



**MINUTES OF THE COMMUNITY AND WELLBEING SCRUTINY COMMITTEE**  
**Wednesday 20 July 2016 at 7.00 pm**

PRESENT: Councillor Ketan Sheth (Chair), Councillor Colwill (Vice Chair) and Councillors Conneely, Hector, Hoda-Benn, Jones, Nerva and Colwill, together with Mr Alloysius Frederick (representing the Roman Catholic faith), Dr J Levison (representing the Jewish faith) and Ms Christine Cargill (representing the Church of England) and Mr Jai Patel (representing the Brent Youth Parliament)

Also Present: Councillors Butt, Chohan, Kelcher, Long and Hirani

Apologies were received from: Councillors Shahzad, co-opted member Iram Yaqub and appointed observer Jean Roberts

1. **Declarations of interests**

None declared.

2. **Deputations**

None.

3. **Community and Wellbeing Scrutiny Committee's Annual Work Programme 2016-17**

The committee received the report which set out the scope of the work programme for 2016/17. It included a range of items and policy areas across housing, health, children's services, adult social care and public health. The chair added that the programme would remain flexible to changes that might be required during the course of the year.

At the request of the chair, Pascoe Sawyers introduced himself as the Council's newly appointed Head of Strategy and Partnerships and the Council's designated scrutiny officer. The chair also asked the Chief Executive and Leader of the Council to outline their views on the role of scrutiny within the Council.

Christine Cargill asked for clarification on the role of the co-opted members. Pascoe Sawyers replied that this had been identified as an area that needed to be developed and apologised that this had not already been made clear.

RESOLVED:

that the report be noted and the work programme attached as Appendix 1 to the report be agreed.

#### 4. **2015-16 Annual Scrutiny Report**

The committee received the annual scrutiny report for 2015-16 which summarised the work conducted by the scrutiny function throughout the year. Councillor Kelcher who chaired the committee during 2015-16 introduced the report.

The Chair thanked Councillor Kelcher for his attendance.

RESOLVED:

that the contents of the scrutiny annual report for 2015-16 be noted.

#### 5. **Additional and Selective Licensing in the Private Rented Sector**

Jon Lloyd-Owen (Operational Director, Housing and Employment) introduced the report which provided an overview of progress since implementation of borough-wide Additional Licensing and Selective Licensing in the wards of Harlesden, Wembley Central and Willesden Green in January 2015. He stated that in the London context Brent's Licensing Scheme was one of the more successful schemes introduced but that getting across a clear message on the requirements of Additional Licensing had been a challenge. Work was currently being done on how Selective Licensing might be extended to other parts of the borough. However, if this was to be pursued, a wider scheme would require the approval of the Secretary of State. Councillor Farah (Lead Member for Housing) added that another area of the scheme that needed further work undertaken was how the Council dealt with the tenants affected.

Anthony Jemmott (Private Sector Housing Licensing Manager) was present at the meeting to answer questions from members. He explained that upon identifying an unlicensed property a warning letter was sent and if a subsequent application was not submitted the landlord would be prosecuted. However, the best outcome was to get the property licensed because then action could be taken to improve conditions within the property to bring it up to an acceptable standard. A copy of the license was displayed within the property so that tenants could know what standards were expected and make a complaint if these were not being met.

Questions were asked concerning the tenants affected by raids on unlicensed properties and the likelihood of catching the landlord responsible. Anthony Jemmott explained that the Council worked with the police when mounting raids and that there was an improving relationship developing that supported those people affected. He admitted that none of the 90 raids on unlicensed properties involved a resident landlord but that it was necessary to visit the property either early in the morning or later at night when it could be expected that all of the tenants would be at home so that evidence could be gathered of the conditions they were living in. In a few cases the media had been used as a means of further publicising the scheme and as a warning to landlords who owned unlicensed properties. It was the view of committee members that there were significant diversity implications despite the report stating that there were none immediately arising from the report. Phil Porter (Strategic Director, Community Wellbeing) acknowledged that there was more work needed on providing support to the tenants affected but stressed that the explicit

message arising from the publicity was on dealing with exploitation by rogue landlords. It was requested that all councillors be supplied with a briefing on the project so that they could pass the messages on to those they came into contact with.

It was still too early to fully assess the impact of licensing and the priority was to get as many properties licensed as possible. It made it easier for the Council to deal with the many complaints received each year about housing if the landlord could be contacted. In response to further questioning, Anthony Jemmott explained that if a landlord was prosecuted and jailed their license was revoked and it was hoped a better landlord would take it on. It was also explained that the licensing scheme was self-financing. The committee was informed that prosecutions of landlords were undertaken upon taking advice from the Council's legal services.

Councillor Farah stated that he would like to see Selective Licensing introduced borough-wide. Further discussion on this was needed before any proposals were put to the Cabinet. He undertook to include consideration of all the Committee's recommendations in any future report.

The Chair thanked Councillor Farah and the officers for attending the committee and answering the questions put to them.

