manage on our behalf.
- 4. Use Right To Buy receipts and developer contributions to fund new housing.
- 5. Maximise housing provided from best use of the Council's Housing Revenue Account (HRA) investment, land and buildings.
- 6. Support housing associations and community housing organisations with their proposals to deliver affordable homes.
- 7. Work with the local business sector to maximise housing on mixed use developments incorporating homes, offices and retail.
- 8. Continue to look at alternative use of public assets including land, with a focus on maximising the social value of opportunities where appropriate.
- 9. Where compatible with local and national planning policy, increase housing supply through the conversion of unused and unneeded properties.
- 10. Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area.
- 11. In accordance with City Plan policy, support taller buildings and higher density development in appropriate locations of the city.

Current position – short commentary by service lead(s):

2016 Update:

All actions are ongoing as detailed and listed above.


Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

The Housing and Planning Bill is now the 2016 Act. Once the government publishes relevant regulations to implement the Act, Local Planning Authorities will be required to promote Starter Homes (lower cost home ownership) in new housing delivery has not yet been published by government.


City Plan Part One is now adopted (March 2016) with Policy CP20 for Affordable Housing. CP20 introduces a sliding scale approach to affordable housing contributions with commuted sums required on smaller development sites (5-14 units). The use of the collected commuted sums will assist with delivery of affordable rented housing.

In order to further increase the supply of new affordable homes additional funding options are being actively investigated including buying new homes off plan and Special Purpose Vehicle / Joint Venture options.

There are still a number of risk factors with this work due to the limited development opportunities and high property development costs in Brighton & Hove.

Status (Sept 2016)	<p>Red – Off target and not likely to come back to on target without intervention. Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary). Green – On or above target</p>	
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Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 7	Council Service Lead(s)	ELT Lead
To further improve the identification of empty homes and voids within private sector housing, and to maximise the use of private sector housing in more efficient ways	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted</p> <p>Identification and contact system in relation to empty homes within private sector housing is fully in place, as reflected in Performance Indicators around bringing empty private sector homes into use and New Homes Bonus income for past years.</p> <p>Our Empty Property Enforcement Protocol is in development during 2015/16 to further clarify and strengthen use of enforcement action in bringing private sector empty homes back into use.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • 35. Continue successful system of making and maintaining contact with all owners of empty property. • 36. Update the Empty Property Enforcement Protocol to encourage an increase in the number of properties being returned to use. • 39. Consider empty commercial property as a potential source of new housing. 		
Current position – short commentary by service lead(s):		
<p>2016 Update:</p> <p>In 2015/16, 158 empty homes were brought back into use with the support of the council. A further 40 empty homes were brought back into use in Quarter 1 of 2016/17. The empty property team is also in constructive dialogue with the owners of a further 257 properties.</p> <p>A well-established and systematic approach has lead to this sustained year on year performance. A refreshed enforcement protocol is in development as a disincentive for owners that will assist in improving performance.</p>		
Status (Sept 2016)	<p><i>Red – Off target and not likely to come back to on target without intervention.</i></p> <p><i>Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).</i></p> <p><i>Green – On or above target</i></p>	 GREEN

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 8	Council Service Lead(s)	ELT Lead
To work in a more joined-up way with neighbouring local authorities to strategically plan housing supply and demand in a regional context	Sandra Rogers (Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>The Duty to Cooperate has brought us together with neighbouring local authorities and other organisations to develop strategic planning policies for the area that will meet existing and future needs of the residents and workforce in the area.</p> <p>Greater Brighton is a partnership made up of the local authority areas of Brighton & Hove, Adur, Worthing, Lewes and Mid Sussex. The recently published Greater Brighton Devolution Prospectus - Platforms for Productivity, forms the bases of a longer dialogue with government and partners. This document focuses on three areas that include increasing economic productivity through the provision of infrastructure, housing and employment land and enterprise support. To accelerate housing delivery to meet and surpass our planned housing supply of 22,500 homes it proposes to create a Greater Brighton Housing Company. Alongside this it is proposed to create a Joint Property Board with the HCA and develop a Greater Brighton Housing & Property Investment Plan – in conjunction with the Coast to Capital LEP and 3SC – to provide a strategic delivery plan to deliver more housing across the region.</p> <p>Any building developments will balance the need for general needs housing against student housing need to ensure the right mix for housing on any new development. The University of Brighton already works closely with the local authorities and other local stakeholders in their 3 campus areas. This includes close collaborative work with housing strategies and engaging with local community groups and initiatives through the work of the Community Liaison team.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • 10. Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area. • 22. Continue to support the development of new affordable purpose built student accommodation in a range of locations within the city in accordance with City Plan policies. 		
Current position – short commentary by service lead(s):		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)


2016 Update:

This is an ongoing process largely reflecting the Duty to Co-Operate responsibilities of the local planning authorities across the Greater Brighton and Coastal West Sussex planning areas. For Brighton & Hove, actions over the last year include exploring measures to help unlock housing supply and accelerate the rate of housing delivery against the city's housing delivery target set out in City Plan Part One (13,200 homes to 2030) which was adopted March 2016.

An update to the Local Strategic Statement was agreed March 2016 for the Coastal West Sussex and Greater Brighton area. This sets out strategic objectives and spatial priorities for housing and employment and for key development sites for the 10 member authorities (Brighton & Hove, Lewes, Adur/Worthing, Arun, Chichester, Mid Sussex, Horsham and West Sussex).

The council is also working with the HCA in relation to 'Starter Homes Expressions of Interest' programme.

