

<b>SUBJECT:</b>	<i>Joint Private Sector Housing Strategy and Financial Assistance Policy</i>
<b>REPORT OF:</b>	<i>Cllr Paul Kelly - Healthy Communities Portfolio Holder</i>
<b>RESPONSIBLE OFFICER</b>	<i>Martin Holt - Head of Healthy Communities</i>
<b>REPORT AUTHOR</b>	<i>Louise Quinn, Senior Housing Standards Officer</i> <a href="mailto:lquinn@chiltern.gov.uk">lquinn@chiltern.gov.uk</a> 01494 732209
<b>WARD/S AFFECTED</b>	<i>All</i>

## 1. Purpose of Report

The Cabinet, at the meeting on 8 February 2017, having agreed the minor amendments made to the Strategy and Action Plan following consultation, agreed to recommend to Council that

- a) the Joint Private Sector Housing Strategy and Financial Assistance Policy be adopted; and
- b) delegated authority be given to the Head of Healthy Communities to make future minor amendments to the policies in consultation with the Portfolio Holder.

### RECOMMENDATION

**Council is asked to agree that**

- a) the Joint Private Sector Housing Strategy and Financial Assistance Policy be adopted; and**
- b) delegated authority be given to the Head of Healthy Communities to make future minor amendments to the policies in consultation with the Portfolio Holder.**

## 2. Reasons for Recommendations

- 2.1 The Private Sector Housing Strategy forms part of the Council's Policy and Budget Framework. Council Procedure Rules provide for the Chairman of Overview and Scrutiny Committee to be notified of proposed revisions to policy framework documents to enable the Committee to make any comments as part of the consultation process. The Consultation process has now been completed and a number of minor amendments have been made to the draft policy as a result.
- 2.2 New regulations regarding additional enforcement tools and penalties are expected to be published during 2017 under the Housing and Planning Act 2016, and an extension to mandatory licensing of Houses in Multiple Occupation is also anticipated, though timescales are unknown. Accordingly, the HMO and Enforcement Policies may require amendment in the short term future to reflect these. It will be expedient if the Head of Healthy Communities is able to agree any such amendments to policy in consultation with the Portfolio Holder, provided they are not a major departure to existing policy.

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### 3. Content of Report

- 3.1 On 13 June 2016, members considered a report on the draft joint Private Sector Housing Strategy and associated policies which has been prepared to replace the current Private Sector Renewal Strategy which is now out of date. The strategy reflected changes to national policy and reflected comments and ideas discussed at the member workshop held on 3 February 2016.
- 3.2 Amendments were also recommended to the financial assistance policy to provide more flexibility to assist occupants of mobile homes, disabled people requiring adaptations, and help to improve conditions in HMOs.
- 3.3 Detailed draft joint policies on Houses in Multiple Occupation and Enforcement have also been prepared to provide greater clarity around areas of practice where there is an element of discretion, for example how the Council deals with non-licensable HMOs and Category 2 hazards.
- 3.4 Following consideration by Overview and Scrutiny Committee on 30 June 2016 and approval by Cabinet on 4 July 2016, the strategy and supporting documents were subject to a 6 week consultation via the council's website. Partner agencies, representatives of the Councils Landlord Forum and the voluntary sector were consulted. Only one response was received to the consultation and a number of minor amendments and additions to the Strategy and Action Plan were suggested.
- 3.5 The comments suggested making reference to health and social care savings and to related targets in respect of fuel poverty and affordable warmth and removing the reference to AgeUK, who are no longer pursuing their campaign for energy efficiency in mobile homes. No comments were received on the Financial Assistance, HMO and Enforcement policies.
- 3.6 The Strategy and Action Plan have been amended to reflect the comments received are contained in Appendix 1, with the amendments shown in red.
- 3.7 The Housing and Planning Act 2016 introduces a range of new powers to help to tackle bad landlords which include:
- Banning Orders
  - Database of rogue landlords
  - Extension to rent repayment order
  - Additional requirements to meet 'fit and proper person' test
  - Ability to impose financial penalties as an alternative to prosecution

Regulations and further guidance is expected but has not yet been published. Furthermore, the government has stated its intention to extend mandatory licencing of houses in multiple occupation and is currently consulting on the detail.

- 3.9 It is anticipated that amendments will be required to the proposed Enforcement Policy and the House in Multiple Occupation Policy during 2017 as a consequence of these changes to the law. Consequently, delegated authority is sought for the Head of Healthy Communities to make changes to the policies in consultation with the Portfolio Holder, provided these are not a major departure to existing policy.

#### **4. Consultation**

- 4.1 On 3 December 2015, the Healthy Communities Policy Advisory Group received a presentation on the current Financial Assistance policy for comment and discussion. Two of the key local housing standards issues (Disabled Facilities Grants and Houses in Multiple Occupation) were also discussed at the joint Member workshop held in February 2016. Comments and ideas from both of these consultation events have been reflected in the strategy.
- 4.2 The Healthy Communities Policy Advisory Group reviewed these documents 13 June 2016 and supported the approach being taken.
- 4.3 Following consideration by Overview and Scrutiny Committee on 30 June 2016 and approval by Cabinet on 4 July, the strategy and supporting documents were subject to a 6 week consultation via the council's website. Partner agencies, representatives of the Councils Landlord Forum and the voluntary sector were consulted. The response to the consultation is outlined in Paragraphs 3.4 and 3.5 above.

#### **5 Options**

- 5.1 Given the lack of response to the consultation and the minor nature of the suggested amendments, the Council could proceed to adopt the original version of the strategy. However, as the comments are sensible, it is recommended that the minor amendments are included in the final version.
- 5.2 The Council could wait for the publication of the new regulations under the Housing and Planning Act 2016 and for further details to be provided about the changes to mandatory licensing of Houses in Multiple Occupation before adopting the strategy. However, as timescales are unknown and the anticipated amendments to the policies are not expected to be major, it is considered expedient to continue to implement the current version of the policies.

#### **6. Corporate Implications**

- 6.1 Finance: The proposed amendments to the draft strategy do not have any financial implications.
- 6.2 Legal: The Council has a statutory duty to regularly review housing conditions in its area and to take action to tackle serious health hazards in housing. The proposed strategy and associated documents address this obligation. The Council's Policy and Budget Framework Procedure rules requires Cabinet to publicise a timetable for making proposals to the Council for the adoption of any plan, strategy or budget that forms part of the budget and policy framework, together with arrangements for consultation after publication of those initial proposals. The consultation has been completed in accordance with these rules.

#### **7 Links to Council Policy Objectives**

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This links to the 'Working towards safe and healthier local communities' aim of the Joint Business Plan 2014-19.

## 8. Next Steps

That subject to agreement by Council, that the proposed policy and the associated documents be adopted.

<b>Background Papers:</b>	None except as referred to in this report
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