

Minutes

SOCIAL SERVICES, HOUSING AND PUBLIC HEALTH POLICY OVERVIEW COMMITTEE

2 July 2015

Meeting held at Committee Room 5 - Civic Centre,
High Street, Uxbridge UB8 1UW



	<p>Committee Members Present: Councillors Wayne Bridges (Chairman), Teji Barnes (Vice-Chairman), Peter Davis, Becky Haggar, Phoday Jarjussey (In place of Beulah East), Manjit Khatra, June Nelson, Shehryar Wallana and Mary O'Connor</p> <p>LBH Officers Present: Nigel Dicker (Deputy Director of Public Safety & Environment), Steve Hajioff (Director of Public Health), John Higgins (Head of Service Safeguarding, Quality and Partnerships), Ed Shaylor (Residents Services - ASB & Investigations Team) and Debby Weller (Residents Services - Housing Strategy Manager) (Residents Services - Housing Strategy Manager) and Nikki O'Halloran (Democratic Services)</p>
3.	<p>APOLOGIES FOR ABSENCE AND TO REPORT THE PRESENCE OF ANY SUBSTITUTE MEMBERS (<i>Agenda Item 1</i>)</p> <p>Apologies for absence had been received from Councillor Beulah East. Councillor Phoday Jarjussey was present as her substitute. It was noted that Councillor June Nelson would be arriving a little late for the meeting.</p>
4.	<p>TO RECEIVE THE MINUTES OF THE MEETING HELD ON 22 APRIL 2015 AND 14 MAY 2015 (<i>Agenda Item 3</i>)</p> <p>RESOLVED: That the minutes of the meetings held on 22 April 2015 and 14 May 2015 be agreed as correct records.</p>
5.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED IN PART I WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 4</i>)</p> <p>RESOLVED: That all items be considered in public.</p>
6.	<p>MAJOR REVIEWS -2015/16 (<i>Agenda Item 5</i>)</p> <p>At its meeting on 22 April 2015, it had been suggested that Raising Standards in Private Sector Rented Accommodation be considered as the Committee's first major review topic for this municipal year. However, as this was a broad subject and 'raising standards' required definition, officers were present to provide Members with additional information, should they decide to progress this topic. If Members did not wish to undertake this review, consideration would need to be given to an alternative topic.</p> <p>Mr Ed Shaylor advised that, since 2004, a nationwide standard (Housing Health and Safety Rating System (HHSRS)) had been implemented for hazard assessments in occupied dwellings to reduce the number of injuries. It was noted that all housing was</p>

subject to hazards but that the rating system identified those hazards that were more likely to cause injury in the next twelve months. HHSRS assessed 29 housing hazards and the effects that each might have on the health and safety of the current or future occupant or any visitor to the property. The hazards assessed were: damp and mould growth; excess cold; excess heat; asbestos (and MMF); biocides; carbon monoxide and fuel combustion products; lead; radiation; uncombusted fuel gas; volatile organic compounds; entry by intruders; lighting; noise; crowding and space; domestic hygiene, pests and refuse; food safety; personal hygiene, sanitation and drainage; water supply; falls associated with baths, etc; falling on level surfaces, etc; falling on stairs, etc; falling between levels; electrical hazards; fire; flames, hot surfaces, etc; collision and entrapment; explosions; position and operability of amenities, etc; and structural collapse and falling elements.

The most common cause of complaints in the colder months was damp and mould growth. Although landlords would be required to resolve some of these issues, the hazards were not always as a result of their negligence and could be as a result of things like draying laundry, showers and kettles which all contributed to a build up of condensation that could cause damp in some properties.

The second most common cause of complaints from tenants was in relation to excess cold. Clearly, this type of complaint was predominantly made over the winter months and, if the landlord failed to rectify any issues identified, the Council was able to undertake remedial action and pass the charges on to the landlord.

In the summer, the main causes of complaints were in relation to sanitation and drainage, pest infestation, damp and mould growth, electricity and gas, structural collapse, lack of cooking facilities, water supply door locks, boilers and occasionally fire hazards.

Mr Shaylor agreed to forward a breakdown of the nature of the complaints being received from tenants and the outcomes.

