

	<p align="center">Cabinet 17 June 2024</p>
	<p align="center">Report from the Corporate Director of Partnerships, Housing and Resident Services</p>
	<p align="center">Lead Member- Cabinet Member for Housing (Councillor Promise Knight)</p>
<p align="center">Private Sector Housing Strategy (2024-2029)</p>	
Wards Affected:	All
Key or Non-Key Decision:	Key
Open or Part/Fully Exempt: <small>(If exempt, please highlight relevant paragraph of Part 1, Schedule 12A of 1972 Local Government Act)</small>	Open
List of Appendices:	<p>Four</p> <p>Appendix 1: Private Sector Housing Strategy Draft</p> <p>Appendix 2: Consultation Feedback Summary</p> <p>Appendix 3: Draft Action Plan</p> <p>Appendix 4: Equality Impact Assessment Report (Please note this appendix has been marked as "To Follow")</p>
Background Papers:	
Contact Officer(s): <small>(Name, Title, Contact Details)</small>	<p>Triza Handa, Head of Private Housing Services 020 8937 4037 Triza.Handa@brent.gov.uk</p>

1.0 Executive Summary

1.1 This report provides a progress update on the development of the new Private Sector Housing Strategy (Appendix 1). It includes a summary of the responses received to the recent public consultation carried out and recommends the Strategy for final approval and publication.

2.0 Recommendation(s)

2.1 That Cabinet note the consultation response and subsequent changes to the drafted strategy.

2.2 That Cabinet provide any comments or feedback on the updated strategy draft.

2.3 That Cabinet give approval for the strategy to receive sign-off for final publication.

3.0 Detail and Background

3.1 Cabinet Member Foreword

3.1.1 This draft strategy supports the Council's wider borough plan to Move Brent Forward Together and sets out how we will work to deliver our vision for the private housing sector in Brent, which is for it to be a safe, stable and accessible housing option for our residents.

3.1.2 In particular, this strategy supports the borough plan priority to provide prosperity and stability in Brent through helping to deliver the desired outcome for safe, secure and decent housing across the borough.

4.1 The first draft of the Private Sector Housing Strategy was produced in September 2023, before approval was given to launch a public consultation in November 2023.

4.2 The public consultation took place over a 10-week period, from 5 January 2024 to 18 March 2024 and a summary of the feedback from the consultation can be found in appendix 2. Activities carried out as part of this consultation to ensure all key stakeholders were offered an opportunity to provide feedback were:

- Social media promotion of the proposed strategy and routes to provide feedback;
- An online 'have your say' page where the draft strategy was shared alongside a feedback survey;
- Face-to-face engagement with private sector residents at the Private Sector Tenants Fair, attended by 500 Brent residents;
- Focus groups with key external partners, including: Advice for Renters, Crisis, London Renters Union and Justice 4 Tenants;
- Internal promotion of the consultation through Viva Engage and the weekly Chief Executives Message; and
- Promotion of the consultation in the Members Bulletin and direct consultation with the Portfolio Holder for Housing.

4.3 A detailed plan will be developed which will set out how each commitment and actions coming from them will be delivered during the lifetime of the strategy, with the draft plan detailed in Appendix 3.

5.0 Consultation response and amendments made to the strategy

Commitment One

5.1 For commitment one of the Strategy ("*we will work to increase the supply of private sector homes available in Brent so it is an accessible housing option for residents*"), 76% agreed that it should be a priority for the Council. For actions proposed under this commitment, particular favour was given to the continued

dedication to bring empty homes back in to use, ensuring they do not fall into disrepair.

- 5.2 Some feedback suggested that the proposed research into shared ownership homes should be re-considered, with stakeholders highlighting that it is not always an option for lower-income households and often does not mean more homes for Brent residents, instead encouraging out of borough residents to purchase homes in Brent. No definite decision has been made on whether Brent will consider shared-ownership as a housing option moving forward, the strategy only commits to commissioning a study into the demand for it in Brent and best practice within the sector, so this has been left in as an action.

