

MINUTES OF THE OVERVIEW AND SCRUTINY COMMITTEE
Wednesday, 10th October 2007 at 7.30 pm

PRESENT: Councillor Castle (Vice Chair in the Chair) and Councillors Detre, Dunwell, Jones (alternate for Councillor R Moher), Leaman, Sneddon and Thomas.

Apologies for absence were received from Councillor R Moher.

1. Declarations of Personal and Prejudicial Interests

There were none.

2. Minutes of Last Meeting

RESOLVED:-

that the minutes of the meeting held on 24th July 2007 be received and approved as accurate records.

3. Matters Arising

There were none.

4. Appointments to Sub-Committee

There were none.

5. Deputations

There were none.

6. Licensing of Houses in Multiple Occupation (HMOs) - Referral from the Private Sector Housing Forum

Part 2 of the Housing Act 2004 (the Act), with effect from April, 2006, introduced mandatory licensing for higher risk houses in multiple occupation (HMOs). These are HMOs of three storeys and above occupied by at least five people who make up more than one household.

Questions were raised at the Private Sector Housing Service User Consultative Forum, held on 14th March as to why no new licences had been issued by Brent Council in the 11 months that the Act had been in force. A related query was raised in respect of whether it was the Council's intention to introduce discretionary licensing for HMOs which are not covered by the mandatory scheme.

The Service User Consultative Forum had asked the Overview and Scrutiny Committee to look into the matters it had raised.

The Assistant Director (Housing Needs/Private Sector), Perry Singh, introduced the report. He explained that two schemes existed, one mandatory and the other discretionary. There had been various delays in introducing the schemes and when the legislation had been passed it was found to be badly drafted. In addition the government guidance had taken a long time to be issued. The Council had worked with the other West London boroughs to develop a scheme but this did not mean that it operated the same across West London. So far 44 mandatory licenses had been issued in Brent with a target of issuing 100 by the end of 2007/08. With regard to the discretionary element, Perry Singh added that there was a considerable cost associated with discretionary licensing and so this was not currently being pursued. In answer to a question on whether the Council was on target with the program of licensing, Perry Singh informed the Committee that the scheme was very complex and other boroughs operated their schemes in different ways but he was confident that Brent had a good quality scheme. The Head of the Private Housing Services, Steve Wilson, explained that the target of 100 licences in 2007/08 was based on the existing staffing resources being available and represented the bulk of the mandatory licences to be dealt with. The level of work next year depended on the number left to do and assumed that most of these would involve those landlords that would need to be pursued and possibly prosecuted. Beyond this work, Perry Singh confirmed that if resources were available then he would like to take on discretionary licensing.

The question of the licence fee was raised and why this only covered about half the cost of the scheme. It was explained that the fee level had been agreed with the other West London boroughs but officers felt that Brent operated a more thorough scheme and so it cost more per licence. The mandatory licensing was a finite project that was due to be completed in 2008 and would cost the Council £90,000. There had been a conscious effort not to set the fee at a level at which it might deter landlords from co-operating and thereby lead to greater homelessness. The intention of the scheme was to improve standards as well as meet the obligations of the legislation and generate fee income.

Members acknowledged the points made in explanation of how the licensing scheme was being approached but wished to consider further the operation of the scheme and the financial implications.

RESOLVED:

- (i) that the report be noted;
- (ii) that a review of the operation of the scheme and the financial implications associated with it be undertaken and reported back to the Committee in due course.

7. **Proposed Climate Change Task Group**

At its meeting on 18th June 2007 the Executive had agreed to ask Overview and Scrutiny Committee to establish a climate change task group to review the Council's Carbon Management Strategy and Implementation Plan 2007-11 and in particular to consider the achievability of its ambitious targets.

RESOLVED:

- (i) that a climate change task group be established for the purposes outlined by the Executive and set out in the report before the Committee;
- (ii) that a member be nominated by each party group to serve on the task group.

