

# **Neighbourhoods and Environment Scrutiny Committee**

## **Minutes of the meeting held on 2 September 2020**

**This Scrutiny meeting was conducted via Zoom, in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.**

### **Present:**

Councillor Igbon – in the Chair

Councillors Appleby, Butt, Hassan, Hughes, Jeavons, Lynch, Lyons, Strong, White and Wright

**Apologies:** Councillors Azra Ali, Flanagan, Kilpatrick, Razaq, Sadler and Whiston

### **Also present:**

Councillor Akbar, Executive Member for Neighbourhoods

Councillor Richards, Executive Member for Housing and Regeneration

Robin Lawler, Chief Executive, Northwards Housing

## **NESC/20/33            Minutes**

### **Decisions**

To approve the minutes of the meeting held on 22 July 2020 as a correct record.

## **NESC/20/34            Private Rented Sector Strategy 2020-2025**

The Committee considered a report of the Strategic Director (Growth and Development) that provided an overview of the new Private Rented Sector Strategy 2020-25. The report was accompanied by the delivery plan.

The Committee had been invited to comment on this report prior to its submission to the Executive on the 9 September 2020.

The Executive Member for Housing and Regeneration referred to the main points and themes within the report which included: -

- Providing a rationale for the strategy and setting out how the Council along with its partners would support the improvement of housing standards within the sector over the next 5 years (2020-25);
- Describing how the strategy had been developed; and
- Describing strategy themes and objectives.

Some of the key points that arose from the Committee's discussions were: -

- Consideration needed to be given to other methods and opportunities of providing information to tenants on their rights, suggestion that information should be sent out in the annual Council Tax mailing;
- Had there been any indication if the Local Housing Allowance in Manchester would be increased;
- Supporting the ambitious strategy and requesting that the Committee receive regular progress reports;
- Requesting an update on the numbers and location of temporary accommodation across the city;
- More information was sought on the retrofitting of homes;
- Noting the difficulty tenants had obtaining relevant information relating to their property; and
- What was the approach to short term lets.

The Executive Member for Housing and Regeneration stated that she thanked Members for their contributions and suggestions in bringing forward this strategy. She said that the priority of the strategy was to tackle low quality housing in Manchester and to protect the most vulnerable residents who were increasingly reliant on the private rented sector to meet their housing needs, noting that it was anticipated that the impact of COVID-19 would see an increase in those on welfare benefits and the impact this had on their housing options.

The Executive Member for Housing and Regeneration stated that currently there was still no clarification as to what the government intended to do in relation to Section 21 notices (notice to quit), similarly with the Local Housing Allowance following the temporary uplift. She described that lobbying of government would continue on these important issues and despite the budget pressures she remained committed to progressing and delivering this ambitious plan. She called upon the government to adequately fund local authorities and pending further announcements she stated it was the correct decision to focus all available resources on those residents most in need within the city. She said the delivery plan would enable progress to be analysed and mapped and agreed to submit progress reports and updates to the Committee.

The Executive Member for Housing and Regeneration welcomed the suggestion regarding including information on tenant rights in the annual council tax mail out, adding she would take this away to progress. She described that it was important that information was available in languages other than English and she said the local Neighbourhood Teams provided advice and signposting for residents. She described local resident forums and similar community engagement events were opportunities at a local level to signpost residents and provide advice on a range of issues, including tenant rights. The Chair stated that it was important to be able to deliver advice in local community settings to residents in addition to online sources.

The Neighbourhood Manager informed the Members that forums had been established to engage with and create a dialogue with landlords and understand issues and concerns that they were experiencing within the sector.

In response to the issues raised regarding short term lets, the Executive Member for Housing and Regeneration stated that she would encourage residents to report issues and the appropriate action would be taken. She further informed the

Committee that the intention was to launch a Short Term Letting Charter in Manchester to address the issues experienced within this sector and set out expectations and management standards of both hosts and guests in this sector.

Members supported the establishment of a Short Term Letting Charter and commented that all stakeholders and interested parties, including local resident and community groups should be included in this process.

The Head of Compliance, Enforcement and Community Safety described that proactive work was undertaken with short let providers and platforms, such as Airbnb and booking.com, and where appropriate enforcement action would be taken to address issues. She stated that all available powers would be used, including anti-social behaviour legislation, noise abatement notices, fixed penalty notices and consideration was currently being given to using public health powers to close premises. She further made reference to the recent media reports where action had been taken to address problematic premises.

In response to the question requesting further information on the provision of temporary accommodation, the Head of Housing Services stated that this information would be requested from the relevant team and circulated to Members for information following the meeting.

The Head of Housing Services advised that funding bids to deliver retrofitting had been submitted, both at a local and Greater Manchester level and the outcomes of these bids were still awaited. The Executive Member for Housing and Regeneration advised that a report on this important area of work could be provided to the Committee at the appropriate time. She stated that despite budgetary pressures the Council remained committed to meeting its emissions targets.

