

CABINET – 1ST JULY 2021

Report of the Scrutiny Commission

ITEM 7 ADDITIONAL AND SELECTIVE LICENSING SCHEME – LICENCE CONDITIONS

Purpose of Report

To consider the comments and recommendations of the Scrutiny Commission in relation to the Additional and Selective Licensing Scheme – Licence Conditions.

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.

Reason

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

Meeting Discussion

- i. It was emphasized that the proposed policies would improve the Southfields ward and that many residents within the Southfields ward would appreciate the policies.
- ii. In the event that the Licence Holder failed to ensure that any garden, forecourt, yard or passageway within the HMO's curtilage is kept in a reasonably clean and tidy condition, the Council would issue a notice and ultimately issue a civil penalty against the Licence Holder. The enforcement of the Council would depend on the individual situation. The Council was able to retain funds from the issuing of the civil penalties.
- iii. In the event that antisocial behaviour had taken place, despite the terms of any tenancy or licence agreement including provisions concerning anti-social behaviour, the Council would assess the individual issue and the actions that had been taken. The Council would be required to identify whether it was the landlord or the tenant at fault and would proceed in the appropriate manner. It was emphasized that antisocial behaviour was subjective and difficult to define, however the Council had a number of measures in place to identify antisocial behaviour. These included advising record-keeping, providing noise capturing equipment and collecting evidence.

- iv. The Council would monitor compliance with the proposed policies and work with partners such as Loughborough University in order to ensure that the policies worked effectively.
- v. A structure to deliver the proposed policies had been established which had allocated two members of staff to the operation of the schemes. The number of staff members supporting the scheme could increase if service needs required.
- vi. Issues identified that related to bin allocations would be addressed by informing the Landlord of the appropriate action. This could include advice on arranging additional bins or additional collections.
- vii. The proposed policies were cost neutral. The objective of the policies was not to make a profit but to address gaps within licencing schemes.
- viii. Landlords and Letting Agents were required to complete necessary checks and obtain good references of prospective tenants. This was to ensure that tenants were more likely to comply with the licencing conditions within the proposed schemes.
- ix. Following the consultation period, the policies had been condensed. This was the result of identifying conditions which were covered by legislation and therefore did not require further enforcement from the Council.
- x. Condition 24 of the HMO Licensing Scheme stated that Landlords were required to undertake training covering the law and any legal requirements relating to managing privately rented housing. A list of external training providers would be suggested to Landlords.
- xi. Members acknowledged that substantial amount of work in developing the proposed licensing schemes and thanked the Officers and Lead Members involved. Members also recognised that the schemes would make a significant positive difference to residents within the wards concerned.

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 on 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 15 2021/22, 28th June 2021
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