Greater Brighton Housing and Growth Working Group are seeking to overcoming barriers to delivering existing housing targets, accelerating delivery of additional housing numbers as well as making best use of available land / identification of new sites. Devolution Deal 'asks' include raising the HRA borrowing cap, flexibility in the use of Right to Buy Receipts, better access to surplus sites from national public bodies and certainty over HCA funding.

Status (Sept 2016)	<i>Red</i> – Off target and not likely to come back to on target without intervention. <i>Amber</i> – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary). <i>Green</i> – On or above target	 GREEN
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Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 9	Council Service Lead(s)	ELT Lead
<p>To have a commitment to allow the universities to continue to grow their student populations across the Greater Brighton area, in recognition that they operate in a context of uncertainty and a more competitive (inter)national environment within higher education.</p>	<p>Martin Reid (Housing & Strategic Housing Partnership)</p> <p>Steve Tremlett (Planning)</p> <p>Universities</p>	<p>Nick Hibberd</p>
<p>Council Response October 2015</p>		
<p>This recommendation is not within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>Subject to the universities continuing to acknowledge and work in partnership with the Council and other parties to mitigate the impact of their growth on the local housing market, in particular in areas of high concentrations of student populations.</p> <p>The City Plan allows the Universities to grow in a managed way through site allocations and through a criteria based policy that seeks new purpose built accommodation for students and academic space subject to assessment.</p> <p>Growth in student numbers has been significant e.g. estimated that between 2001 to 2013 student numbers increased by 37% for Brighton University and 50% for University of Sussex. Clearly this will have impact on the city’s housing market if there is insufficient purpose built student housing. City Plan seeks to ensure there is sufficient purpose built accommodation and Part 2 (Site Allocations and Development Management Policies) will consider the allocation of further sites and the need to align more closely the University’s growth plans and student accommodation strategies. It is recognised that the growth of the Universities across Greater Brighton area has many benefits for city and wider sub-region and is to be supported. A duty to cooperate would be triggered if a local authority is unable to meet its housing demand within its own area.</p> <p>The University of Brighton already has campuses located in Brighton, Eastbourne and Hastings. The Greater Brighton Devolution Prospectus acknowledges the contribution made by the universities, supporting around 12,000 jobs, contributing nearly £1bn to the South East economy, and providing opportunities and expertise to support and grow local businesses. The prospectus outlines its commitment to extend the presence of the universities and further education colleges throughout the region, northwards into Burgess Hill and along the coast to Newhaven and Worthing.</p> <p>Additional information on how universities manage their PRS accommodation needs.</p>		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

University of Sussex advised that all 1st year undergraduates who require it are being accommodated in University managed housing as well as all 1st year overseas Postgraduates. University of Sussex currently own and manage 5000 bed spaces. Although additional purpose- built student accommodation is being developed, we are advised that this will not meet all the future demand.

The University of Sussex also runs a successful head-leasing scheme. All the properties, which are directly managed by the university, are located in the city. It is a requirement of the university that all new head-leased properties have HMO licences. The university is seeking to increase the number of head-leased properties and identifying where the pressure points are in the city and focusing on these areas. At present the head-leasing schemes provides 271 bed-spaces and the university is looking to increase this figure by a further 100 minimum. The university will work with the council to make sure it does not compete for the same properties in the city and mitigate any detrimental effect their head-leasing scheme has on the council's potential supply of private rented sector family housing.

The availability and cost of public transport is key to the location of student housing especially when looking to increase accommodation to the east and west of the city. Work would need to be undertaken with the council's Transport team, Brighton & Hove Bus Company etc. to see if transport links could be extended and improved to make locations away from the Lewes Road corridor more viable and attractive for students to live in.

In addition to concerns regarding transport, the Students' Union at the University of Sussex raised a concern around whether the University were adequately prepared for the arrival of increased number of students, including housing as one example of this.

Students are finding it more difficult to acquire affordable housing in the city's private rented sector, which highlights the citywide problem of capacity in the private rented sector. The problem of affordability may result in students looking for accommodation outside the city-centre area, although students are attracted to the nightlife, cafes, retail, etc. in the city which is lacking in other more affordable areas.

The University of Brighton accommodates a significant number of their first year students in halls accommodation, and the ongoing redevelopment of the University's Varley Park hall site will have created an additional 300 beds by the end of the current building phase.

The University has operated a successful head lease scheme in Brighton and Eastbourne for over 13 years, and more recently, the head lease scheme has grown significantly in Hastings providing quality and affordable accommodation to students.

The University recognises that affordability is key and therefore do not charge any fees to students, do not require a guarantor and do not require a damage deposit to be paid up front. The properties are well maintained, checked regularly and comply with all necessary legislation (including Article 4 and all relevant planning permission surrounding appropriate use of the property).

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

The university have established strong working relationships with property owners and neighbours.

Currently, there are over 230 head lease bedspaces in Brighton, Eastbourne and Hastings.

With such a diverse student population to support, the University of Brighton are keen to expand and manage a range of properties, from 1 bedroom flats up to 6 bedroom homes. They are also keen to explore the use of head-lease accommodation for students with families. In addition, the University has successfully expanded their Homestay scheme in Brighton and there are now over 100 bedspaces available for students either for a short term or long term stay.

The impact of Article 4 has seen a loss of some student accommodation in the 5 wards where it is in operation. The council and universities will make sure that students do not move into properties that do not have an HMO licence by making it easier for information on whether HMOs do have planning permission to be shared.

The reality is that universities will be competing with each other, with the local authority and others including BIMM and City College, over family sized housing in the private rented sector.

The University of Brighton is exploring any viable opportunities to increase the number of purpose built student accommodation in addition to the Preston Barracks site. It is looking at the possibility of further increasing capacity at Varley Park, and looking at sites owned by the university to identify any opportunities to build.

