

# Public Document Pack

## CABINET

9 OCTOBER 2017

Present: Councillors Chowney (Chair), Forward, Batsford, Poole, Fitzgerald, Beaney, Lee and Patmore

### 35. DECLARATIONS OF INTEREST

The following Councillors declared an interest in the minutes:

Councillor	Minute	Interest
Chowney	38 – 2 <sup>nd</sup> anniversary review of the Private Rented Sector Selective Licensing Scheme	Prejudicial - he owns a licensed property
Forward	38 – 2 <sup>nd</sup> anniversary review of the Private Rented Sector Selective Licensing Scheme	Prejudicial – she owns a rental property
Forward	39 – Report on New Additional Licensing Scheme	Prejudicial – she owns a property which may be suitable for use as a HMO in the future

### 36. MINUTES OF THE MEETING HELD ON 4 SEPTEMBER 2017 AND 11 SEPTEMBER 2017

**RESOLVED** that the minutes of the Cabinet meetings held on 4 September 2017 and 11 September 2017 be approved and signed by the chair as a correct record

### 37. MINUTES OF THE MUSEUMS COMMITTEE MEETING HELD ON 19 JUNE 2017 AND 11 SEPTEMBER 2017

The Chair moved this item up the agenda.

The minutes of the Museums Committee meetings held on 19 June 2017 and 11 September 2017 were submitted.

**RESOLVED** that the minutes of the Charity Committee meeting held on 20 March 2017 be received and agreed

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### 38. **2ND ANNIVERSARY REVIEW OF THE PRIVATE RENTED SECTOR SELECTIVE LICENSING SCHEME**

Councillors Chowney and Forward, having declared a prejudicial interest in this matter, left the chamber for this item. Councillor Fitzgerald took the chair.

The Housing Renewal Manager presented the report of the Assistant Director, Housing and Built Environment, which reviewed performance of the private rented sector selective licensing scheme, which had reached its second anniversary. The report made recommendations on the future operation of the scheme.

In March 2015, Cabinet had approved a selective licensing scheme for private rented accommodation across 7 wards in the borough. The scheme came into force on 28 October 2015, for a 5 year period. The council had undertaken a review to assess how the scheme was performing against the key outcomes of reducing anti-social behaviour, improving housing conditions for private tenants, improving management standards and reducing the number of empty properties. However, it was noted that there was unlikely to be significant improvement in any of these outcomes after only two years of operation of the scheme.

To date, the council had received over 6,000 applications for selective licensing and issued over 5,000 licenses, exceeding the projections set out in the original business plan. An early bird rate had been offered for landlords who came forward to licence their properties at the start of the scheme. Enforcement action has also been taken with regard to landlords who had not yet come forward to licence their properties.

The scheme is intended to be cost neutral to the council at the end of its 5 years of operation. Following the review it was intended to increase the application fee for any remaining licenses. The council was also considering a new licensing scheme for Houses in Multiple Occupation (HMO). If this goes ahead, there may be an opportunity to transfer existing staff from selective licensing to operate the new HMO licensing scheme.

Councillor Batsford proposed approval of the recommendations to the Assistant Director, Housing and Built Environment's report, which was seconded by Councillor Lee.

#### **RESOLVED (unanimously) that:**

- 1. The progress of the scheme is noted, and;**
- 2. The proposed revised licence fee structure, set out at appendix 2 to the report, is adopted**

#### The reason for this decision was:

A review of the selective licensing of all private rented accommodation across 7 wards in the borough has identified that the licence fee previously adopted for the scheme on 30 March 2015 is insufficient to ensure the scheme meets a stated aim to be cost neutral to the council at its completion and as such an increase in fee for those properties presently unlicensed is required.

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### 39. REPORT ON NEW ADDITIONAL LICENSING SCHEME

Councillor Forward, having previously declared a prejudicial interest in this item, was not present in the chamber.

The Housing Renewal Manager presented the report of the Assistant Director, Housing and Built Environment, for Cabinet to consider proposals for adopting an additional licensing scheme for Houses in Multiple Occupation (HMO) in Braybrooke, Castle, Central St Leonards and Gensing wards.

Hastings has a high concentration of HMOs. Whilst many of the properties are well managed and kept in good repair, there are a significant number that are not considered acceptable.

The council operated an additional HMO licensing scheme between September 2011 and October 2016 in four wards. An exit review of the scheme found a number of successes, including improvements to the condition of the properties. However, a further stock condition survey, carried out in summer 2016, found that some HMOs remained in a poor condition, and in some cases lacked suitable management and safety arrangements.

A new additional licensing scheme has been developed, based on examples of good practice from other authorities. The new scheme is intended to incentivise landlords to carry out improvements to their properties by offering options for a 1, 3 and 5 year licence depending on the condition of the property and the management arrangements in place. A new online application form would also be developed. The council was permitted to charge a fee to cover the costs of administering the scheme and issuing the licenses.

An 11 week public consultation on the proposed scheme had been held earlier in the year, which included events to engage with local landlords. No significant objections to the proposal had been received through the consultation.

The Housing Renewal Manager advised of an amendment to recommendation 1 of the report, as set out in the resolution below, to include a delegated authority for the Chief Legal Officer to make any minor amendments to the scheme. The date the designation will come into force was also amended from 1 April 2018 to 4 May 2018, to coincide with changes to ward boundaries which will also come into effect at the same time.

Councillor Batsford proposed approval of the amended recommendations to the Assistant Director, Housing and Built Environment's report, which was seconded by Councillor Beaney.

#### **RESOLVED (unanimously) that:**

- 1. Cabinet approves and adopts the Hastings Borough Council Designation of an Area for Additional Licensing of Houses in Multiple Occupation 2017**

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- Scheme. Delegate authority is given to the Chief Legal Officer to make minor amendments to the scheme as necessary;**
- 2. The designation is made on 10 October 2017 and comes into force on 4 May 2018 and lasts for a period of 5 years from that date;**
  - 3. The principles underpinning the licensing conditions and amenity standards proposed in appendix 2 to the report are agreed;**
  - 4. The proposed fee structure at appendix 3 to the report is noted and delegated authority is given to the Director of Operational Services in consultation with the Housing and Leisure Portfolio Holder to finalise the fee chargeable, and;**
  - 5. The fee structure introduced through the delegation granted in 4 above and licensing principles outlined in the proposal to implement an additional HMO licensing scheme for Hastings at appendix 1 to the report be introduced for Mandatory Licensable HMOs from 4 May 2018.**

The reason for this decision was:

Hastings has a proportionately large private rented sector. There is a high concentration of HMOs in areas of Hastings and St Leonards where living conditions are often well below acceptable standards. Following the success of the 2011 additional HMO licensing scheme the council wishes to implement a further HMO additional licensing scheme to continue to tackle poor standards in HMOs and provide greater protection for tenants.

(The Chair declared the meeting closed at 7.00 pm)