8. **Healthcare for London - Establishment of Joint Health Overview and Scrutiny committee (London-wide)**

The report before the Committee provided an outline of the proposed consultation process by NHS London on the findings of the recent "*Healthcare for London: A framework for action*" report.

The formal consultation requests that a London wide Joint Health Overview & Scrutiny Committee (JHOSC) be established and that participating boroughs nominate members accordingly.

The Committee was informed that an initial meeting of the joint committee was scheduled to take place on 30th October. At that meeting the terms of reference of the joint committee would be considered and once agreed they would be reported back to the Committee.

The response from NHS London to the London Scrutiny Officer Network's preliminary views on the setting up of a pan London joint health scrutiny committee was tabled.

In answer to a question about working at a regional level, it was explained that the proposal before the Committee was being co-ordinated by the London Council's scrutiny network. It was anticipated that when the consultation process reached the second stage this would have a more local approach to it and that was when Brent might want to work more closely with the other West London boroughs.

RESOLVED:

- (i) that the process of consultation proposed by NHS London be noted and the Council actively engage in the JHOSC;

- (ii) that full Council be recommended to establish a JHOSC with such other authorities as are consulted;
- (iii) that full Council be recommended to nominate the Chair and Vice Chair of the Council's Health Select Committee as the representative and alternate member on the JHOSC;
- (iv) that the recommendations to full Council be included within the Overview & Scrutiny report to Council on 29th October for assent;
- (v) that updates on this matter from the Chair of the Health Select Committee be reported back to the Overview and Scrutiny Committee as appropriate.

9. **Overview and Scrutiny Annual Report**

RESOLVED:

that the Overview and Scrutiny Annual Report for 2006/7 be agreed.

10. **Tourism in Brent final report of the Overview and Scrutiny Task Group**

The chair of the task group, Councillor Dunwell, presented the report. He explained that there was concern that whilst a few officers were doing a good job to support and promote tourism in the borough, this work was not co-ordinated across the Council. There were diverse opinions about what tourism was but the task group had decided to look at both attracting external visitors and promoting internal activity. Ultimately the task group had addressed the question of whether a dedicated officer was needed and on balance had come down in favour of creating such a post.

The Chair thanked Councillor Dunwell and the other two members of the task group for the work they had put into it. The Chair drew members attention to the recommendations of the task group and expressed his concern over recommendations 2 and 3. Recommendation 2 would mean the proposed post operating outside the Council's management structure which was not feasible. Recommendation 3 was too detailed for the task group to determine. He proposed alternatives to the recommendations. There was some doubt expressed over whether these two recommendations were supported by all members of the task group because they had been added by the chair of the task group.

Councillor Dunwell explained that the reason for recommendation 2 was as drafted, namely to ensure no one Council directorate was responsible for formulating the post. With regard to recommendation 3 he considered that the Council did not currently have such a resource.

The view was put that the major attractions in the borough all had their own marketing expertise and there was little the Council could add to this. It was felt that the proposals of the task group would not benefit the residents of the

borough. Other members felt that the task group had identified some valuable work that could be done within the borough.

The chair of the task group had circulated prior to the meeting a draft foreword by him for the task group report. It had not been circulated with the agenda. Following discussion about the content of the chair's foreword it was proposed by the Chair of the Committee that in the circumstances the task group report should be recommended to the Executive without a chair's foreword to it.

In reaching their decisions on the task group report members of the committee emphasised that they would prefer to see any task group report submitted to the committee agreed by all its members and presented in a collective way.

RESOLVED:

- (i) That the report be forwarded to the Executive with revised recommendations, namely recommendations 2 and 3 of the task group be deleted and substituted with:

That officers from relevant departments across the Council convene a tourism group to determine how the recommendations of the task group can be implemented.

- (ii) that no foreword by the chair be included with the task group's final report.

11. Date of next meeting

Noted that the next meeting is scheduled to take place on Tuesday 11th December 2007.

12. Any other urgent business

There was none.

The meeting ended at 9:10pm

A CASTLE
Vice-Chair in the Chair