

Improvement and Review Commission Minutes

Date: 6 November 2019

Time: 7.00 - 8.35 pm

PRESENT: Councillor R Gaffney (in the Chair)

Councillors M C Appleyard, Mrs L M Clarke OBE, A D Collingwood, A E Hill, M Hussain JP, M E Knight, H L McCarthy, S K Raja, R Raja, J A Savage, D A C Shakespeare OBE and R Wilson

Standing Deputies: Councillors M A Hashmi

Apologies for absence were received from Councillors K Ahmed, H Bull, Mrs W J Mallen, N B Marshall and Ms C J Oliver

Also present: Councillors S Broadbent, Mrs J D Langley and P R Turner

19. CHAIRMAN'S INTRODUCTION

The Chairman thanked the Cabinet Member for Housing, Councillor Mrs Langley and Cabinet Member for Economic Regeneration & Development, Councillor Broadbent for attending the meeting. The Chairman also welcomed the Chairman of Wycombe District Council, Councillor Paul Turner to the meeting.

20. DECLARATIONS OF INTEREST

There were no declarations of interest.

21. MINUTES OF THE PREVIOUS MEETING

Regarding Minute 14, it was noted that Cabinet responses to the Parking Task and Finish Group recommendations were being considered at the Cabinet meeting on 11 November. Concern was raised that some of the recommendations were being pushed aside. Councillor Mrs Clarke explained that she would be unable to attend the Cabinet meeting and the Chairman confirmed that he or the Vice-Chairman, Councillor Collingwood would attend the meeting to raise concerns.

In response to a query it was reported that the sports centre car park was being resurfaced so current members of the sports centre would no longer need to use the park and ride car park. The barriers to the park and ride would then be installed once the work had been completed.

RESOLVED: That the minutes of the meeting held on 11 September be approved as a true record and signed by the Chairman.

22. CABINET MEMBER FOR HOUSING - UPDATE ON THE LICENSING OF HOUSES IN MULTIPLE OCCUPATION

The Chairman welcomed the Cabinet Member for Housing, Councillor Mrs Julia Langley, Brian Daly, Housing Services Manager and Amy Starsmore, Private Sector Housing Team Leader. He noted that this would be the last report to the Commission on the licensing of Houses in Multiple Occupation (HMOs), the team had undertaken a vast amount of work, and thanked the Cabinet Member and officers for their attendance.

Councillor Mrs Langley noted that HMOs were a valuable source of housing and failing to manage these properties was an offence with possible fines or convictions. She advised that if anyone was concerned about any suspected HMOs in their areas they were to contact the housing team.

Amy informed the Commission that the Government legislation regarding HMOs changed on 1 October 2018 and she provided a number of statistics since this date as follows:

- 163 applications had been received for HMOs of 5 or more persons.
- 94 licenses had been issued.
- 13 withdrawn.
- 1 refused.
- 9 licenses pending.
- 117 had been processed.
- 47 applications were outstanding these were due to legal action, incomplete applications, Fit and Proper Person issues and recent applications.
- 1145 persons in licensed, compliant and checked properties.
- 200 persons in smaller inspected HMOs.
- 1345 persons in total persons protected in HMOs.

It was reported that HMO enforcement had been proactive in targeted areas. Operation Reveal was undertaken in two stages: stage one in Oakridge and Abbey wards, stage two in Disraeli and Terriers/Amersham Hill wards. Properties visited during the operation totalled 255 with 190 being assessed. Follow up visits had been undertaken with all properties assessed in full. Stage three of the operation was currently being planned. In total 471 inspections had been undertaken since 1 October 2018.

There had been 153 Statutory Notices and four Civil Penalties issued with £7500 being collected. Two prosecutions had been lodged at court, three with legal services, four potential legal cases, and nine cases had been investigated but no action taken.

Regarding stage three of Operation Reveal it was reported that this would require a different approach as the properties would be more difficult to investigate. Work

would be undertaken with other agencies such as Children's Social Care and Adult Social Care, BCC and the Police. Members were asked to inform the team if they were aware of any suspected HMOs in their areas.

Members raised a number of issues and received clarification on queries as follows:

- The Improvement and Review Commission task and finish group in 2014 had investigated HMOs and provided a number of recommendations to Cabinet.
- It was noted that the objective of HMO licensing was to ensure the safeguarding of tenants and to make sure they were protected.
- Compliance was expected and warnings were given to landlords to rectify problems. Prosecution was an enforcement tool and was only undertaken if landlords ignored warnings and the council had no other option.
- The benefit for not applying for a HMO was expected to be financial as compliance usually incurred costs such as the requirement for fire safety standards.
- On the 1 October 2018 47 applications for a licence had been received in advance with 163 across the year.
- Regarding licensing HMOs across the whole district it was noted that this would be very difficult due to the level of work required. It was expected that the work would continue with the new Unitary Council and expand if possible, however district wide would be unrealistic at this stage. The new Council could consider intelligence information to look at where the biggest cluster areas of HMOs were in the County by using council tax information etc.
- It was noted that only one street in each of the four wards had been investigated not the whole areas.
- The landlord and the letting agent could both be liable for properties. Amy confirmed that landlords and letting agents had been informed of their responsibilities regarding HMOs and landlords had been encouraged to find out who lived in their properties.
- Emergency Prohibition Orders could be used to close down properties urgently if required.
- Once a HMO had been licenced a certificate was issued that needed to be displayed in the property, also the property would be available to view on a public register that prospective tenants could access if required.
- It was suggested that licensing could be applied to all private rented accommodation in the county but it was noted this would not be currently possible due to the large scale, work involved and lack of resources.
- Reporting regarding bad living conditions were usually made by members of the public, other landlords and tenants were not likely to report problems as they were afraid of the consequences.
- Letting agents were fully informed and the council held a Landlord's Forum to support and provide communication.
- The new Unitary Council could open up new areas of work.
- All agencies were made aware and were involved if required. One family placed by others in accommodation deemed as unsafe had been moved

immediately by that service once advised of the conditions, and action was taken to require the property to be improved.