The University of Brighton academic profile review is now due to be completed in the Spring 2016.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- 26. Work with bordering authorities to support satellite campuses.
- 10. Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area.

Current position – short commentary by service lead(s):

2016 Update:

The Student Housing Study, expected to be completed in autumn 2016 will examine options for locating new Purpose Built student Accommodation including locations outside of the city's administrative boundaries.

**Status
(Sept 2016)**

*Red – Off target and not likely to come back to on target without intervention.
Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).
Green – On or above target*



Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 10	Council Service Lead(s)	ELT Lead
To consider the effects of the densification of affordable, purpose-built, student accommodation on university campuses within the city, and outside the Lewes Road corridor	Steve Tremlett (Planning) Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>Student Housing is a priority theme in the Housing Strategy 2015, which recognises that:</p> <p style="text-align: center;"><i>We need a wider range of affordable accommodation options for students to take pressure off the existing housing stock and we need to work with landlords to improve the quality of accommodation and ensure student housing does not cause disruption in our neighbourhoods.</i></p> <p>In a city with a very constrained land supply there is a need to ensure that the best use is made of limited site opportunities but also that developments are of a high quality. Any potential adverse impacts need to be mitigated through good design and also through effective management agreements.</p> <p>The Planning Policy and Housing Strategy teams have just commissioned new research to investigate more fully the need for student accommodation in the city including the needs from the Universities, the Music School and from Language Schools. This work will include looking at the impacts of new purpose built student housing on the wider private sector housing market. This work is expected to be completed in November 2015. The projected student housing need and the cumulative impacts of purpose-built student accommodation including concentrations will inform the Student Housing Strategy refresh and City Plan.</p> <p>In addition, one of the key recommendations of the previous Student Housing Strategy was support for expansion of head leasing schemes where the Universities have responsibility for management of private sector homes leased from landlords and agents on behalf of students.</p> <p>As outlined in the response to Recommendation 9, University of Sussex is seeking to increase the number of head-leased properties and identifying where the pressure points are in the city and focusing on these areas. University of Sussex also commit to work with the council to make sure it does not compete for the same properties in the city.</p> <p>The University of Brighton is also actively seeking to develop their head lease</p>		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

portfolio to assist students secure private sector accommodation without having to face expensive upfront costs, such as fees, deposits and providing a guarantor.

In addition, and also reflecting one of the key priorities of the original Student Housing Strategy, we have in the past entered into a joint head-leased property agreement with the universities in order to avoid competition for the same dwellings and to attempt to manage acquisition of family and shared occupancy homes in areas of high concentrations of student housing. Properties were shared 50/50 under the scheme.

While this scheme is no longer in operation we propose to review options for this being re-considered, subject to any future joint head leasing initiative being financially viable and beneficial for the council to participate in.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- Reduce the impact of student lets on neighbourhoods through managing the concentration of student lets (City Plan policy) and other measures such as requiring safe bicycle storage, communal bins and working with letting agents to reduce signage.

Current position – short commentary by service lead(s):

2016 Update:

The City Plan has been adopted and therefore Policy CP21 can be given full weight in determining planning applications. Work has started on Part 2 of the City Plan which provides the opportunity to further strengthen planning policy.

Completion of the study has been delayed but is expected in autumn 2016. The Student Housing study will consider the extent to which additional Purpose Built Student Accommodation can be accommodated on or near university campuses within the city, as well as outside the Lewes Road corridor (including outside of the city's administrative area).

Status

(Sept 2016)

Red – Off target and not likely to come back to on target without intervention.

Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).

Green – On or above target



Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 11	Council Service Lead(s)	ELT Lead
To explore the potential to identify/develop sites of opportunity for affordable student housing developments in other parts of the Greater Brighton area, which will appeal to students alongside the development of student-oriented infrastructures (i.e. transport, services)	Steve Tremlett (Planning) Universities	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not within the remit of the Housing & New Homes Committee</p> <p>Recommendation Accepted</p> <p>This is an issue that could be explored further through sub-regional planning and economic development forums – Coastal West Sussex and Greater Brighton Strategic Planning Board and Economic Board. Growth Plans of both Universities may lead to additional premises in wider Greater Brighton area e.g. University of Brighton had plans to locate additional accommodation outside the city. Part 2, City Plan will also look for additional sites within the City.</p> <p>The Greater Brighton Devolution Prospectus outlines its commitment to extend the presence of the universities and further education colleges throughout the region, northwards into Burgess Hill and along the coast to Newhaven and Worthing. Alongside this, is the commitment to deliver an intelligent transport network across the region that supports the business and tourist economy and people travelling to work and learn.</p> <p>This strategic action to work with bordering authorities to support satellite campuses is included in the Housing Strategy 2015.</p> <p>The commitment to work with bordering authorities in the development of satellite campuses is welcomed by the University of Brighton (should there be any). Proximity to academic site remains a key priority for both the university and its students.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Work with bordering authorities to support satellite campuses. • Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area. 		
Current position – short commentary by service lead(s):		
2016 Update:		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Cross authority working is ongoing through the Coastal West Sussex and Greater Brighton Strategic Planning Board.

Preparation of the City Park Part 2 has commenced. This will include examining the potential for identifying further site allocations for Purpose Built Student Accommodation.

The Student Housing Study is expected in autumn 2016, and includes consideration of the potential for locating new PBSA to serve the city's universities outside of the City Council administrative area.