#### RESOLVED:

- (i) that the submitted report be noted;
- (ii) that the following views of the Community and Wellbeing Scrutiny Committee be incorporated in a future report to Cabinet on Additional and Selective Licensing:
  - (a) that there be a policy/protocol in place for raids, televised raids and prosecutions to ensure there is a balanced approach to such matters throughout Brent; additionally, civil penalties, as introduced by the Housing and Planning Act 2016, be incorporated into this policy/protocol;
  - (b) that the Council continues with a zero tolerance approach with landlords (and/or managing agents and/or lead tenants) where raids have revealed the properties to be overcrowded;
  - (c) that there be mechanism in place to collect data in relation to types of landlords (ie. multi-property/single-property landlord), ethnicity of landlords and a link made between licensing and homelessness to assess the impact of the licensing and to better target resources;
  - (d) that there be a communication/information pack for tenants in plain English, and accessible to those who have English as an additional language, as to their obligations;
  - (e) that clear licensing information be included in the Council Tax Bills (as opposed to the information set out in the accompanying booklets) and in replies to Local Land Searches;

- (f) that there be a strategy in place for collaborative working with estate agents/letting agents to ensure they are fully aware of their obligations under Brent's licensing schemes and that they promote the same to their landlord and tenant clients;
- (g) that there be a policy/protocol in place to formulate a database of rogue landlords and estate agents/letting agents;
- (h) that there be a Borough-wide implementation of selective licensing to provide an absolute assurance of Brent's commitment to raising standards and that the Officers seek the necessary permission from the Secretary of State.

## 6. Ethical Lettings Agency

Jon Lloyd-Owen (Operational Director, Housing and Leisure) introduced the report which updated the committee on the proposed Ethical Lettings Agency which, in 2013, the Council had asked Brent Housing Partnership (BHP) to lead on establishing. The report explained that the proposal had not been viewed as viable by BHP but that a number of other projects had been brought forward. It was now intended to wait for details of a London-wide letting agency being developed by the Mayor of London.

Concern was expressed by members of the committee that the proposal had not been implemented. Members were informed that BHP had undertaken research of similar proposals implemented in other boroughs and there was found to be a mixed picture in terms of success. Councillor Farah (Lead Member for Housing) explained that BHP was working to a recovery plan and that Cabinet would be reviewing this later in the year. In the meantime this proposal had been stopped but the other initiatives outlined in the report were continuing.

Members expressed support for a pan London approach on this issue but were concerned to ensure that it would operate on a free not for profit basis and felt that the Council should be well positioned to take the initiative in developing a scheme with the GLA.

Phil Porter (Strategic Director, Community Wellbeing) pointed out that one of the Council's Outcome Based Reviews was on dealing with housing for vulnerable people and this work extended into how the Council could assist those people with additional needs to their housing needs.

RESOLVED:

- (i) that there be a proper assessment of other local authority schemes and their respective outcomes to ascertain viability of the scheme in Brent;
- (ii) that Officers liaise with the Mayor of London's deputy mayor for housing to access feasibility of Brent working with the GLA on a pan-London scheme;

- (iii) that there be a strategy in place for collaborative working with estate agents to develop/promote tenancies in supportive living and Brent's vision for ethical lettings of properties;
- (iv) that Officers explore possibilities of a pan-London or sub-regional ethical lettings agency within the public sector on a not for profit basis.

## **7. Scrutiny Task Group report on Brent's Housing Associations**

The Chair welcomed Councillor Miller to the meeting and invited him to introduce the report from the task group he had chaired on Brent's Housing Associations. Councillor Miller went through the report and the recommendations arising. Phil Porter (Strategic Director, Community Wellbeing) broadly supported the recommendations but wanted to change the approach to engaging with registered providers by establishing a more strategic single forum approach rather than specific working groups.

Questions were asked about the capacity of the smaller associations to fully participate, how quality, especially the resident experience, could be improved and the creation of a more diverse market across the whole borough. Councillor Miller replied that his task group had interviewed a range of providers, residents' groups and housing experts and considered a quantity of data. He acknowledged the issue of quality and the lack of resident involvement and suggested that a scheme might be developed for providers to be given recognition when they had developed a model of resident involvement to a sufficient standard. He pointed out that recommendation 12 of the task group touched upon expanding the market and that the Council might want to consider this further as part of its housing strategy.

The Chair thanked Councillor Miller for attending. In turn, Councillor Miller thanked his fellow task group members and the officers for the support they had given to the work of the task group.

RESOLVED:

- (i) that the recommendations from the task group on housing associations be approved subject to:
  - (a) reference to a working party being substituted for a strategic forum in recommendation 7, and
  - (b) the words 'with an emphasis on quality' being added to the end of recommendation 19;
- (ii) that an action plan be developed to enable the Cabinet to take forward the recommendations and a progress report on implementing the actions be submitted to a meeting of the committee during the remainder of 2016/17.

## **8. Any other urgent business**

None.

## **9. Date of next meeting**

Noted: 20 September 2016 at 7pm

The meeting closed at 9.05 pm

KETAN SHETH  
Chair