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| Subject: | Scrutiny Panel Report on Private Sector Housing | | |
| Date of Meeting: | 11 November 2015 | | |
| Report of: | Executive Director Environment, Development & Housing | | |
| Contact Officer: | Name: | Martin Reid | Tel: 29-3321 |
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| Ward(s) affected: | All | | |

FOR GENERAL RELEASE**1. PURPOSE OF THE REPORT AND POLICY CONTEXT**

- 1.1 In 2014, a request was received from the Citizen's Advice Bureau to look at the private rented sector using a scrutiny panel, because of the '...worrying increase in the number of people seeking advice from CAB' in relation to the private rented sector and letting agents.
- 1.2 The request to set up a Panel was approved at the council's Overview and Scrutiny Committee on 20th October 2014. The Panel members were Professor Darren Smith, Professor of Geography, Loughborough University (Chair); Councillor Chaun Wilson and Councillor Phélim MacCafferty.
- 1.3 The Scrutiny Panel's formal report and recommendations were published in March 2015 and presented to the Housing and New Homes Committee on 17 June 2015 with a proposal that officers bring a report back to the Housing & New Homes Committee with a formal response to the recommendations for member consideration.
- 1.4 This report is the formal response to members of Housing & New Homes Committee. It is important to note that not all Private Sector Housing Scrutiny recommendations fall within the remit of the Housing & New Homes Committee. The report and Appendix identifies and recommends acceptance of Scrutiny Panel recommendations that align with Housing Strategy 2015 agreed at Housing Committee (14 January 2015), Council (29 March 2015) and Brighton & Hove Connected (Sept 2015). This encompasses most of the Scrutiny recommendations. Housing Committee and Council agreed to adopt the Housing Strategy and authorised the Executive Director take all steps necessary to implement the Strategy. The latter includes development of a detailed Action Plan for the Housing Strategy. It is proposed that the scrutiny recommendations within the remit of Housing & New Homes Committee are taken forward as part of the development of the Housing Strategy Action Plan.

2. RECOMMENDATIONS

- 2.1 That the Housing & New Homes Committee approves the proposed response to Scrutiny Panel Report on Private Sector Housing (Appendix 1) in relation to matters within the remit of the Housing & New Homes Committee. Other non

Housing matters will be reported to the relevant policy committee for consideration.

3. CONTEXT/ BACKGROUND INFORMATION

- 3.1 In 2014 a request was received from the Citizen's Advice Bureau to look at the private rented sector using a scrutiny panel, because of the '*...worrying increase in the number of people seeking advice from CAB*'¹ in relation to the private rented sector and letting agents.
- 3.2 The request to set up a Panel was approved at the council's Overview and Scrutiny Committee on 20th October 2014. The Panel members were Professor Darren Smith, Professor of Geography, Loughborough University (Chair); Councillor Chaun Wilson and Councillor Phélim MacCafferty. The panel set their terms of reference to:
- Understand the current private sector housing market in the city, and how it has changed since 2011;
 - Consider the best ways of managing private sector housing and improving standards in this sector;
 - Determine whether the relevant actions identified for private sector housing in the Draft Housing Strategy 2015 tie up to the evidence gathered by the panel. Where possible the panel will suggest how these actions could be practically implemented.
- 3.3 The Panel's formal report and recommendations were published in March 2015. Members recognise that there is a lot of good practice in the city, particularly in terms of organisations joining forces in new and innovative ways.
- 3.4 The recommendations were presented to the Housing & New Homes Committee on 17 June 2015 and officers were asked to prepare a formal response.
- 3.5 Following the June committee, the recommendations were discussed at the Strategic Housing Partnership which agreed to a series of Task and Finish groups to consider in more detail those that were beyond the remit of the local authority or had a wider partnership impact.
- 3.6 As outlined below, Task and Finish groups have been held with Planning, the University of Sussex, Brighton University and Student Union representatives.
- 3.7 Three Task and Finish groups have meet during September and October 2015:
- 10 September the first meeting took place with Martin Reid, representing Housing and Sandra Rogers, representing Planning in attendance.
 - 6 October the second meeting took place with Councillor Tracey Hill, Martin Reid representing Housing, Sandra Rogers and Steve Tremlett representing Planning, Charles Dudley, Dean Spears representing the University of Sussex and Sarah Gibbons representing the University of Sussex Student Union in attendance.

¹ [http://present.brighton-hove.gov.uk/Published/C00000726/M00005368/AI00042816/\\$LettingAgentsPrivateRentalsFINAL.docx.pdf](http://present.brighton-hove.gov.uk/Published/C00000726/M00005368/AI00042816/$LettingAgentsPrivateRentalsFINAL.docx.pdf)

- 22 October the third meeting took place with Councillor Tracey Hill, Martin Reid representing Housing and Julie Barker and Sabina Wagner representing the University of Brighton in attendance.

3.8 The table below summarises the scrutiny recommendations and our proposed response, with many of them aligning with the Housing Strategy 2015 (see Appendix 1 for a more detailed analysis):

3.9 It is important to note that not all Private Sector Housing Scrutiny recommendations fall within the remit of the Housing & New Homes Committee.

3.10 Recommendations identified as ‘accepted’ align to City-wide Housing Strategy and / or recommendations of previous reports to Housing Committee and Housing & New Homes Committee.

3.11 Specific actions or initiatives within the remit of Housing will be subject to more detailed reports for consideration to future Housing & New Homes Committee meetings as part development of the Housing Strategy 2015 Action Plan.