It was noted that the Council's Housing Standards Team currently comprised five officers who dealt with both multiple and single occupancy housing. In December 2014, January 2015 and February 2015, the Team received approximately 60-70 reports from tenants each month. During May 2015, this number reduced to 24. The total number of reports made each year by the 10-12k households in the Borough was approximately 400. However, this did not account for the number of tenants that did not report hazards for fear of some kind of retaliation from their landlord.

With regard to arrangements to safeguard tenants from homelessness, Members were advised that meetings could be arranged with a Housing Advisor to discuss the options available to them. However, tenants often felt that they were paying high rents and should be getting better value for money. Officers were also able to give advice on issues such as how to obtain better accommodation within the private rented sector.

Although the Housing Standards Team generally responded to hazard reports within a few days, there were times when the Council was unable to take action. In these circumstances, officers would provide tenants with alternative contacts, for example, if there were health concerns.

Mr Shaylor advised that a range of information was available on the Council's website to help residents to reduce the amount of condensation in their properties (and therefore reduce the likelihood of damp and mould growth). For those residents that

were unable to obtain information from the website, officers were available to provide an explanation and further advice.

Tenants should, in the first instance, speak to their landlord about any issues they had with their property. If the landlord failed to address the issues in a timely fashion, the tenant could then contact the Council. Reports to the Council tended to be made directly by the tenant via telephone. Contact Centre staff had been briefed to deal with these calls and would need to ask the tenant a series of questions in order to capture as much information as possible about the issue.

Although the Council tried to foster good relation with landlords, enforcement action could be undertaken in relation to hazards. This action included:

- Improvement Notices - generally the landlord complied with these; and
- Prohibition Notices - this was deemed to be an extreme action and meant that the tenant might need to vacate the property whilst work was undertaken. However, these notices could be suspended until the work was completed and could be used to enforce 'beds in sheds'. Members were advised that only 1-2 of these Notices were issued each year as properties in the Borough tended to generally be of a reasonable standard.

It was noted that, other than a £300 fee, there were no penalties for those landlords that received a Notice if the work identified was completed.

Although the Fire Brigade had the right of entry where there was a risk of explosion, their powers were limited and did not include enforcement. As such, the Council had recently been working in partnership with the Fire Brigade.

Members were advised that the Deregulation Act 2015 had provided tenants with some protection from retaliation from landlords to hazard reports. The Act prevented landlords from issuing tenants with a 'notice to quit' until six months had elapsed from the time a Prohibition Notice had been issued. It was thought that this would provide the landlord with adequate time to address any hazards and also allow them time to reflect. However, should they choose to do so, the landlord could still issue the tenant with a 'notice to quit' once this six month period had ended. Mr Shaylor advised that, should a landlord fail to comply with an improvement notice, they could be prosecuted.

Concern was expressed by Members that some emergency bed and breakfast accommodation used by the Council was not of an adequate standard. Mr Shaylor advised that bed and breakfast accommodation was inspected by the Council before it was first used and those that were regularly used were inspected on a six monthly basis. It was noted that there were approximately 2-3 prosecutions in relation to these properties each year.

With regard to houses in multiple occupation (HMOs), Mr Shaylor advised that overcrowding tended to be more of an issue where there were a number of families living in the same property rather than multiple single people (such as students). It was noted that Brunel University students were part of the community and often made a positive contribution. As the properties that students rented were not usually hazardous, complaints tended to be from neighbours about the amount of noise that they caused rather than from the students themselves.

Members were advised that the Council had developed good relations with the University, particularly with regard to disciplinary procedures. In addition, the authority had been working closely with a major lettings agency in the area that dealt with

housing a large number of students. Brunel was keen for its students to integrate into the community and it was recognised that disruptive students were in the minority. It was noted that students were required to provide a guarantor for their rent which was often their parents (who would then be advised about issues such as noise abatement notices). Although the University had its own lettings office, it would be unable to create additional HMOs without licensing.

It was noted that the private rented sector included Housing Association properties.

Mr Nigel Dicker stated that the Tenancy Deposit Scheme was now in force and covered letting agents. The Scheme looked to address the issue of tenants' deposits being partially or wholly kept unfairly and now meant that these deposits were held in an escrow account.

Members were advised that the Council did not currently undertake selective licensing which required all landlords to register their accommodation with the authority. It was noted that this would be a massive undertaking that would be very costly and resource heavy. It was suggested that selective licensing could result in poor landlords being driven underground and perceived by good landlords as a form of tax.

