

Meeting	Decision Session - Executive Leader (incorporating Housing & Safer Neighbourhoods)
Date	17 October 2016
Present	Councillor Carr (Executive Leader)

12. Declarations of Interest

At this point in the meeting the Executive Leader was asked to declare if he had any personal, prejudicial or disclosable pecuniary interests in the business on the agenda. He declared he had none.

13. Minutes

Resolved: That the minutes of the Decision Session held on 18 July 2016 be approved and then signed by the Executive Leader as a correct record.

14. Public Participation

It was reported that there were no registrations to speak under the Councils Public Participation Scheme.

15. Update on the Laws relating to Private Rented Sector Housing (PRS)

The Executive Leader considered a report that updated him on the implementation of three new laws introduced in 2015 that affected the:

- Private Rented Sector (PRS)
- Redress Schemes for Letting Agents and property management work.
- Duty of Letting Agents to publicise fees and the installation of Smoke and Carbon Monoxide Detectors.

The Housing Standards and Adaptations Manager gave an update and confirmed last year:

- Officers had written to 77 agents operating in the city to highlight the laws and the financial penalties for not joining a redress scheme and publicising fees.
- Nine non-responding agents received a visit and officers were able to establish that all known agents at that stage were compliant.
- Two complaints had been received but when investigated the agents were found to be fully compliant.

Officers then provided a verbal update to the report, explaining that following the recent random sample survey, where they had found four out of six letting agents premises to be non-compliant, the remaining letting agents were visited. In total 47 letting agents, including the initial six were found to be letting homes on behalf of others and:

- fifteen were found to be non-compliant.
- seven were failing to display their fees in the office,
- four were failing to display their fees on their website and
- five were failing to display fees either in their office or on their website.

This resulted in the penalty charge notice procedure to be invoked which allowed 28 days to appeal or risk a maximum fine of up to £5000.

The Executive Member noted that the Smoke and Carbon Monoxide Detectors legislation required all private rented properties, regardless of type or number of tenants, to have a smoke alarm and a carbon monoxide alarm fitted in any room which was used wholly or partly as living accommodation or contained a solid fuel burning combustion appliance. Officers confirmed they had worked closely with North Yorkshire Fire and Rescue to publicise this law via press releases, the City of York Council website and landlord events, where more than 260 free fire alarms were provided to landlords. To date only 3 complaints had been received to investigate and no penalty charge notices had been issued.

Discussions took place regarding the new laws in the Housing and Planning Act 2016 including a package of measures aimed at tackling rogue landlords in the private rented sector. The Executive Leader noted that the new laws would not impact the private rented sector until 2017 and he welcomed an update at a future Executive Leader (incorporating Housing & Safer Neighbourhoods) Decision Session.

Resolved:

- a) That the report be noted and it be agreed that the fixed penalty fines remain at the maximum level in line with guidance to ensure that the laws introduced last year deter poor practice within the sector.
- b) That it be noted that further changes to the law relating to the Private Rented Sector (PRS) will be introduced sometime in 2017 due to the provisions of the Housing and Planning Act 2016.

Reason: To continue to impose the maximum monetary penalty will send out the right message to agents/landlords who need to ensure that they are providing transparency when setting fees and continue to improve the management/safety of the properties they let.

16. Review of Housing Registrations Service

The Executive Leader considered a report that made recommendations for changes to service delivery and updated him on the recent service review that had highlighted the need for three significant changes to the current system:

- the potential withdrawal from the sub regional partnership North Yorkshire Home Choice (NYHC),
- the reversion to allocating properties rather than using the Choice Based Lettings (CBL) system and
- the amendment to the allocations and lettings policy.

Officers provided a verbal update to the report and confirmed the review had identified a large amount of waste within the service, including staff time and improved ways to work that would benefit the customer including the option to move away from an online housing application service.

The Executive Leader noted that the option to still obtain information online, with regards to available housing options, would still be accessible but that individual conversations with customers, when making an application for social housing, was a more successful way of working to ensure the supply and demand limitations were fully understood. Feedback from customers showed they welcomed this approach and were appreciative of the honesty of officers when discussing their options.

Officers went on to explain that the next phase of the review process included negotiations with North Yorkshire Home Choice partnership on a number of issues including:

- Changes to the IT system.
- Ending online applications.
- Moving away from a Choice Based Letting Scheme and adopting an officer allocation system based on customer preference.

Officers also confirmed they were considering changes to the Allocations Policy which would receive full consultation and final approval by the Executive Leader at his Decision Session. In answer to the Executive Leaders questions it was confirmed that parts of the Allocations Policy had to be updated due to legislation changes and officers hoped the policy would also reflect each Local Authorities individual housing needs with York's biggest demand being 2 bedroom properties.

The Executive Leader highlighted a written submission opposing to the removal of the bronze priority band and he questioned officers on this. They confirmed that 29% of applications were bronze band, with only 1% resulting in an offer of a property. Officers would continue to advise customers and the removal of the bronze band would open more opportunities for those individuals or families to access alternative accommodation.

The Executive Leader thanked officers for their report and agreed they could negotiate changes with the NYHC partnership provided that the final proposals were presented at a future Executive Leader (incorporating Housing & Safer Neighbourhood) Decision Session.

Resolved:

- i) That the contents of the report be noted.
- ii) That officers be given delegated authority to negotiate changes within the North Yorkshire Home Choice (NYHC) partnership and that the final proposals, including any decision to withdraw from NYHC, be reported and considered at a future Executive Leader (incorporating Housing and Safer Neighbourhoods) Decision Session.
- iii) That the Housing Allocations Policy be considered at a future Executive Leader (incorporating Housing and Safer Neighbourhoods) Decision Session.

Reason: To offer a more efficient, targeted service to those in housing need.

Cllr Carr, Executive Leader

[The meeting started at 3.00 pm and finished at 3.25 pm].