**Status
(Sept 2016)**

Red – Off target and not likely to come back to on target without intervention.
Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).
Green – On or above target



AMBER

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 12	Council Service Lead(s)	ELT Lead
To promote the development of student union and/or university letting agencies	Martin Reid (Housing & SHP) Universities	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>The Housing Strategy 2015 supports improvements in the letting and management of student accommodation both for the benefit of students and local communities.</p> <p>The Students' Union at the University of Sussex, run a letting agency for student accommodation. At present the agency has approximately 50 properties, 35 of which are fully managed. There is huge demand for these properties and the scheme is very popular with students and rated very highly. It is an aspiration of the Students Union to expand this scheme but funding, staffing and other resources such as a lack of an alternative location in the centre of Brighton, is a barrier to this. The current location is limited by lack of walk by traffic of landlords, who may not aware that Sussex Student Lettings exists.</p> <p>Students from the University of Brighton use Sussex Student Lettings and feedback from students has been very positive.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Develop an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability. 		
Current position – short commentary by service lead(s):		
<p>2016 Update:</p> <p>The work will be explored in more detail through the development of the Student Housing Strategy. Additional work is being carried out by community groups and other partners to look at how these options could be taken forward such as Rent Smart which will be fed into future policy considerations.</p>		
Status (Sept 2016)	<p><i>Red – Off target and not likely to come back to on target without intervention.</i></p> <p><i>Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).</i></p> <p><i>Green – On or above target</i></p>	 AMBER

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 13	Council Service Lead(s)	ELT Lead
To promote the development of university-endorsed landlords and letting agents, and encourage the universities and student unions to champion these landlords to students	Martin Reid (Housing & SHP) Universities	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>We have met with the National Landlords Association and they are positive about working with us both in improving quality and management of the city’s private rented sector with a track record in work strategically and with government including looking at ways of investing in home energy efficiency.</p> <p>New legislation makes it a legal requirement for all lettings agents and property managers in England to join one of three Government approved redress schemes; Ombudsman Services Property, Property Redress and the Property Ombudsman. In Brighton & Hove the requirement is enforced by our Trading Standards team.</p> <p>One of the strategic actions in the Housing Strategy 2015 is to promote the Student’s Union “Rate Your Landlord” report across the city and the idea of rented accommodation that is ‘fit for study’.</p> <p>The introduction of additional licensing for smaller HMOs in 5 wards identified as having high levels of the smaller HMO in November 2012 and the extension of the scheme to 7 other wards in the city on 2 November 2015 will improve the conditions and management of these types of properties.</p> <p>Article 4 – See Recommendations 4 and 5</p> <p>Research into the need for student accommodation in the city commissioned by Planning and Housing will provide evidence on projected student housing need, the cumulative impacts of purpose-built student accommodation and privately rented accommodation.</p> <p>Head-leasing schemes – see Recommendation 10</p> <p>The University of Sussex has a Sussex Studentpad website providing information on private rented sector accommodation to let and guidance for students. There are around 600 landlords advertising properties on the website who have agreed to abide by the UK Accommodation Code and all new properties are inspected by the university.</p> <p>The University of Brighton has an accommodation service in Brighton, Eastbourne</p>		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

and Hastings. There are over 1600 places in halls in Brighton, 230 university-managed rooms in shared homes across Brighton, Eastbourne and Hastings and about 100 rooms in homestays. The University has a dedicated website for students to search for accommodation that must conform to a Code of Standards before it is registered with the University. The website also includes student message boards and lots of helpful information about house hunting, www.brightonstudentpad.co.uk. New and existing properties registered on the website are inspected by the Accommodation Service team.

The University of Brighton also has a dedicated Housing Advice Officer who supports and advises students the about private rent sector accommodation.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- Develop an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability.
- Promote the Student's Union "Rate Your Landlord" report across the city and the idea of rented accommodation that is 'fit for study'.

Current position – short commentary by service lead(s):

2016 Update:

The work will be explored in more detail through the development of the Student Housing Strategy. Additional work is being carried out by community groups and other partners to look at how these options could be taken forward such as Rent Smart which will be fed into future policy considerations.

Status

(Sept 2016)

Red – Off target and not likely to come back to on target without intervention.

Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).

Green – On or above target



AMBER

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 14	Council Service Lead(s)	ELT Lead
To promote the use of a city-wide rate-my-landlord scheme for all private sector housing	Martin Reid (Housing & SHP)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>One of the strategic actions in the Housing Strategy 2015 is to promote the Student’s Union “Rate Your Landlord” report across the city and the idea of rented accommodation that is ‘fit for study’.</p> <p>A rate-my-landlord scheme could only be run externally and not as a council function.</p> <p>The University of Sussex Students’ Union run a successful rate-my-landlord scheme.</p> <p>Rate Your Landlord is an annual online survey conducted by the University of Sussex Students’ Union. First launched in 2009, the survey looks at the experience of students living in private rented property in and around Brighton and Hove, and is used to create a better understanding of the issues that face students who rent privately. This includes identifying problems where they exist, recognising good practice when it occurs and informing recommendations that seek to drive up standards in the sector and improve the experience for students.</p> <p>Rate Your Landlord Survey is a way of encouraging students to express their views and participate in the University of Sussex Students’ Union. This survey, however, is not based on a scientific, representative sample and the results are vulnerable to manipulation by individuals with an interest in the outcome. All information is independently collated from student responses to the Rate Your Landlord Survey and is in no way the opinion of the University of Sussex or the University of Sussex Students’ Union.</p> <p>One element of the survey involves students being asked to rate letting agents on a 5 point scale ranging from strongly agree to strongly disagree against 5 questions:</p> <ul style="list-style-type: none"> ● Provides a good level of customer service (i.e. helpful, polite, easy to get hold of etc) ● Has low upfront fees (e.g. admin fees) ● Provides clear information about costs and the terms of the tenancy agreement ● Acts in a timely and reasonable way to resolve any problems that are reported (e.g. repairs, complaints etc) ● Provides a property that is comfortable and safe (e.g. free from mould & damp, well insulated & draught-free, has a smoke alarm fitted, has a current gas safety 		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

certificate etc.).

