



## West of England Landlord Panel

3 September 2008

### Minutes

#### Present:

Shane Dyke (NSC), Lisa Perry (NSC), Gary Twinn (NSLF), Cathy Provenzano (BALMA), Julie Ann Smith (BALMA), Richard Johnson (BCC), David Button (NLA), Chris Kenrick (NLA), Tony Hardacre (NLA), Katherine Shuttleworth (B&NES), Olivia Donaghy (ARLA), Ian Potter (ARLA), Colin Martin (SGlos), Julie Norris (BCC), Dave Fontaine (BCC)

#### In attendance:

Judith Stephens & Glyn Evans – South Gloucestershire Council, Council Tax department  
Rob Tutty & Tim Potter – Bristol City Council, Council Tax department  
Judith Jeffrey – Home Choice West

#### Apologies:

Chris Johnson (SGC), David Brown (NLA), Janet Redfern (NLA), Luisa Roverato (BANES), Charles Garrett (BANES)

#### 1. Introductions

The panel introduced themselves to the guest speakers who were present for the meeting.

#### 2. Council tax and rented properties

The council tax departments had been invited to attend the meeting at the request of landlord representatives who had posted some questions that they would like addressed. Tim Potter introduced by stating that although council tax departments are governed by legislation different working practices do occur across different local authorities.

Question 1. Are council tax sections within the area covered by the West of England Partnership looking to have common procedures?

The WOE authorities are not currently looking for common procedures in this area, however authorities meet regular and share best practice.

Question 2. Are there any differences in treatment between single and multiple tenancy agreement households?

Yes, if there is a joint agreement then those individuals become liable, they are renting the whole house therefore are responsible. If there are separate agreements for a property then no one individual has responsibility to the whole rent, therefore the owner is liable and responsible to claim any exemptions that may be applicable. This is legislation, so should be the same across authorities.

Question 3. Can we find a way of landlords and tenants not being threatened by court action before the new academic year starts and students get their student certificates?

The authority has an obligation to ensure that their database is accurate and undertakes a rolling review of exemptions. There is a timing problem with student exemptions because there is a delay in students receiving their certificates and the council receiving information from the Universities. If

a landlord can provide information then the authority will take that in good faith until further information comes from the University. They can also use information on student status from the previous year until the new lists come out in November.

Question 4. Bearing in mind the Data Protection Act who do Councils look to to provide student certificates?

It is very useful if a landlord can assist the authorities with providing information however the responsibility comes from the University to issue student exemption certificates.

Question 5. Are student lists from Universities/Colleges an alternative to individual student certificates?

UWE provide a full list to both Bristol and South Glos councils in November each year of their students, this is what is used to update the database. Bristol University provide information to Bristol Council but not South Glos, it may be possible for the Panel to put in representation to Bristol University if this would be helpful.

There have been instances where landlords have felt pressurised to provide information during the summer by staff at South Glos where staff have said it is the landlords responsibility. Could officers be reminded that these are requests for information rather than requirements?

The agent representatives present said that they take an active role in assisting council tax offices where there are changes of tenancies this means that everything usually goes well. This was echoed by the council officers who said communication is the key and they are looking to create better relationships with landlords and agents.

Thank you to the council tax representatives for attending the meeting.

### **3. Minutes and matters arising**

The minutes were accepted however there was a point of clarification regarding which properties require an EPC. If there is joint agreement then an EPC is required, if there are single agreements then it is not required.

### **4. Homes Choice West**

Judith Jeffrey attended the meeting to outline this project which is to develop a sub-regional choice based letting scheme. Choice based letting is used primarily to replace the waiting lists for social housing, however the government are encouraging it to be extended to also include private accommodation.

The scheme works by advertising the properties that are available to rent, applicants can then 'bid' or express an interest. At present all 4 local authorities are committed to their own individual schemes and so the creation of a single sub-regional scheme has been delayed until April 2009, even then it won't replace the existing schemes.

Judith is looking for input from the private sector on how the scheme can be best developed to include private rented properties. There was a suggestion from the meeting that private leasing schemes would be one possible way forward.

There was also concern about the support packages offered to private landlords, a lot of work would need to be done to convince and reassure landlords. CLG have looked at these schemes and found that the successful schemes are where there is a service which joins up the different support provisions. There is also the continued problem of the local housing allowance being paid directly to tenants which puts landlords off from accepting tenants on benefit.

It would be useful for Judith if she could be invited to attend landlord association meetings so that further discussions could take place with landlords. Judith is also welcome to return to the Panel at future meetings.

### **5. Fire Safety – RRO and HHSRS**

Dave Fontaine outlined the discussion paper. National guidance on fire safety provision was published in July. The guidance involves a risk assessment approach to fire safety rather than issuing prescribed standards. This has implications for licensed properties where previously

landlords were asked to ensure their properties complied with the licensing standard. There are two options for the future:

1. Instruct landlords that they now need to comply with the guidance and remove the licensing standard.
2. Retain the licensing standard and advise landlords they can either comply with the standard or choose to comply with the guidance. We would also need to draw landlords attention to the fact that the prescribed standards are likely to include items that may not be included if the landlord adopted the guidance.

The view of the panel was that Option 2 seemed the best option because many landlords like to be given a set of standards to adopt but this still allowed for them to look at the guidance if they wished.

It is planned to write to all licensable landlords to outline this change in procedure.

There was concern at the meeting that the requirement for emergency lighting and a Grade A system seemed too high for the majority of properties. There was also concern that the standards were not being adhered to across the WoE and different approaches were being adopted.

## **6. West of England Accreditation**

South Glos have recently taken on two additional members of staff to launch accreditation. N. Somerset are launching a pilot scheme in November, so we are very close to having accreditation across the sub-region.

## **7. Any other business**

The cost of hiring the room for this meeting is now becoming a problem for Bristol council. There is also a large meeting room available in Bristol which could be used free of charge. It was therefore suggested we move the next meeting to the offices at the Lipscombe Centre.

### **Subjects for next meeting:**

Local housing allowance and different approaches amongst authorities to transferring tenants over from HB to LHA.

The Housing Green Paper is expected to be published in November, in which case this will be on the agenda.

**Date of next meeting:** Wednesday 10<sup>th</sup> December 2008 at 11:00am at The Lipscombe Centre, 8 Portland Square, Bristol BS2 8ST, please see map on next page.



We are here!

The easiest route in for now is from Junction 3 of the M32, which is here.

If you come off the M32 at Junction 3, turn right on the roundabout into Ashley Road. At the traffic lights at the junction turn left and at the next roundabout keep left into City Road. At the first set of traffic lights, turn left into Brigstocke Road. Carry on straight ahead and into Dean St. At the end of Dean Street is a Give Way sign and this leads into Portland Square. Its one way so first go straight ahead then turn right. On the corner at the end of this part of the Square is our building. Parking in Portland Square is pay and display and you should be able to park right outside.

To go back, all you need to do is go down the road at the side of the building (Pritchard Street), which leads back onto Newfoundland Street and the Newfoundland Way, which leads to the M32 again.