

TONBRIDGE & MALLING BOROUGH COUNCIL

STRATEGIC HOUSING ADVISORY BOARD

10 November 2014

Report of the Director of Planning, Housing and Environmental Health

Part 1- Public

Matters for Information

1 PRIVATE SECTOR HOUSING UPDATE

Summary

This report updates Members on the following:

- **Overview and Scrutiny Committee review of empty homes work;**
- **Collective Switching scheme;**
- **Redress scheme for Letting Agents work and Property Management Work; and**
- **West Kent Landlord Fair**

1.2 Overview and Scrutiny Committee review of empty homes work

1.2.1 Members will be aware that the Overview and Scrutiny Committee are currently reviewing the Council's empty homes work. This is being led by the Private Sector Housing Team.

1.2.2 A meeting of the review group was held on 10 September 2014 where Members considered the reasons for empty homes, the benefits of bringing empty homes back into use, the scale of the issue within Tonbridge & Malling B.C. and the Council's current approach.

1.2.3 Members agreed that the current approach to empty homes work should be reviewed with a particular focus on the following:

- identifying one service with overall responsibility for leading and coordinating the issue of empty homes, with other services acting as internal consultants in the process and meetings convened on a regular basis;
- identifying best practice in tackling empty homes;
- improving information sharing across services;

- introducing a systematic way of prioritising empty homes;
- earlier identification of empty properties to enable action to be taken before properties fall into the long term empty category;
- exploring opportunities of working with Registered Providers and Private partners in bringing forward private sector leasing schemes. For example, if interventions such as Empty Dwelling Management Orders are used arrangements are in place for these properties to be managed and let to homeless households and those threatened with homelessness. This would help reduce the pressure on the housing waiting list; reduce the use of temporary accommodation and help secure suitable housing more quickly than otherwise would have been the case;
- exploring financial benefits from bringing more properties back into use through Council Tax and the New Homes Bonus;
- raising awareness of empty homes issues in the Borough; and
- maintaining and improving the accuracy of empty homes data.

1.2.4 A further report will be presented to the review group in early December 2014.

1.3 Collective Switching Scheme

- 1.3.1 Members may be aware that Collective Switching is where a third party negotiates a better energy tariff on behalf of a group of residents. Government has encouraged local councils to take on this role to develop schemes for the benefit of residents. Such schemes enable residents to register an interest in participating in an 'energy auction' and receiving a new energy provider offer.
- 1.3.2 We reported into this Board in November 2013 on four councils in Kent - Dartford Borough Council, Gravesham Borough Council, Sevenoaks District Council and Tunbridge Wells Borough Council who had launched a collective switching scheme called 'Energy Deal Together'.
- 1.3.3 A report to Cabinet on 8 October 2014 on Collective Switching recommended that the Council proceeds to work collaboratively with 'Energy Deal' authorities on a winter campaign from December 2014 using the Local Government Association framework with a February 2015 reverse auction. A new Memorandum of Understanding/Participation Agreement will be developed to bring Tonbridge & Malling B.C. into the existing partnership. The Cabinet report is attached at Annex 1 for ease of reference.
- 1.3.4 We will prepare a briefing note for Members before the Collective Switching scheme goes 'live' so that you can advise constituents accordingly. A further update report will be brought to this Board next year once the outcome of the initiative is known.

1.4 Redress scheme for Letting Agents work and Property Management Work

- 1.4.1 The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc) (England) Order 2014 came into force on 1 October 2014 and district Councils are the enforcing authority with a duty to enforce.
- 1.4.2 The Order requires that a person who engages in lettings agency work or property management work must be a member of a redress scheme for dealing with complaints in connection with that work. The redress scheme must be one that is approved by the Secretary of State or designated by the Secretary of State as a government administered redress scheme. There are currently three redress schemes available to letting agents and property managers to sign up to.
- 1.4.3 Where an enforcement authority is satisfied on the balance of probabilities that a person has failed to comply with the requirement to belong to a redress scheme, the authority may by notice require the person to pay the authority a monetary penalty of such amount as the authority may determine. The amount of the monetary penalty must not exceed £5,000 and there is a set process for imposing the penalty. Sums received by an enforcement authority under a monetary penalty may be used by the authority for any of its functions.
- 1.4.4 In response to this new legislation the Private Sector Housing Team will be sending a letter to all known letting agents and property management companies within the Borough to raise awareness of the Order and request they complete a return to us indicating which redress scheme they are signed up to. We will be able to check this information and also follow up any agent/company that does not respond.
- 1.4.5 In terms of the amount of monetary penalty it is proposed to carry out Kent-wide working on this issue through the Kent Chartered Institute of Environmental Health (CIEH) Housing Technical Group to attempt to get some methodology and consistency in how the penalty can be calculated.
- 1.4.6 A further update report will be presented to Members of this Board.

1.5 West Kent Landlord Fair

- 1.5.1 The annual West Kent Landlord Fair is being held on 21 October 2014 at Tunbridge Wells B.C.
- 1.5.2 The agenda includes speakers on legal possession of properties, landlord accreditation, protecting deposits correctly and a landlord update from the National Landlords Association. Workshops will take place on fire safety, tenancy sustainment and Local Housing Allowance rates.
- 1.5.3 A verbal update on how the Fair went will be given at this meeting.

1.6 Legal Implications

1.6.1 New legislation where the district Council is the enforcing authority is outlined in paragraphs 1.4.1 to 1.4.5.

1.7 Financial and Value for Money Considerations

1.7.1 The Collective Switching scheme may lead to some fuel bill savings for residents of the Borough.

1.7.2 The West Kent Landlords partnership continues to be a cost-effective way of delivering landlord forums for West Kent landlords through the sharing of resources and workload.

1.8 Risk Assessment

1.8.1 None arising from this report.

Background papers:

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Nil

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