Finally students are asked to give their opinion of their overall experience, again on a 5 point scale ranging from very good to very poor. Each response was allocated and scored. Due to the variability in the numbers of responses across letting agents, a Bayesian average is taken to avoid unfairly advantaging or disadvantaging letting agents with fewer responses. An example formula for the Bayesian average is: $\frac{\text{mean number of responses across letting agents} \times \text{mean score across letting agents} + (\text{individual letting agent response count} \times \text{individual letting agent score})}{(\text{mean number of responses across letting agents} + \text{individual letting agent response count})}$.

Full details can be found in the full report.

<http://www.sussexstudent.com/asset/News/6412/RYL2014.pdf>

These scores then translated into a key rating score which is available to students. The key ratings ranged from 0 keys, representing poorly performing letting agents based on student survey responses, and 5 keys representing well performing letting agents based on student survey responses.

The data we gather in the survey is used for a variety of different purposes, this includes being used as the basis of our guarantor scheme proposal and to inform our responses to consultations.

The Rate my Landlord scheme also includes feedback from University of Brighton students and has proven to be a useful source of information for students when looking for a property via letting agents.

There are two websites that are also popular with students for accommodation reviews/feedback; Whichpad, www.whichpad.com and Move'm, www.movem.co.uk

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- Promote the Student's Union "Rate Your Landlord" report across the city and the idea of rented accommodation that is 'fit for study'.

Current position – short commentary by service lead(s):

2016 Update:

The work will be explored in more detail through the development of the Student Housing Strategy. Additional work is being carried out by community groups and other partners to look at how these options could be taken forward such as Rent Smart which will be fed into future policy considerations.

Status

(Sept 2016)

Red – Off target and not likely to come back to on target without intervention.

Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).

Green – On or above target



AMBER

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 15	Council Service Lead(s)	ELT Lead
To develop ethical models for letting agents, estate agents and landlords, and create a website with a list of these ethical organisations	Martin Reid (Housing & SHP). Sylvia Peckham (Housing)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>The Housing Strategy 2015 supports the development of an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability.</p> <p>We are at the early stages of engaging in research to inform potential options for review of models of arms length letting agents that will be fair and transparent. In our research to identify how to take this forward examples we will be looking at include the <u>Haringey</u> and Westminster models.</p> <p>The Students' Union at the University of Sussex has its own letting agency. It is no longer managed under the commercial services arm but instead is run as a social enterprise. As a social enterprise all profits after operating costs are spent on providing a range of advice & support services for students.</p> <p>Being part of the Students' Union means that the students already have an on-going relationship with the letting agency through using the range of services the Union provides, which creates an element of trust and familiarity that they are unlikely to have with other agencies. They also don't charge any administration fees to the students, making Sussex Student Lettings their financial preference also.</p> <p>Sussex Student Lettings are able to provide four services to landlords; 'Room Only' 'Let Only' 'Rent Collection' and 'Full Management'.</p> <p>The staff are employed on a fixed salary rather than commission on, it is believed that this supports the kind of culture the agency wish to promote. The agency is staffed by people who genuinely want to provide good customer service throughout the whole process of searching for a property, moving in, and during the tenancy itself.</p> <p>We propose to support exploration of options as to whether the scope of this model</p>		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

can be widened to expand beyond student housing and encompass a greater range of private rented housing.

The University of Brighton supports the development of a city-wide ethical standard for letting agents.

This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:

- Support for landlords to better manage properties.
- Up skill small and accidental landlords to improve tenancy management.
- Develop an ethical standard for letting agents including a commitment to equalities and diversity, a 'living rent' scheme where rents are linked to wage inflation, and longer tenancies to support family stability.

Current position – short commentary by service lead(s):

2016 Update:

The work will be explored in more detail through the development of the Student Housing Strategy. Additional work is being carried out by community groups and other partners to look at how these options could be taken forward such as Rent Smart which will be fed into future policy considerations.

Status

(Sept 2016)

Red – Off target and not likely to come back to on target without intervention.

Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).