3.12

Scrutiny Panel Recommendations: Summary

Key: Accept: ✓ / Partially Accept: ≈ / Reject: ✗

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| 1 | Support a strong and buoyant local private sector housing market | ✓ |
| 2 | Understand the city’s changing housing market and evidence the influence of additional purpose – built student accommodation | ✓ |
| 3 | Conduct regular reviews of the Housing Strategy’s evidence-base | ✓ |
| 4 | More effectively regulate the conversion properties to HMOs | ✓ |
| 5 | Consider the effects of the Article 4 Direction on the city’s HMOs, and the use of licensing schemes and other legislative powers | ✓ |
| 6 | Increase the supply of affordable owner-occupied housing | ✓ |
| 7 | Improve the identification of empty private sector homes and voids, and maximise the use of these properties | ✓ |
| 8 | Joint working with neighbouring local authorities to strategically plan housing supply and demand in a regional context | ✓ |
| 9 | Allow the universities to continue to grow their student populations across the Greater Brighton area | ✓ |
| 10 | Consider the effects of the densification student accommodation on university campuses and the Lewes Road corridor | ✓ |
| 11 | Identify/develop sites for affordable student housing developments in other parts of the Greater Brighton area | ✓ |
| 12 | Promote the development of student union and/or university letting agencies | ✓ |
| 13 | Promote the development of university-endorsed landlords and letting agents, and encourage these to be championed | ✓ |
| 14 | Promote the use of a city-wide rate-my-landlord scheme | ✓ |

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| 15 | Develop ethical models for letting agents, estate agents and landlords, and publish these organisation on a website | ✓ |
| 16 | Development and promote the uptake and benefits to landlords of registration to PRS accreditation schemes | ✓ |
| 17 | Create a register of landlords proven to have undertaken retaliatory evictions | ≈ |
| 18 | Increase the supply of private sector housing with rental costs that are affordable | ✓ |
| 19 | Increase the supply of affordable 'social housing' for key workers and vulnerable people | ✓ |
| 20 | Foster joined-up working between city council departments and other relevant organisations | ✓ |
| 21 | Set up a living rent commission (Not Scrutiny, but request at Housing & New Homes Committee) | Fairness Commission≈ |
| 22 | Set up a register of all private rented sector landlords (Not Scrutiny, but request at Housing & New Homes Committee) | Review options |
| 23 | Petition government to allow a rent cap to be introduced (Not Scrutiny, but request at Housing & New Homes Committee) | Full Council |

4. ANALYSIS & CONSIDERATION OF ANY ALTERNATIVE OPTIONS

4.1 An analysis of each recommendation is contained in Appendix 1.

5. COMMUNITY ENGAGEMENT & CONSULTATION

5.1 The Panel held three public evidence-gathering sessions in January 2015 and also attended the Strategic Housing Partnership. The Panel also received some verbal and written evidence submitted in confidence from people in the city living in the private sector housing.

5.2 Further discussions and Task and Finish groups have been held with the Strategic Housing Partnership, Planning, University of Sussex and University of Sussex Student Union and Brighton University.

6. CONCLUSION

6.1 Scrutiny Panel investigations provide a useful independent insight into areas of concern. It is appropriate that the findings of these investigations are considered to assess their appropriateness in determining the future strategic direction.

6.2 We have discussed the recommendations with partners to help shape our formal response and, subject to approval, will implement the recommendations as per the analysis in Appendix 1.

7. FINANCIAL & OTHER IMPLICATIONS:

Financial Implications:

7.1 Any costs associated with Implementation of the recommendations of the Scrutiny Panel for Private Sector Housing are expected to be met from current

budgetary resources. If implementing any of these recommendations would lead to a budget pressure, then further budget approval would be sought in advance of any commitment to spend.

Finance Officer Consulted: Monica Brooks

Date: 29/10/15

Legal Implications:

7.2 At its meeting in March 2015, the Overview and Scrutiny Committee resolved that the Scrutiny Panel Report on Private Sector Housing be endorsed and referred to the relevant policy committee(s) for consideration. The Overview and Scrutiny Terms of Reference and Procedure Rules require policy committees to prepare a response to the recommendations detailing whether each recommendation is agreed or not. To the extent that the recommendations fall within the remit of the Housing and New Homes Committee, this report satisfies that requirement.

7.3 Legal advice will be available as and when required to implement any of the recommendations.

Lawyer Consulted: Liz Woodley

Date: 30/10/15

Equalities Implications:

7.4 The Scrutiny Panel was held as a result of inequalities in the Private Rented Sector with recommendations developed to address these inequalities. Where an accepted recommendation leads to a significant change in strategy, policy or service delivery that has wider impacts, the specific equalities implications of this will be assessed as part of the change.

Sustainability Implications:

7.5 A well managed affordable high quality private rented sector is essential to support the households living in the city's 34,000 private rented homes.

Crime & Disorder Implications:

7.6 A number of recommendations relate to taking a more proactive stance against rogue landlords to help ensure that private rented tenants live in good quality well managed homes.

Risk and Opportunity Management Implications:

7.7 The private rented sector is essential to provide housing solutions and reduce homelessness pressures.

Public Health Implications:

7.8 The Housing Strategy 2015 recognises that poor quality and badly managed homes are detrimental to health and wellbeing.

Corporate / Citywide Implications:

7.9 A well managed affordable high quality private rented sector is essential to support the wellbeing of those living in the city's 34,000 private rented homes to maintain health, sustain a workforce and support children's education.

SUPPORTING DOCUMENTATION

Appendices:

1. Analysis of Recommendations from the Scrutiny Panel Report on Private Sector Housing

Documents in Members' Rooms

None

Background Documents

1. Scrutiny Panel Report on Private Sector Housing, Housing & New Homes Committee, 17 June 2015