

Overview and Scrutiny Task Group - Private Rented Housing Inspection

Tuesday, 21 February 2012

Present: Councillor Beverley Murray (Chair) and Alison Hansford, Harold Heaton, Steve Holgate, Hasina Khan, Paul Leadbetter and June Molyneaux

Also in attendance: Simon Clark (Head of Health, Environment and Neighbourhoods), Chris Moister (Head of Governance), Zoe Whiteside (Head of Housing), Kath Knowles (Housing Strategy Manager), Carol Russell (Democratic Services Manager).

12.RHI.7 APOLOGIES FOR ABSENCE

There were no apologies for absence.

12.RHI.8 MINUTES OF THE LAST MEETING HELD ON THURSDAY, 2 FEBRUARY 2012

RESOLVED – that the minutes of the last meeting be approved subject to revised wording on paragraph 4 of minute 12.RHI.3 to read:

“There is no statutory duty to have a programme of inspection except in relation to Houses in Multiple Occupation...”

12.RHI.9 DECLARATIONS OF ANY INTERESTS

There were no declarations of interest.

12.RHI.10 ADVICE ON THE USE OF DATA HELD BY THE COUNCIL

Further to a request at the last meeting for advice on whether Council departments could share information in order to ascertain where the estimated 4100 private rented properties are located in the Borough, Chris Moister, Head of Governance presented a report which advised on the legality of information sharing within the Council. The estimated number of private rented properties in the Borough was based on the most recent housing conditions survey.

The report indicated that where legislation did not specifically authorise the sharing of information, then there was no authority to do so. Specific information gained from, for example housing benefit applications, was restricted by data protection legislation. However claimants could sign a form to say they had no objection to their information being used by other departments.

Members discussed other mechanisms for gaining addresses to enable a register of private rented property in the borough to be drawn up. Suggestions included:

- Councillors often have a good idea which properties in their ward are privately rented
- Estate agents could be asked for private rented addresses – although may not be willing to disclose that information
- Existing knowledge of officers in environmental health who currently inspect properties.

- Use of information on the housing register maintained by the housing team.

It was acknowledged that a register of private rented accommodation in the borough would not be either wholly complete or accurate but would provide a good basis with which to introduce a more proactive inspection regime or run a landlord accreditation scheme.

RESOLVED - that the following sources of information for the addresses of private rented properties in the borough be considered:

- **Councillor knowledge**
- **Officer knowledge**
- **Estate agents**
- **Housing Register**
- **Housing Benefit – requires claimants agreement.**

12.RHI.11 POWERS UNDER SECTION 3 OF THE HOUSING ACT 2004

Simon Clark, Head of Health, Environment and Neighbourhoods reported that once private rented properties had been identified in the borough, his staff had powers to inspect any private rented property under Section 3 of the Housing Act 2004.

Enforcement action, if required, could take place under health and safety, environmental health or building regulation powers, depending on the defects identified. Such a programme of inspection would require additional staff resources if it were pursued. In addition it would be beneficial if a housing policy was developed providing minimum housing standards against which the Council could inspect.

Members were advised that the rented housing market was very sensitive and whilst a more proactive inspection regime could help improve housing conditions in the private rented sector, those landlords who did not provide good standards of accommodation could decide to move out of the borough. This could reduce the supply of rented housing available, particularly for those on the lowest incomes.

RESOLVED - that the development of a policy for minimum private rented housing standards be considered as part of the Task Group's recommendations.

12.RHI.12 INFORMATION ON LANDLORD ACCREDITATION SCHEMES

Kath Knowles reported on authorities operating Landlord Accreditation Schemes (LAS) in the north west. Landlord Accreditation Schemes provide a set of standards for the condition or management of privately rented accommodation. Landlords who join a scheme and meet the standards are then accredited. Joining a scheme is purely voluntary but there are some advantages for the landlord. Landlords can advertise themselves to tenants as accredited – showing their emphasis on good quality accommodation. There may be other incentives, depending on the scheme in operation.

In terms of local authority benefits, encouraging landlords to be accredited can improve private rented housing conditions overall, however generally speaking the

better landlords will be the ones attracted to the scheme with landlords with lower standards of accommodation being unlikely to join.

Kath Knowles circulated information about the Residential Landlords Association Accreditation Scheme (RLAAS) which is a national landlords accreditation scheme which local authorities can join. Authorities locally who use this scheme are Blackpool, Fylde and Wyre, with West Lancashire currently signing up to the scheme. Key points were:

- Joining the scheme was likely to cost around £4000. This is purely an estimate based on West Lancashire's fee which has a similar number of private rented properties.
- This is a very cost effective way of running a LAS with landlords undertaking an online self assessment application on the condition of their properties.
- There are 2 options for joining the scheme, with the Strategic Partnership option being the most appropriate for Chorley. Under this scheme the RLAAS would inspect 10% of all accredited properties for compliance.
- The commitment would be for 5 years with an option to review at the end of years 1 and 3.
- The cost to landlords to join the scheme varied from free (up to 5 properties) to £180 (for more than 30 properties).

Members discussed the value of a Landlord Accreditation Scheme in helping to improve housing standards in the private rented sector. They expressed interest in considering other types of schemes including the use of RSLs and a partnership arrangement with Wigan Council's LAS.

RESOLVED – that in order for the Working Group to consider a range of options, officers work together to produce a report for the next meeting which provides the following information :

- 1. Potential sources of information in order to compile a register of private rented properties in the borough (see previous minute) with a view to introducing a low level inspection regime, including the estimated resources required to support this.**
- 2. The main issues to be addressed in a private rented housing conditions policy which would enable the Council to establish a set of housing standards against which housing inspection officers could work under a more proactive inspection regime (see previous minute); and**
- 3. Options for a Landlord Accreditation Schemes, including the RLAAS and potential partnership arrangements with other LASs (including Wigan and RSLs), information about Selective Licensing and any other similar schemes. Potential costs to administer and support such schemes to be included.**

12.RHI.13 DRAFT SCOPING DOCUMENT

Members considered the draft scoping document drawn up at the last meeting.

RESOLVED – that the scoping document be revised in line with discussion detailed above.

12.RHI.14 DATE OF NEXT MEETING

Thursday 22 March 2012 at 6.00pm.

Chair