Green – On or above target



Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 16	Council Service Lead(s)	ELT Lead
To consider the development, and promote the uptake and benefits to landlords of registration to PRS accreditation schemes	Martin Reid (Housing & SHP) Alan Davis (Housing Acquisitions Team)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Accepted</p> <p>In a high demand housing market developing voluntary landlord accreditation schemes can be challenging. Our existing private rented sector accreditation scheme is not currently active as in a buoyant housing market and with the end of private sector housing renewal funding there are limited incentives for landlords to join a voluntary accreditation process.</p> <p>Following extensive consultation our Housing Strategy 2015 commits us to a number of strategic actions aligned to improve tenancy management and support landlords to better manage their homes. We therefore propose to review accreditation options and / or options for agreeing standards / codes of conduct for agents and landlords to be developed on a partnership basis in the city.</p> <p>This is distinct from consideration of often time limited regulatory responses such as discretionary licensing schemes that may be applied to private rented homes subject to Housing & New Homes Committee approval aligned to Housing Act requirements concerning evidence, consultation and resources.</p> <p>The council is exploring the viability of introducing selective licensing and the introduction of any type of accreditation scheme needs to be balanced against this work. It is important to identify how an accreditation scheme would be different and what it would achieve compared to selective licensing e.g. the benefits and limitations.</p> <p>University managed properties have to be operated under an externally audited code.</p> <p>University of Brighton - standards are defined by the Student Accommodation Code (Universities UK) and a Code of Standards that we have developed for owners, resident landlords, head lease and homestay accommodation.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Support for landlords to better manage properties. • Up skill small and accidental landlords to improve tenancy management. 		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Current position – short commentary by service lead(s):		
<p>2016 Update: The Landlord Accreditation scheme is not being progressed as we continue to operate in a very robust housing market. Landlord Accreditation is effective in low demand areas to help prospective tenants shop around and identify good landlords. However, in a high demand market such as Brighton & Hove, tenants have very little choice and there is little incentive for landlords to voluntarily join such a scheme. A voluntary scheme is only likely to attract good landlords and push up the already oversubscribed demand for their homes which risks increasing costs rather than improving conditions in the wider private rented sector.</p> <p>In place of this we are looking to see if there is evidence to support expanding our licensing across the wider private rented sector to improve standards.</p>		
Status (Sept 2016)	<p><i>Red – Off target and not likely to come back to on target without intervention.</i> <i>Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).</i> <i>Green – On or above target</i></p>	Action no longer appropriate


Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 17	Council Service Lead(s)	ELT Lead
To create a register of landlords who have been proven to have undertaken retaliatory evictions	Mike Slagter (Housing)	Nick Hibberd
Council Response October 2015		
<p>Recommendation Partially Accept (subject to Housing & Planning Bill 2015)</p> <p>The Government's new Housing and Planning Bill 2015 includes a proposal to create a national database of rogue landlords/letting agents, which will be maintained by local authorities.</p> <p>The Housing & Planning Bill includes the measure to set up of a national database of rogue landlords which will be maintained, updated and edited by local authorities and every local authority will have access to it. In addition there are measures allowing local authorities to apply for banning orders which will ban a person from letting or managing property or acting as a letting where they have committed housing offences. A person subject to a banning order will not be able to hold an HMO licence and not be able to dispose of any properties to family or friends. Councils will be able to grant management orders for these properties.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> Review evictions from the private rented sector to analyse the underlying reasons behind homelessness. 		
Current position – short commentary by service lead(s):		
<p>2016 Update:</p> <p>The Housing and Planning Act 2016 received Royal Assent in May. Commencement Orders, Regulations and operational guidance are necessary before the relevant parts come into force allowing the national database to be set up. This is currently expected to be some time during 2017.</p>		
Status (Sept 2016)	<p><i>Red – Off target and not likely to come back to on target without intervention.</i></p> <p><i>Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).</i></p> <p><i>Green – On or above target</i></p>	N/A (National Government Lead)

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 18	Council Service Lead(s)	ELT Lead
To explore ways to increase the supply of private sector housing with rental costs that are affordable (e.g. for key workers in the city) and in line with representative household incomes in the city	Martin Reid (Housing) Sandra Rogers(Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>Planning policy for housing seeks a mix of housing tenures and types/sizes of residential units that helps to respond to different local needs. Affordable housing supply can come forward as a mix of affordable housing tenure types (e.g. affordable rented, shared ownership, intermediate rents). We will continue to explore more innovative housing products that might be able to help address this issue.</p> <p>The Housing Acquisitions Team runs schemes where it takes on privately own properties and leases them to local families in need of accommodation. Under the scheme the council is responsible for managing the property and guarantees rental income to the property owner.</p> <p>Although the Acquisitions team has successfully taken on a significant number of properties, the city's a buoyant market and market forces make it difficult to negotiate rents within affordable levels. Schemes like the accreditation scheme are no longer in existence as they proved not to be an incentive for landlords to engage but we could consult with landlords and review whether this scheme would again be viable.</p> <p>Housing Market intervention – see Recommendation 6 In order to further increase the supply of new affordable homes additional funding options are being actively investigated with Savills & Trowers and Hamblins funded by DCLG, including buying new homes off plan and other SPV / Joint Venture options.</p> <p>Within the Greater Brighton Devolution Prospectus there is the proposal for a pilot Joint Venture to deliver 1000 homes with a local housing association, the proposal would be to establish a new Greater Brighton Living Wage house model.</p> <p>There has also been an increase in development including Build-to-Rent coming through Planning.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Prioritise support for new housing development that delivers a housing mix the city needs with a particular emphasis on family, Affordable Rent and where feasible, Social Rented housing. • Continue work with a range of partners including Homes & Communities Agency, 		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

<p>housing associations and the community housing sector to develop more affordable housing.</p> <ul style="list-style-type: none"> Continue to work with adjacent local authorities in the Greater Brighton and Coastal West Sussex area to address unmet housing need across a sub-regional area. 		
<p>Current position – short commentary by service lead(s):</p>		
<p>2016 Update: We continue our work in the City and through our Greater Brighton Housing and Growth Working Group on seeking to overcoming barriers to delivering existing housing targets, accelerating delivery of additional housing numbers as well as making best use of available land / identification of new sites.</p> <p>In order to further increase the supply of new affordable homes additional funding options are being actively investigated including buying new homes off plan and other Special Purpose Vehicle / Joint Venture options. This includes proposals to deliver new homes on a living wage rent and ownership basis both to meet housing need and in support of the local economy.</p> <p>City Plan Part One is now adopted (March 2016) and forms part of the Development Plan for decision making purposes.</p>		
<p>Status (Sept 2016)</p>	<p><i>Red – Off target and not likely to come back to on target without intervention.</i> <i>Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).</i> <i>Green – On or above target</i></p>	 <p>GREEN</p>

