



West of England Landlord Panel

18 October 2006

Minutes

Present:

Charles Garrett (B&NES), Richard Johnson (BCC), Philip Gilbert (BCC), Tony Hardacre (NLA), Chris Kenrick (NLA), Janet Redfern (NLA), David Button (NLA), Shane Dyke (NSC), Lisa Perry (NSC), Chris Johnson (SGC)

Apologies:

Barney Coleman (BALMA), Mark Lewis (NSLF), Gary Twinn (NSLF), Adrian Turner (ARLA)

1. Previous minutes:

Correction: Gary Twinn reported on discounts, not Mark Lewis as stated.

Discounts: HMO licensing discounts are now at a greatly reduced level

NALS: Group interested in hearing about this at the next meeting – hopefully a representative will come along – Phil to arrange.

Items for next meeting: HHSRS & RPT – all agreed that it was still early days, there has only been one RPT decision. It was agreed that this would be discussed when more decisions had been made by the RPT and therefore there was more to talk about.

Tenancy agreements: more information is needed before this subject can be explored further by the group.

2. Housing Act 2004 update:

North Somerset (200 – 250 licensable HMOs) – Making good progress, catching up fast on HMO licence application backlog and it is anticipated that HMO licensing inspections will be underway by Christmas. The 5 year licence period will start from the application date.

Transitional arrangements with the old registration scheme have been finalized and North Somerset are now running three schemes, namely; Mandatory HMO Licensing, Additional HMO Licensing and a Registration Scheme. This may change when the final legislation comes out on s257 HMOs – hopefully by Easter 2007. The intention is to apply to continue with Additional HMO Licensing.

The HHSRS is bedding in well.

Awaiting the outcome of BCC management order strategy before deciding how to proceed with these.

Currently looking at empty dwelling management orders – no decision made at present.

South Gloucestershire (40 – 50 licensable HMOs) – 25 applications so far, have inspected a couple, but issuing of licences suspended at present while awaiting the outcome of RRO consultation. There are no plans for any additional HMO licensing.

A few formal notices have been issued after HHSRS inspections, although the informal approach is being pursued as far as possible, in line with the enforcement concordat.

Management orders will be done in-house if required.

There are plans to introduce an accreditation scheme in 2007. The West of England group will be talking about accreditation as a sub region in spring 2007.

Bath & North East Somerset (190 HMO licence applications so far) – 50 draft applications have been issued and 15 full licences. There are no plans for additional HMO licensing. However, a full council meeting has voted to have a full wide-ranging review of the sustainable communities and studentification situation in April 2007 – recommendations awaited...

Bristol City Council (1200 – 1500 licensable HMOs) – 1080 applications received so far and applications are still coming in at a reasonable rate. The volume of applications has created a lot of work, therefore there are no accreditation inspections at present. However, the backlog should be cleared in early 2007.

An attempt to tender a single contract for management orders failed to attract any bidders. There is a meeting on 19 October 2006 to encourage tenders from a number of single agents. If this strategy fails then management orders will have to be undertaken in-house.

There are no plans to introduce additional HMO licensing. However, there is lots of interest from councillors and residents associations. The debate will continue...

David Button raised the issue of consistency if additional licensing were to be introduced by more than one of the WoE authorities. It was decided that due to the nature of additional licensing complete consistency was not possible. However, all authorities would learn from the experience of North Somerset.

3. HMO licensing standards:

Tony Hardacre raised the issue of the separate WC requirement for licensable properties with 6 or more individuals. It was agreed that all authorities would look at the time-frame for this requirement on a stand alone basis as well as at the next WoE meeting. It was suggested that more time allowed for this requirement would give landlords more time to lobby government.

4. Regulatory Reform Order:

The RRO came into force on 01 October 2006. It applies to common areas of residential properties – it is not clear at this time how the Fire Service is defining ‘common area’. More guidance from the Fire Service is awaited. The DCLG, Fire Service and local authorities are getting together to discuss issues and are due to report in February 2007. It was suggested that landlord associations should ensure that they have representatives at any meetings so that they can keep abreast of the situation.

The situation is a mess at the moment and the group will be updated as soon as possible. We will look to get a representative from Avon Fire & Rescue Service to sit on the panel as soon as any decision has been reached. This will probably be the Easter 2007 meeting.

5. Landlord training & landlord manual:

IDeA and ANUK are currently developing a ‘landlord development manual’ which is due to be finished in the next few weeks. It is hoped that this can form the basis of a WoE landlord manual to back up landlord development training. This is in the very early stages and it is anticipated that the panel would look at any training syllabus to ensure that it covers important aspects of the private rented sector business from both the industry side and the local authority side.

More will be known about this by next meeting and we will hopefully have had a chance to look at the development manual.

6. Choice based lettings:

It was thought that this was an individual authority item. However, there is some overlap with cross authority lettings – this will be touched on in future meetings. There is also a strong possibility that we can persuade Suzanne Wigmore (Cross Authority Lettings Manager) to attend the next panel meeting to discuss this further. (Phil to arrange)

7. Council tax:

Tony Hardacre has experienced some problems with council tax and student properties. This is not a cross authority issue at present – the possibility of inviting council tax representatives to the panel was discussed, but the group was unsure about the appropriateness of this. Chris Johnson to follow up specific problem with South Gloucestershire council tax.

8. UWE:

David Button read a paragraph from a letter sent to landlords by UWE stating that they were considering only letting to accredited landlords. UWE have stated this with no consultation with interested parties and landlords feel it is solely due to the extra on-campus accommodation provided for students by UWE. It was agreed by the local authorities that it was nice to see the extra units of accommodation, but it didn’t seem to have been managed that well. BCC & South Gloucestershire to discuss how to proceed.

9. Tenants’ questionnaire:

The issue of the tenants’ questionnaire was briefly discussed, but it will not be progressed further until summer 2007. At this time it will be bought up again by the panel.

10. Any other business:

Equalities monitoring form – Shane Dyke asked landlord associations and local authorities to provide feedback on how the EMF attached to the HMO licence application form has been received by landlords. This information is to be presented at a scrutiny panel to justify the question about sexuality on the form. All information to Shane ASAP please:

shane.dyke@n-somerset.gov.uk

Post dated cheques – the panel was asked what it thought about landlords asking for post dated cheques for the period of tenancy. It was generally agreed that this was between the landlord and the tenant and if the tenant did not like the arrangement, he didn't have to use that landlord. This issue will be raised with Barney Coleman at the next meeting.

Confidential information – the issue of agencies passing confidential information to landlords about tenants or tenant's partners/parents is a data protection issue and is therefore a matter for formal complaint or civil action.

11. Next meeting:

Subjects for next meeting to include – HMO licensing update, landlord development, cross authority lettings, tenancy deposit schemes

Date of next meeting:

Wednesday 17th January 2007 (AM) exact time and location TBC