

CABINET MEMBER FOR HOUSING

RECORD OF DECISIONS taken by the Cabinet Member for Housing, Councillor Darren Sanders, at his meeting held on Monday, 21 October 2019 at 4.30 pm at the Executive Meeting Room - The Guildhall Floor 3

Present

Councillor Darren Sanders (Cabinet Member)

Councillor Cal Corkery
Councillor Scott Payter-Harris, Conservative
Spokesperson

CLG Residents Representatives - Mada Abrams and
Peter Burton

20. Apologies for Absence (AI 1)

None.

21. Declaration of Interests (AI 2)

Councillor Corkery declared that as a housing association tenant and employee of a housing association he had received legal advice that his interest meant that he would not be able to participate in the discussion of the tenancy strategy. Councillor Sanders asked that this item be considered last as a result.

Councillor Sanders declared that with regard to the item concerning the private sector housing strategy, he rents a shared house privately but this is already a licensed property. He had been advised by the City Solicitor that he could participate and had a dispensation to do so.

22. Homelessness strategy 2018-2023 (AI 3)

Paul Fielding, Assistant Director Housing, introduced the report, explaining the requirement to have a Homelessness Strategy, and whilst a separate Rough Sleepers Strategy had been approved in 2018, the intention was to combine both strategies in 2020.

A deputation was given by Martin Silman (PDPLA) whose concerns included that the council's action had led to an increase in homelessness and that the strategy was dependent upon the goodwill of landlords but this goodwill was being lost. He also commented on the loss of available bedrooms in the city due to the minimum space standards and communal area requirements.

Clare Hardwick, Head of Private Rented Housing, responded that the space standards were a national requirement, and the space standards had been updated in 2018 to give clarity but there had not been a change to the 2013 standards. The officer inspections were required where there were 1 year licences which was explained to landlords.

Councillor Payter-Harris supported the report and asked if consideration had been given to the council purchasing Bed & Breakfasts to cut down the cost of B&B temporary accommodation? Councillor Sanders was interested in all options being examined.

Councillor Corkery also endorsed the report which showed the work of officers holding landlords to account. He raised the issue of the capacity of the Night Shelter, concerned that people were being turned away as they had not had a formal assessment. He was also worried that the temporary accommodation time limits were being breached.

Councillor Sanders was grateful to the input of his spokespersons and was pleased that the strategy had gone out to consultation. He had also raised questions regarding demand and capacity at the Night Shelter to ensure that rough sleepers have this option. He was also keen to tackle the level of reliance on B&B accommodation and commended work with the Police & Crime Commissioner and domestic violence survivors.

Councillor Sanders was pleased to agree this strategy and asked that officers prioritise the 15 proposed actions into short, medium and long term timeframes (pages 21 and 22 of the strategy document), and for this to be published.

DECISION: The Cabinet Member for Housing endorsed the Council's Homelessness Strategy 2018-2023 and associated action plan.

23. Tenancy Strategy 2019-2024 (AI 4)

Councillor Corkery left the meeting due to his declaration of interest so did not participate in this item.

Mark Fitch, the Head of Local Authority Housing, presented the report which set out the strategy for both PCC and registered provider partners who provide nomination rights. The Tenancy Strategy is reviewed on a regular basis, and this was a minor update.

Councillor Payter-Harris supported the strategy.

Members of the CLG were asked their views; they were pleased to be consulted and have representation at these meetings. A question was raised regarding the treatment of veterans by different local authorities; each council has its own allocations policy and will look at local connections. Councillor Sanders was pleased that in Portsmouth the links with the armed forces were formally recognised.

Councillor Sanders commented on paragraph 6.2 of the strategy which encourages the charging of social rent by registered providers (RPs), with the council charging affordable rents. He welcomed 5 year tenancies which would give more security and this would also be suggested to the RPs.

DECISION: The Cabinet Member for Housing approved the Council's Tenancy Strategy 2019-2024.

24. Making the private rented sector easier and safer (AI 5)

Councillor Sanders explained the background to bringing forward this report, with the private rented sector being a key part of the overall housing in the city and a wide approach to look at the options available had been called for. The subject had also been discussed in a Notice of Motion at the full Council meeting the previous week.

Clare Hardwick, Head of Private Sector Housing, introduced the report which outlined the options that could be considered to tackle problems experienced (detailed in section 5). Private sector housing represented 20% of the city's housing stock. Due to the complexity of the issues and appropriate enforcement regimes there is the need for a strategic document, and therefore consultation to invite ideas was being suggested.