It was noted that the mandatory HMO licensing scheme, introduced in 2010, related to two storey properties housing five or more tenants and needed to be reviewed every five years. The related consultation exercise had ended on 30 June 2015 and was the subject of a Cabinet report which, it was anticipated, would be considered on 23 July 2015. A report would be brought to the Committee after the Cabinet meeting to update Members on the action being taken.

Mr Dicker advised that, as they proffered the highest risk, the Council would be concentrating on HMOs. Currently, 153 of the estimated 212 HMOs in the south of the Borough had been licensed. There were a total of 140 HMOs in the north of the Borough. Members were advised that the HMO Article 4 Direction removed permitted development rights for landlords and forced them to go through the full planning process. It was noted that this Directive was applicable in the Uxbridge South and Brunel wards as a means of controlling the growth of student accommodation in those areas. Since the advent of the scheme, eight planning applications had been submitted, of which five had been approved.

Ms Debby Weller advised that the affordability of housing was an issue in the Borough, as it was across London. Rising house prices put pressure on the private rented sector as there was increased competition from families that would previously have entered owner occupation. The number of tenancies increased between the last two censuses from 9k to 18k. This competition was exacerbated by people moving from inner London boroughs (where they could no longer afford the rent) and enabled landlords to demand higher rents. The benefit cap made rents for larger capped families in Hillingdon increasingly unaffordable but, at present, affected a relatively small number of households. It was noted that the Council was able to provide stability for tenants by guaranteeing rent over a period and offering discretionary housing payments for a limited period so that families could look for a property in a cheaper area.

Dr Steve Hajioff stated that poor housing posed a risk to tenants' health, with a noisy environment posing a risk of stroke and heart attack and a damp environment exacerbating respiratory disease. As such, it was important for landlords to maintain a decent standard in their properties. Members were also advised that the highest predictor of infant mortality was co-sleeping and would need to be considered if the

Committee decided to look at HMOs.

Members were advised that the last stock condition survey was undertaken by the Council in 2008. Although not a specific requirement, house condition surveys were undertaken periodically by local authorities. Ms Weller advised that a survey would typically include basic household information (to establish a link between individuals and their housing) as well as information about the structure of the dwelling, heating, etc. Survey costs would be a minimum of £50k, and sample sizes would comprise at least 1k homes.

It was agreed that the Committee would undertake a review of Raising Standards in Private Sector Rented Accommodation which would specifically address on the following issues:

1. Tenants' awareness of their options and the alternatives that were available to them;
2. Overcrowding and the impact on the health of tenants;
3. Demographic breakdown of the population for comparison purposes;
4. Accessibility of housing; and
5. Signposting tenants to alternative services where the Council was not responsible.

Although consideration was given to including hoarding as part of the review, it was agreed that these tenants tended to be owner-occupiers and the issue would be more about the mental health of the individual concerned, involving a different body of evidence and set of witnesses. As such, it was agreed that this would be better placed as a standalone report for consideration by the Committee.

RESOLVED: That:

1. **Mr Shaylor forward a breakdown of the nature of complaints being received from tenants and the outcomes;**
2. **Mr Dicker provide the Committee with an update report in relation to the HMO licensing scheme following consideration by Cabinet at its meeting on 23 July 2015;**
3. **the Committee undertake a review of Raising Standards in Private Sector Rented Accommodation which would specifically cover the following issues:**
 - a) **Tenants' awareness of their options and the alternatives that were available to them;**
 - b) **Overcrowding and the impact on the health of tenants;**
 - c) **Demographic breakdown of the population for comparison purposes;**
 - d) **Accessibility of housing; and**
 - e) **Signposting tenants to alternative services where the Council was not responsible;**
4. **officers provide the Committee with an update report in relation to hoarding; and**
5. **the presentations be noted.**

7. **FORWARD PLAN** (*Agenda Item 6*)

The Committee considered the latest version of the Cabinet Forward Plan.

RESOLVED: That the report be noted.

8.	WORK PROGRAMME (<i>Agenda Item 7</i>) Consideration was given to the Committee's Work Programme and timetable of meetings for the current municipal year. RESOLVED: That the Work Programme be noted.
	The meeting, which commenced at 7.00 pm, closed at 8.21 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Charles Francis on 01895 556454. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.