Commitment Two

- 5.3 For commitment two of the Strategy (*“we effectively tackle poor property conditions across the private sector in Brent”*), 90% agreed that it should be a priority for the Council. In particular, support for the extended licensing scheme was very evident in the feedback for this commitment.
- 5.4 Feedback for this commitment suggested that there should be more focus on positive engagement with local landlords. This is something the service already does, however a commitment to increase awareness of, and continue to prioritise, this work has now been added to the strategy.
- 5.5 Some feedback for this commitment highlighted concerns that the fee for the licensing scheme may be passed on to tenants, and particular concerns around some poor practice across letting agents within the borough. Whilst there is not anything the Council can do to directly prevent this, a commitment has been added to strengthen Private Housing Services relationship with Trading Standards teams to ensure good signposting is in place for them to effectively take enforcement action against rogue landlords, letting agents and property management businesses where the Private Sector Housing Service is unable to.
- 5.6 Some minor wording changes have also been made to this commitment following feedback to better reflect our approach to taking enforcement action e.g. we take enforcement action against those who breach standards even just once, whereas previous language stated ‘repeated breaches’.

Commitment Three

- 5.7 For commitment three of the strategy (*“we prioritise supporting residents to access and stay in their private-sector home, living safe and comfortable lives”*), 83% agreed that it should be a priority for the Council.
- 5.8 Feedback for this commitment suggested that the proposed development of the tenants toolkit should be done in partnership with an external agency to broaden the reach and encourage trust from private sector tenants. Private Housing Services has already begun engaging with Advice 4 Renters to lead on the development of this toolkit, and further engagement with key stakeholders will be carried out before its final publication.

5.9 Further feedback on this commitment queried what the Council was doing to keep residents informed on the Renters Reform Bill and what it means for them. An additional commitment has been added to the strategy to include updates, advice and guidance on new legislation and its implications in future communications plans for the service.

6.0 Stakeholder and ward member consultation and engagement

6.1 These details have been set out above.

7.0 Financial Considerations

7.1 Neither this report or the draft PSH strategy or the commitments coming from it have any additional financial implications over and above that already identified for the delivery of existing services.

8.0 Legal Considerations

8.1 A local housing authority has powers and duties in relation to private sector housing under Housing Act 2004 Parts 1 to 4, the Housing Act 1985 Part 8, the Local Government and Housing Act 1989 Part 7 and the Regulatory Reform (Housing Assistance) (England and Wales) Order 2002 Article 3.

8.2 Local authorities also have a range of enforcement tools and incentives at their disposal to bring empty homes back into use. These include, but are not limited to, Empty Dwelling Management Orders, Council Tax exemptions and premiums, enforced sales, compulsory purchase, and measures to secure the improvement of empty properties. There are also other initiatives and incentives that can help reduce the number of empty properties, including the sale of empty Government-owned properties, planning measures and Value Added Tax (VAT).

8.3 Section 3(1) of the Local Government Act 1999 requires local authorities to “*make arrangements to secure continuous improvement in the way in which its functions are exercised, having regard to a combination of economy, efficiency and effectiveness.*” This is known as the Best Value Duty. Before deciding how to fulfil this duty, authorities are under a duty to consult representatives of a wide range of local persons; this is not optional. They must consult representatives of council tax payers, those who use or are likely to use services provided by the authority, and those appearing to the authority to have an interest in any area within which the authority carries out functions.

There are four principles on consultation which were established in the 1985 case of *R (ex parte Gunning) v Brent LBC* and they are set out below. In order for consultation process to be fair, a public body must ensure:

- that the consultation must be at a time when proposals are still at a formative stage;
- that the proposer must give sufficient reasons for any proposal to permit of intelligent consideration and response;
- that adequate time is given for consideration and response; and

- that the product of consultation is conscientiously taken into account when finalising the decision.

9.0 Equity, Diversity & Inclusion (EDI) Considerations

9.1 An equality impact assessment (“EIA”) has been carried prior and will be circulated to Cabinet prior to the meeting as Appendix 4. The EIA (marked as “To Follow”) takes into account the observations made by stakeholders during the consultation process. The results of the EIA will need to be considered by the Cabinet when it makes a final decision regarding the strategy and any proposed changes or modification to ensure it complies with the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010.

10.0 Climate Change and Environmental Considerations

10.1 This paper has no direct impact on the Councils environmental objectives or climate emergency strategy.

11.0 Human Resources/Property Considerations (if appropriate)

11.1 None.

12.0 Communication Considerations

12.1 The Housing Services Directorate will develop a communications plan to both promote this strategy and commitments within the strategy on an ongoing basis as and when needed.

Report sign off:

Peter Gadsdon

Corporate Director of Partnerships, Housing and Resident Services