Deputations are not minuted in full but can be viewed as part of the webcasting of the meeting here:

<https://livestream.com/accounts/14063785/Cabinet-Housing-21Oct2019>

Deputations were heard from:

- 1) Martin Silman, Portsmouth & District Private Landlords Association (PDPLA) who asked for further evaluation of the problems based on real evidence and robust data before solutions were suggested. He later raised that targeted licensing schemes do not have to be geographical but can also target a sector, such as housing benefit tenants. He also referred to the system in place in Southampton.
- 2) Alwin Oliver, also PDPLA, was opposed to selective licensing, and spoke of a variety of reasons for arrears, including addictions, leading to evictions, and he spoke of the different experience of landlords he represented. He favoured a specialist mediation service and later referred to the system in Scotland and Canada.

In response to questions on the pie chart on page 12 of Appendix 1 "Reasons for presenting as homeless from private rental sector assured shorthold tenancies in 2018/19 in Portsmouth" the 20% category of "Other" was explained; the chart shows categories set by government, and sometimes there is a breakdown in the relationship between the landlord and tenant. Councillor Payter-Harris was aware that it also included where tenants cannot be in situ whilst works take place.

Councillor Corkery wanted the powers to be used to drive up standards and start implement landlord licensing schemes as soon as possible and felt that this report would delay this. He also asked the process if the outcome would be for selective licensing.

Councillor Payter-Harris stressed the need to have the right data before implementing a policy.

Councillor Sanders invited comments from the CLG representatives, who reflected their own views on problems in the private rented sector, with reference to Universal Credit and rent arrears.

Paul Fielding, Assistant Director, referred to sign-posting tenants to 'Advice Portsmouth' when they had tenancy issues.

Councillor Sanders had emailed all councillors to ask for their views and to see what issues there are but had not received any replies. He was aware that there are too many people on the Council housing waiting list who chose to remain on there for years rather than consider renting privately, whilst some tenants in the private sector did have a reasonable experience. He was concerned that many landlords did not accept tenants who are on benefits. Further evidence is needed to support these assumptions. He asked Clare Hardwick to further explain the potential options listed in section 5 and to clarify that housing associations could not be licensed in the same way as private landlords.

Councillor Payter-Harris commented on the available options and he did not believe that the Rent it Right scheme had been used to its optimum. He also asked that if the Secretary of State approval was given to bring in a Selective Licensing scheme, would there be sufficient staff to cope with this? This would also be dependent upon the results of public consultation.

Councillor Corkery asked if proactive inspections would be a new step and asked about timetables for bringing in selective licensing. Clare Hardwick responded that proactive inspections were already undertaken when required and the timescales were hard to say at this stage but there is a proscriptive process.

Councillor Sanders referred to two other council areas mentioned at Council, Newham and Brighton. Paul Fielding reported that whilst in depth studies had not been undertaken he was aware that at Newham there had been problems due to links with crime and selective licensing had been brought in to tackle this. Councillor Sanders was aware that at Brighton the landlords had made a legal challenge to the selective licensing scheme, based on the lack of evidence. He also commented that selective licensing alone would not deal with the tenants in rent arrears or with poor property conditions.

Councillor Sanders did not wish to rule out any option at this stage of developing a strategy, believing that more evidence was needed to find a balance between incentives and enforcement and it was important to consult people before there was implementation of measures. James Hill, Director of Housing, Neighbourhood and Building Services, referred to section 6.2 that

showed that good practice and lessons learnt from elsewhere were being looked at, also mediation would be looked at as part of the consultation.

Councillor Corkery was concerned that this pushed back landlord licensing when it was needed now to address poor living conditions.

Councillor Payter-Harris was pleased that a cross-party Notice of Motion had been agreed and felt the report to be sensible.

Councillor Sanders then summed up that to tackle poor housing conditions and dealing with rent arrears a proper strategy, with realistic timescales, based on evidence was needed with a package of actions. This would mean that people would not be afraid to rent privately and he hoped that there would be full involvement in the consultation, including feedback from private tenants. He wanted to extend the deadline for responses from 1st December to 15th December. Councillor Sanders hoped that the strategy would come back to his decision meeting as early as possible in 2020.

DECISIONS:

(1) The Cabinet Member for Housing noted the report on Making the Private Rented Sector easier and safer (Appendix 1).

(2) That officers were tasked with developing a proposed Private Rented Sector Strategy for consideration by councillors in early 2020.

(3) That officers undertake informal consultation¹ with stakeholders, using this report as a basis for encouraging views and ideas on how to make the private rented sector safer and easier to access.

The meeting concluded at 6.20 pm.

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Councillor Darren Sanders
Cabinet Member for Housing

¹ The deadline for submissions was extended to 15th December 2019 (from 1st December)