

11 September 2018

**Private Rented Sector Housing and Selective Licensing Working
Group – Terms of Reference**

Ward(s) All

Portfolios: Councillor A. Andrew – Deputy Leader and Regeneration

Report:

At its meeting on 21 June 2018, the Committee agreed to establish a working group to consider issues surrounding the Private Rented Housing Sector and Selective Licensing options.



The working group met on 17 July 2018 to discuss and agree its draft terms of reference. A copy of the terms of reference agreed at this meeting is attached at Appendix 1 for approval by the Committee.

Recommendations:

That:

- 1. the Private Rented Sector Housing and Selective Licensing Working Group Terms of Reference for the be approved.**

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Economy and Environment OSC – Private Rented Housing Sector and Selective Licensing Working Group

Initiation Document

Work Group Name:	Private Rented Housing Sector and Selective Licensing Working Group
Committee:	Economy and Environment Overview & Scrutiny Committee
Municipal Year:	2018/19
Chair:	Councillor I. Shires
Lead Officers:	Appollonaris Fonka Matthew Powis
Membership:	L. Jeavons S. Coughlan W. Rasab
Co-opted Members:	1 x Member from Children's Services Overview and Scrutiny Committee (Councillor Nawaz) 1x Member from Social Care and Health Overview and Scrutiny Committee (Councillor D. Coughlan)

1. Context	<p>Following, the first meeting of Economy and Environment OSC it was resolved to establish a task and finish group on the Private Rented Sector and Selective Licensing. The Committee took into consideration the following:-</p> <ul style="list-style-type: none"> I. A report from Housing, Communities and Local Government Committee in April 2018 investigated obstacles for Local Authorities intervening with housing standards in the borough and the main challenges within the sector. II. Citizens Advice Bureau – It's Broke, Let's fix it report published in July 2017. <p>The Committee requested further investigation into recommendations from HCLG Select Committee and add further thought to ways in which the standards of management, use and occupation of Private Rented Sector (PRS) Housing could be improved in Walsall.</p>
2. Objectives	<p>The working group wishes to investigate:</p> <ul style="list-style-type: none"> I. The role of the Council with enforcement and current/required resources to carry out enforcement duties in Walsall; II. Development of an accreditation scheme for new/existing private rented homes and analysing good practice in other areas of the country; III. Understanding regulatory legislation on effectiveness of current powers (including Selective Licensing); IV. Understanding Selective Licensing consultation, Article 4 directions and houses in multiple occupation (HMOs); V. Challenges and issues currently facing the Council, partners, landlords and tenants in the PRS; VI. Impact of health and wellbeing of tenants in the PRS.

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3.	Scope
	<p>What should be included and excluded?</p> <p>The working group will consider the private rented sector challenges and current issues in Walsall. The review will also look into policy, financial and legislative impacts.</p> <p>The review will not be considering issues with relating to social or privately owned housing.</p>
4.	Equalities Implications
	<p>There is a legal and moral obligation to ensure that, when undertaking a scrutiny review, the impact of policies; procedures; strategies and activities is considered within the 6 strands of equality (Age, Disability, Gender, Race, Religion or Belief, and Sexual Orientation)</p> <ul style="list-style-type: none"> • How will the working group consult with each of these six groups regarding this review and its outcomes? • If an EIA has been carried out for this service\policy then what were its outcomes? Can this be mapped into the review? If no EIA has been carried out by the service is one required and can this be reported to the working group? <p>The Working Group will consider the Equality Implications when taking into consideration of improvements to Private Rented Sector Housing.</p>
4.	Who else will you want to take part?
	<p>Think about who else, other than lead officers and members, it would be useful to include either as part of the working group or to bring information at specific points. For example- partners, stakeholders, other authorities.</p> <p>A representative from a neighbouring Local Authority; Private Rented landlords; Tenants; Walsall Landlord Steering Group; Citizen Advice Bureau; Joseph Rowntree Foundation; National Landlord Association; Midland's Landlord Accreditation Residential Landlord Association; Shelter.</p>

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5.	Timescales & Reporting Schedule									
	<p>Needs to be completed within the same municipal year and so should be able to report to full panel by the last meeting at the latest but consider the subject- is there anything else that it may need to tie into (e.g. academic or financial year or to coincide with national/sub-regional developments)</p> <p>How often will update be provided to full panel?</p> <p>Task and Finish Group – First meeting to discuss Terms of Reference – July/August 2018</p> <p>Terms of Reference to be approved at Economy and Environment OSC – 11 September 2018</p> <p>Final report due by 19 February 2019.</p>									
6.	Risk factors									
	<p>Are there any obstacles that can be predicted? For example, is it dependent on other organisations outside your control and duty to cooperate? Identifying these factors early and how they will be mitigated should help minimise their impact.</p> <table><tr><th>Risk</th><th>Likelihood</th><th>Measure to Resolve</th></tr><tr><td>Partner organisations being unresponsive/unwilling to cooperate</td><td>High</td><td>Consider the most effective way to engage each of the identified groups that the working group wishes to speak to.</td></tr><tr><td>Potential challenges identifying suitable tenants to represent the broad spectrum in the Private Rented Sector.</td><td>Medium</td><td>Engage with represented bodies such as Shelter to gain a wider understanding of need.</td></tr></table>	Risk	Likelihood	Measure to Resolve	Partner organisations being unresponsive/unwilling to cooperate	High	Consider the most effective way to engage each of the identified groups that the working group wishes to speak to.	Potential challenges identifying suitable tenants to represent the broad spectrum in the Private Rented Sector.	Medium	Engage with represented bodies such as Shelter to gain a wider understanding of need.
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Potential challenges identifying suitable tenants to represent the broad spectrum in the Private Rented Sector.	Medium	Engage with represented bodies such as Shelter to gain a wider understanding of need.								

Date Agreed:	17/07/2018	Date Updated:	31/07/2018
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Timetable:

Meeting	Activity
17 July 2018	Discuss and agree draft terms of reference.
11 September 2018	Present working group terms of reference to Economy and Environment Overview and Scrutiny Committee for approval.
Sept – November 2018	Meet with witnesses and gather evidence in regard to: - . 1. Enforcement; 2. Accreditation schemes; 3. Regulatory legislation.
November 2018 – January 2019	Meet with witnesses and gather evidence in regards to:- 4. Selective Licensing, Article 4 and HMOs; 5. Challenges and issues facing the Council, partners, landlords and tenants;
January-February 2019	Review evidence and draw conclusions in preparation for a draft final report with recommendations.
19 February 2019	Present final report and recommendations to Economy and Environment Overview and Scrutiny Committee.