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 19	Council Service Lead(s)	ELT Lead
To explore ways to increase the supply of affordable 'social housing' for key workers and vulnerable people (i.e. older people living in PRS housing which is not suitable for them and not readily adaptable, and/or people with mental health conditions who might previously have been accommodated in social housing)	Martin Reid (Housing) Sandra Rogers(Planning)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>There is an opportunity to explore this through the preparation of and consultation on Part 2 of City Plan with regard to looking at policies to promote housing for particular needs groups. Planning officers work closely with the Housing officers of the Council and those in the 'New Homes for Neighbourhoods' team. Teams are exploring whether development of some council owned sites would be suitable for particular needs groups.</p> <p>Under the New Homes for Neighbourhoods Programme over 500 additional council homes are projected to be built over the next 5 years. A range of homes will be built from larger family homes to 1-bed room flats, they will be accessible and adaptable, with some built for wheelchair uses. The specification will meet high standards that will reduce fuel bills and carbon emissions. The proposal that some homes will be to Passivhaus principles which potentially reduce construction time and costs whilst delivering a super insulated homes that reduces energy use and lowers emissions. The rent levels for the new homes will be 80% Market Rents capped at Local Housing Allowance. In addition to general needs homes, the programme will be delivering an extra care scheme providing 45 flats for older people that will be built to a high standard (BREEAM) standard 'Good' and be appropriate for people suffering with dementia</p> <p>Housing Market Intervention – see Recommendation 6</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Prioritise support for new housing development that delivers a housing mix the city needs with a particular emphasis on family, Affordable Rent and where feasible, Social Rented housing. • Continue work with a range of partners including Homes & Communities Agency, housing associations and the community housing sector to develop more affordable housing. • Directly provide more council housing, such as by developing ourselves through our New Homes for Neighbourhoods programme, buying new homes off-plan or by supporting others to build and manage on our behalf. 		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

- Use Right To Buy receipts and developer contributions to fund new housing.
- Maximise housing provided from best use of the Council's Housing Revenue Account (HRA) investment, land and buildings.
- Support housing associations and community housing organisations with their proposals to deliver affordable homes.
- Reinvigorate the Home Ownership for People with Long-term Disabilities scheme.
- Prioritise family housing in our housing investment plan and in enabling work with Homes & Communities Agency, Registered Providers and other partners.
- Look to new developments to deliver family housing as part of the affordable housing requirement.

Current position – short commentary by service lead(s):

2016 Update:

City Plan Part One adopted by Council March 2016. Preparation of City Plan Part Two has now commenced with initial Scoping Document consulted upon June – September 23 2016. Issues identified include housing mix considerations and whether specific planning policy required to support housing for older persons, for families and for specialist housing.

The New Homes for Neighbourhoods programme continues to promote affordable homes for rent on council-owned land with more than 250 homes in the pipeline and a target to deliver 500 new council homes by 2020. More information in the programme is available at <http://www.brighton-hove.gov.uk/content/housing/council-housing/new-homes-neighbourhoods>

In order to further increase the supply of new affordable homes additional funding options are being actively investigated including buying new homes off plan and other Special Purpose Vehicle / Joint Venture options.

In 2015/16, 13% of new affordable housing delivered met the wheelchair standard against a target of 10%. We are projecting that 12% of new affordable homes will meet the standard in 2016/17.

Status (Sept 2016)

Red – Off target and not likely to come back to on target without intervention.
Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary).
Green – On or above target



GREEN


Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing Scrutiny Recommendation 20	Council Service Lead(s)	ELT Lead
To further foster joined-up working between city council departments (e.g. housing, public health) and other relevant organisations (e.g. Southern Landlords' Association, CAB, Community Housing Network, Brighton Housing Trust, city universities)	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>This recommendation is not wholly within the remit of the Housing & New Homes Committee.</p> <p>Recommendation Accepted</p> <p>There is already good partnership working with stakeholders in the city, e.g. the city's Strategic Housing Partnership (SHP) and also the Affordable Housing Delivery Partnership in the city. Membership of the SHP includes representatives from the health sector, landlords associations, universities and Brighton Housing Trust). Consultation on Part 2 of the City Plan will review and explore whether planning could build better planning relationships with some of the city's stakeholders.</p> <p>We will keep the composition of existing partnerships under review and encourage more integrated partnership working across the city, in particular with a review to implementation of some of the recommendations in this report.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Continue work with a range of partners including Homes & Communities Agency, housing associations and the community housing sector to develop more affordable housing. • Promote the concept of Community Housing. • Explore the viability of Community Land Trust and wider community housing development options when land is available with a focus on maximising the social value of new developments where appropriate. • Explore the use of commercial properties for co-operatives where compatible with City Plan policies. 		
Current position – short commentary by service lead(s):		
<p>2016 Update:</p> <p>The Strategic Housing Partnership continues to review the way it operates and engages with housing stakeholders. As part of this process, the SHP will shortly begin to publish the minutes of its meetings. More information on the SHP can be found on the Brighton & Hove Connected website at http://www.bhconnected.org.uk/content/strategic-housing-partnership</p> <p>Brighton and Hove Trading Standards have been working closely with Home Sweet</p>		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Home campaign group to make sure that lettings agencies display their fees in accordance with the Consumer Rights Act 2015. When the project began in August 2015 of the 116 agents identified, fewer than 10% were displaying their fees and several were not members of an approved redress scheme. Now at least 99% are compliant.

Additional work is being carried out by community groups and other partners to look at how these options could be taken forward such as Rent Smart which will be fed into future policy considerations.