- Safety of the team was paramount and stage one and two of Operation Reveal had used intelligence based evidence to investigate properties. Stage three would involve the police as it was expected that these HMOs would be more problematic.

The Chairman on behalf of the Commission thanked the Cabinet Member, Brian, Amy and their team for all their hard work and congratulated them on the achievements of the past year.

23. CABINET MEMBER FOR ECONOMIC REGENERATION & DEVELOPMENT - REGENERATION UPDATE

The Chairman welcomed the Cabinet Member for Economic Regeneration and Development, Councillor Steve Broadbent. The Chairman informed the Committee that he had attended the Special Cabinet meeting on 21 October where the Regeneration Strategy had been approved and passed onto the Shadow Executive for consideration. He had been very impressed with Strategy as presented by Councillor Broadbent and had invited him to the Commission meeting for a discussion on the report. The Chairman also noted that Councillor McCarthy, Chairman of the River Wye Task and Finish Group had also provided an excellent presentation on the findings of the task and finish group and thanked him for his enthusiasm and support.

Councillor Broadbent advised that the Regeneration Strategy provided a set of proposals to help grow the economy for the future. The Strategy covered the High Wycombe, Princes Risborough and Marlow areas and aimed to increase the size of the local economy. This would also contribute to the emerging Transport Strategy for High Wycombe. An Innovation Growth Corridor identified in the Strategy included Cressex Business Park, Handy Cross and Wycombe Air Park. The Strategy also supported the strategic business case for Future High Streets Fund work for High Wycombe. One of the primary growth areas was Princes Risborough and it was recognised that with the expected housing expansion there would be different pressures in this area. The Regeneration Strategy looked forward to 2050 and included bringing green and blue natural assets into future planning. Councillor Broadbent noted that the Strategy supported the wellbeing and economic agenda, and celebrated unique natural assets such as the River Wye.

Councillor McCarthy, Chairman of the River Wye Task and Finish Group (TFG) explained that the TFG had undertaken a vast amount of intensive work. He understood that it was difficult to value the non-tangible assets of remaking the river through High Wycombe town centre, however he believed that the opportunity was to do it now or the project would never happen. He hoped that this would be considered by the new Unitary Council when looking at the long term plans for the town centre. The Chairman of the Commission commented that he was optimistic that this would be considered by the new Unitary Council.

The Commission raised a number of queries and made various comments as follows:

- Concern was raised regarding the use of Abbey Way roundabout as a future green open space; the likely pollution and that it was sometimes used as a 'run off' for cars.
- It was requested that funding for restoration of roads be considered in some areas of the town centre and that the remaking of the river be considered by the new Unitary. It was noted that replacing the existing culverts could cost £18 million.
- Councillor Broadbent noted that Abbey Way was a good example of a project that could be part of a bigger future project. It was hoped the new Unitary would see key aspects in the Strategy that could be portable to other areas of the county.
- It was suggested that the response from the Shadow Executive regarding the Regeneration Strategy could be one of the first items considered by the new Unitary Council.
- It was commented that the River Wye running through the town centre would be of benefit to the town. There was concern that suggested plans could be abandoned by the new Unitary Council and they should be given priority.
- The Masterplan works should include remaking the River Wye through the town centre. There was concern that if not then the river would never be brought back to the town.
- The Abbey Way fly-over was not part of the River Wye suggested recommendations as it was understood that this would be dealt with in future plans for the town centre.
- A financial case would need to be made for the viability of returning the River Wye to the town centre. The future of town centres may not be just for shopping and High Wycombe could be a lifestyle destination town.
- It was commented that if elected next May then some members would be part of the Unitary Council and part of the decision making.

The Chairman thanked the Cabinet Member for attending the meeting.

24. DISCUSSION ON CHANGE OF DATE OF NEXT MEETING

The Chairman noted that he had excused Catherine Whitehead, Head of Democratic, Legal and Policy from attending the Commission meeting on 6 November as she was undertaking work in relation to the new Unitary Council.

With regards to the meeting on 8 January the Chairman suggested that this could be moved to a later date. There was also a meeting scheduled to take place in March and instead only one meeting could be sufficient. Details would be confirmed at a later date.

25. COMMISSION'S WORK PROGRAMME AND FORWARD PLAN

The Chairman suggested that a report be brought to the next meeting outlining the successes of the Improvement and Review Commission since its inception in 2005.

It was also suggested that at the next meeting a discussion take place regarding the role of scrutiny in the new authority and scrutiny topics for the new Unitary Council could be proposed. Recommendations following these discussions could then be made to the new Buckinghamshire Council for consideration.

It was noted that on the Work Programme that the Licensing of HMOs was listed to be under the department area for Planning and Sustainability; however this was incorrect and should be under Housing, Environment and Community.

26. COUNCILLOR CALL FOR ACTION

There were no Councillor Calls for Action.

Chairman

The following officers were in attendance at the meeting:

Brian Daly	- Housing Services Manager
Jemma Durkan	- Senior Democratic Services Officer
Amy Starsmore	- Private Sector Housing Team Leader