

COUNCIL SEMINAR
5th January, 2016

Present:- Councillor Wallis (in the Chair); The Mayor (Councillor M. Clark), Councillors Ahmed, Atkin, Beaumont, Currie, Elliot, Ellis, Godfrey, Hamilton, Jones, Khan, Parker, Pitchley, Price, Reeder, Rose, Rushforth, Sansome, Sims, Smith, Taylor, M. Vines, Whelbourn, Wyatt and Yasseen.

Apologies for absence were received from Councillors Jepson, McNeely and Watson.

SELECTIVE LICENSING.

Councillor E. Wallis, Advisory Cabinet Member for Housing, welcomed the Elected Members in attendance. She also welcomed Matt Finn, Community Protection Manager, to the seminar. Matt had prepared a presentation on the Selective Licensing scheme that had been in place in Rotherham since 1st May, 2015.

The presentation included: -

- Selective Licensing had a dedicated team to administer it;
- Admin and monitoring was funded wholly by licensing fees;
- Enforcement was funded by other Council resources, not from the licence fee income;
- There were inspections and 'Housing Health and Safety Rating System' (HHSRS) assessment of all properties as part of the scheme;
- Selective Licensing was licensing of privately rented housing in designated areas to meet specific aims;
- The cost was £592 per house, flat or small house in multiple occupation;
- Private rented houses in the selective licensing area must be licensed: -
 - There were limited exceptions, including close family lets and 21+ year tenancies by agreed changes to Deeds.
- The Selective Licensing aims joined up closely with the Housing Strategy Commitments;
- Matt shared the maps covering the areas that Selective Licensing covered: - Eastwood, Masbrough, Dinnington and Maltby;

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- Matt explained why certain estates within the areas had been excluded from the Selective Licensing scheme.

The consultation process: -

- Ran for ten weeks;
- The majority of respondents were in favour;
- Many alternatives were considered during the process;
- Designations and formal notification was made in December, 2014.

The implementation process:-

- Communication with all stakeholders;
- Building preparation for the Judicial Review;
- 1st May, 2015, was the day of implementation;
- Selective Licensing worked as an integral part of wider neighbourhood enforcement work sharing skills, data, objectives, processes and systems;
- There was comprehensive guidance and information available via www.rotherham.gov.uk/landlordlicensing ;
- Applications checks were undertaken: -
 - Prior to licensing – information checks;
 - Fit and proper person test;
 - Bad debt test.

Conditions imposed by the Selective Licensing scheme: -

- There were 49 Conditions;
- Four mandatory Conditions: -
 - Gas safety and annual submission to the Council;
 - Electrical equipment and furniture safety;
 - Fire detection;
 - Written tenancy agreements.
- Other Conditions were: - property safety, management standards, security and environment and anti-social behaviour.

Compliance with the Selective Licensing scheme: -

- Initial inspection;
- Licence monitoring;
- Forward planning.

Performance against the Selective Licensing Scheme: -

- 855 (68%) applications had been received and had been processed through initial processing within the first 8 months;
- There were 513 licensed properties;
- 74 initial inspections had been completed: -

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- There had been more hazards than anticipated in the properties inspected;
- The process was taking longer.
- The Year One target was to have 70% of properties licenced by April, 2016;
- The Year Two target was to have 85% of properties licenced by April, 2017;
- Enforcement.

The final section of Matt's presentation included issues and refinement relating to the current Selective Licensing scheme and national developments that were relevant.

Discussion followed and the following questions were raised: -

Councillor Parker asked whether the Council sampled the inspections that had been conducted? Who was doing this? Can we trust the inspection outcomes? If there was a lag between independent inspection and sampling, it could put people at risk. How much power did the fit and proper person checks have? Were all Housing Associations exempt from Selective Licensing?

Matt agreed that the safety inspections would be problematic if there was no checking. It was a requirement that these were conducted independently. Sampling of the self-assessments did take place, and a small number had been conducted at the present time. The 'Fit and Proper' barrier did exist because the Service could not share a batch of information with the police. Housing associations were exempt by law and managed by the Homes Inspection Agency.

Councillor Currie asked whether the scheme would be widened to include all landlords in the Borough?

Matt referred to the level of uptake and differences to tenants' living conditions. It may be that, in the future, there was a case to extend the scheme into another area/s.

Councillor Wyatt asked if the council had had to bear any costs relating to the Judicial Review process?

Matt confirmed that the Council had been awarded an amount that covered the majority of costs incurred. The majority of the sum had been paid to the Council, but there was a balance remaining.

Councillor Ellis passed on her congratulations to the team for their successes so far. She had concerns about the fit and proper persons process. Could this be shared with other licensing services? Were there any trends of landlords selling up in the areas and buying in non-licensed areas?

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Matt felt that this would dilute the problems and should see the loss of the areas' bad landlords.

Councillor Pitchley referred to rogue landlords in areas that were not licensed who fixed things when they know there would be an inspection.

Matt explained the communications that were made regardless of area.

Councillor Khan asked if a reduction in fly tipping had been observed? It was not unheard of for tenants to move on and wreck houses as they went.

Matt described how it was still early doors on fly tipping. Selective Licensing did have aims and expectations for landlord and tenant behaviour improvements. Many landlords were encouraged to use the reference system, including credit checks, previous landlord references and inspection of previous properties. This would check on tenant behaviour before they arrived.

Councillor Wallis thanked Matt Finn for his informative presentation and contribution to the discussion. She was convinced that there was a need for the scheme; two out of three properties inspected required work to remedy them, including fire safety measures. This could not be understated. Councillor Wallis paid tribute to the work of Councillor Godfrey who put the framework in place to improve people's lives and make a tangible difference.

Councillor Wallis thanked Matt and the Selective Licensing Team for their work and continuing efforts.

Resolved: - That the information shared be noted.