Status (Sept 2016)	<p>Red – Off target and not likely to come back to on target without intervention. Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary). Green – On or above target</p>	 GREEN
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Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing PRS Deputation to Housing Committee – June 2015: Request 1	Council Service Lead(s)	ELT Lead
To set up a living rent commission	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>Given the Living Rent report has been submitted to the Fairness Commission there is no need for a separate commission on the Living Rent.</p> <p>The findings on research into living rents were presented to the Housing & New Homs Committee in September 2015. The Committee agreed to refer living rents to the Fairness Commission with a recommendation that the Commission looks into this further.</p> <p>The Greater Brighton Devolution Prospectus seeks to address the need for ‘living wage housing’ through developing a mechanism to re-establish the crucial links between housing and the labour market, rents and ownership and the ability of people on low incomes to afford them and the creation of a Greater Brighton Housing Company that will deliver greater numbers of new and more affordable homes. The offer within the prospectus is:</p> <ul style="list-style-type: none"> • A pilot Joint Venture to deliver 1,000 homes with a local housing association, the proposal would be to establish a new Greater Brighton Living Wage house model. • Raising standards in the private rented sector. Interventions to improve the management of existing private rented stock, combined with the opportunity to bring investment into the sector for new private rented homes could transform the tenure into one which fully delivers for the local communities of Greater Brighton. <p>The prospectus will also pursue innovative models for housing delivery, for example rapid-build programmes that will deliver housing at reduced costs.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Develop an ethical standard for letting agents including a commitment to equalities and diversity, a ‘living rent’ scheme where rents are linked to wage inflation, and longer tenancies to support family stability. 		
Current position – short commentary by service lead(s):		
<p>2016 Update: The Fairness Commission has considered this option and recognised that it is beyond the remit of the council and recommended (Rec 7.5) that national government “Set up a Living Rent Commission, along the lines of the Living Wage Commission, to establish what a Living Rent should be in different regions of the country.”</p>		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

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Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing PRS Deputation to Housing Committee – June 2015: Request 2	Council Service Lead(s)	ELT Lead
To set up a register of all private rented sector landlords	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
<p>Request subject to review of options</p> <p>The consultation for the Housing Strategy 2015 identified that a large majority of respondents wanted us to introduce a register of all private sector landlords to help support efforts to maintain and improve standards. In response to this one of the strategic actions in the strategy is to support a register of landlords in the city</p> <p>The 3 main options have been identified:</p> <p>Selective Licensing: To adopt selective licensing a local authority has to demonstrate not only that an area has larger than average private rented sector but is also experiencing a number of issues (low housing demand, anti-social behaviour, poor property conditions, an influx of migration, a high level of deprivation, high levels of crime.) Although we do have a large private rented sector market, evidence will be required prior to any consultation on options for any selective licensing. It is proposed that research will be undertaken to explore options.</p> <p>Additional Licensing: Following the introduction of additional licensing for smaller HMOs in 5 wards identified as having high levels of the smaller HMO in November 2012, the scheme will be extended to 7 other wards in the city on 2 November 2015. Discretionary licensing will be kept under review and subject to proliferation of smaller HMOs and any issues arising with management and standards.</p> <p>Voluntary Accreditation: Also see response to Recommendation 16 above. This scheme recognises and rewards good landlords / agents. As the city has a very buoyant, high demand private rental market an accreditation scheme is unlikely to be attractive to landlords / agents unless high level incentives could be offered. We propose to consult with landlords and other interested parties and review whether this scheme would be viable.</p> <p>These 3 main options and any further will be considered as part of review into the city's private rented sector.</p> <p>This recommendation is supported in the Housing Strategy 2015 through the following strategic actions:</p> <ul style="list-style-type: none"> • Support a register of landlords in the city. 		
Current position – short commentary by service lead(s):		
2016 Update:		

Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

The new additional licensing scheme affecting 7 further central and coastal wards began as planned on 2 November 2015, with over 250 applications received to date. In total around 3,000 HMOs across the city are now licensed. HMO licensing enforcement work is ongoing.

Research is being undertaken into whether or not further discretionary licensing would be appropriate anywhere in the city and the results will be reported to a future Housing & New Homes Committee.

The Fairness Commission has recognised that this is beyond the remit of the council without a citywide licensing scheme and has recommended (Rec 7.3) to national government “*Introduce a national register of landlords and letting agents. Entry to the register would be available only to those landlords who maintain good standards of accommodation and management to be set under a national scheme.*”

Status (Sept 2016)	<i>Red – Off target and not likely to come back to on target without intervention. Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary). Green – On or above target</i>	N/A (National Government Lead)
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Appendix 1: One Year On Update to Private Rented Sector Scrutiny Panel Recommendations (September 2016)

Private Sector Housing PRS Deputation to Housing Committee – June 2015: Request 3	Council Service Lead(s)	ELT Lead
To petition government to allow a rent cap to be introduced	Martin Reid (Housing)	Nick Hibberd
Council Response October 2015		
Full Council would have to make such a recommendation.		
Current position – short commentary by service lead(s):		
<p>2016 Update: The Fairness Commission has recognised that this is beyond the remit of the council without a citywide licensing scheme and has recommended (Rec 7.3) to national government to “<i>Introduce rent controls in the private rented sector through three-year standard tenancies with rent increases in that period pegged to inflation. Rents would be reset after the three-year period. This would give tenants more security of tenure and protect them from spiralling rent increases.</i>”</p>		
Status (Sept 2016)	<p>Red – Off target and not likely to come back to on target without intervention. Amber – Currently off target but officers are confident that performance should reach target with current improvements in place (detail these in the commentary). Green – On or above target</p>	N/A (National Government Lead)

