

CABINET – 16TH JANUARY 2020

Report of the Scrutiny Commission

ITEM 7 PRIVATE SECTOR LICENSING SCHEME

Purpose of Report

To consider the comments and recommendations of the Scrutiny Commission in relation to the Private Sector Licensing Scheme.

Recommendation of the Scrutiny Commission

That the Cabinet be informed that the Commission welcomes and supports the recommendations set out in the report of the Head of Strategic and Private Sector Housing. The Commission also stated that they recognised the substantial work that had enabled the scheme to be progressed to the current stage.

Reason

The Commission, having carefully considered and asked questions on the report felt the Cabinet should approve the recommendations set out.

Meeting Discussion

- i. The significance of the areas covered for selective licensing was based upon specific areas of need, as opposed to ward boundaries.
- ii. There were two high risks identified associated with the scheme. These referred to the likelihood of Landlords legally challenging the decision making process to implement the scheme, and the concern over the Council resourcing the scheme. The vast majority of issues experienced by other local authorities employing a similar scheme had been in relation to the consultation processes used. The Council had placed significant emphasis on ensuring the scheme and process were suitable and could identify best practice from reviewing the work of the other local authorities engaged in a similar scheme.
- iii. The licencing fee was derived from the estimated cost of the initial inspection and administration required. The process was considered to be sufficient at the current stage and further work would be undertaken to develop the next stages. There would be scope to evolve the scheme if evidence suggested this was appropriate.
- iv. The consultation process was expected to highlight aspects that may have been overlooked, general opinions and any discontent.
- v. Any issues related to resourcing implications would need to be addressed as the scheme was required to be financially viable, commercially sensible and effective. More detailed information on this would be available in the next report which would be reviewed by Cabinet at its meeting on 2nd July 2020.

- vi. Information on the escalation process for non-compliance was not available at the meeting. The Council worked positively to gain compliance when this was required and there was also a corporate enforcement policy in place. Compliance enforcement was crucial in ensuring the scheme worked effectively.
- vii. The requirements of the legislation meant that significant detail had been included within the scheme, detailing a range of potential issues. The information available to the Council was evidence to support the implementation of the scheme.
- viii. Any Landlords that chose to exit the scheme would be subject to the usual enforcement actions that might apply at any time. Intelligence information would be gathered from a range of sources to support enforcement actions.

Policy Justification and Previous Decisions

Scrutiny Commission Procedure Rule 11.12 sets out the procedure by which a report of a Scrutiny Committee should be considered by Cabinet.

Implementation Timetable including Future Decisions and Scrutiny

The information in this in the Cabinet report is not affected by the recommendation of the Scrutiny Commission.

Report Implications

The following implications have been identified for this report.

Financial Implications

There are no further financial implications associated with the recommendation of the Scrutiny Commission.

Risk Management

There are no specific risks associated with the recommendations of the Scrutiny Commission.

Key Decision:	Yes
Background Paper:	Scrutiny Commission Minute 91b 2019/20, 13th January 2020
Officer to Contact:	Sally Watson Democratic Services Officer (01509) 634969 Sally.watson@charnwood.gov.uk