The Head of Housing Services further informed the Committee that the Building Safety Bill and Fire Safety Bill made provision to access to information relating to a building that tenants had access to.

## **Decisions**

The Committee;

1. Note the report and endorse the recommendations that the Executive approve the Private Rented Sector Strategy 2020-25 and delivery plan.
2. Recommend that the Executive Member for Housing and Regeneration provide advice and information on tenant rights to be included in the annual Council Tax mail out to residents.
3. Recommend that a briefing note on the progress of the Private Rented Sector Strategy 2020-2025 be provided to Members in six months' time and a formal update report be submitted for consideration by the Committee in September 2021.

4. Recommend that the Executive Member for Housing and Regeneration consult with all stakeholders and interested parties, including local resident and community groups when developing the proposed Short Term Letting Charter.

#### **NESC/20/35                      Extension to Selective Licensing Schemes - Public Consultation**

The Committee considered a report of the Strategic Director (Neighbourhoods) that described that Officers were seeking approval to commence an extensive consultation exercise to establish whether the declaration of a selective licensing scheme was required within the 12 potential areas identified within the report.

The Committee had been invited to comment on this report prior to its submission to the Executive on the 9 September 2020.

The main points and themes within the report included: -

- Providing a context of the Private Rented Sector (PRS) in Manchester;
- The legal framework in the context of The Housing Act 2004, noting that Selective Licensing is intended to address the impact of poor quality property and management standards primarily in areas of low demand or high deprivation and with poor quality housing;
- Describing the measures required to introduce Selective Licensing in a designated area;
- Information on fees and conditions;
- Describing licensing considerations and objectives; and
- An update on the proposed Selective Licensing Consultation.

Some of the key points that arose from the Committee's discussions were: -

- Welcoming and supporting the proposed extension of the scheme;
- Noting the improvements realised in those areas where Selective Licensing had been introduced;
- Clarification was sought regarding the funding and staff resourcing to undertake property inspections of any agreed future schemes;
- Had consideration been given to increasing the Selective Licensing fee;
- Would temporary accommodation be subject to Selective Licensing; and
- Requesting that a list of all temporary accommodation by ward be circulated to all Members of the Committee.

The Head of Compliance, Enforcement and Community Safety informed the Committee that Selective Licensing schemes were self-funding via the license fee applied. She stated that the license fee had been set in accordance with agreed eligible charges. She stated that the extension of schemes and the corresponding revenue from fees would fund officer posts and the experience and knowledge obtained from the delivery of other schemes in the city had informed the planning for the delivery of the proposed schemes.

In regard to the comment regarding the numbers of inspections required, the Head of Compliance, Enforcement and Community Safety advised that in the initial stages of

a designated licensing period priority was given to processing the applications and this was then followed by a programme of inspections, noting that the programme of planned inspections had been impacted by COVID-19. The Neighbourhood Manager stated that she would circulate a flow chart to all Members that described the licensing process.

The Neighbourhood Manager advised the Committee that the legislation governing Selective Licensing did not extend to temporary accommodation. She acknowledged the issues raised in relation to temporary accommodation and stated that officers would continue to work with partners and colleagues to resolve any issues identified.

## **Decisions**

The Committee note the report and endorse the recommendations that the Executive:

1. Approve a consultation with residents, private landlords, businesses and other stakeholders to designate selective licensing schemes within the geographical areas listed in paragraph 4.2 of this report; and
2. Subject to the outcome of the consultation, delegate authority to the Director of Neighbourhoods in consultation with the Executive Member for Housing and Regeneration and the Executive Member for Finance and Human Resources to approve up to 12 selective licensing areas identified in the report.

## **NESC/20/36                      Housing Compliance and Enforcement - Performance in 2019/20**

The Committee considered a report of the Strategic Director (Neighbourhoods) that provided Members with an update on demand for and performance of the Housing Compliance and Enforcement Team during 2019/20.

The main points and themes within the report included: -

- Data on reactive demand compared to the previous year;
- Data on service requests based on area and category of complaint;
- An update on activities to Rogue Landlord Team;
- Data on formal enforcement action;
- An update on the Selective Licensing Pilot, noting that selective licensing areas encompassed approximately 2,000 private rented properties;
- An update on Mandatory Licensed HMO (House in Multiple Occupation), noting that a public consultation was currently ongoing regarding HMO standards;
- Information on illegal evictions and landlord harassment;
- Electrical Safety Checks and the duties imposed on landlords;
- Information on Energy Performance Certificate (EPC) requirements;
- Describing the impact of the pandemic on the service; and
- Providing case studies.

Some of the key points that arose from the Committee's discussions were: -

- What more could be done through the HMO licensing scheme to encourage landlords and tenants to improve the management and maintenance of their properties;
- Requesting a breakdown by ward of compliance activity;
- Welcoming the inclusion of case studies to demonstrate the breadth of work undertaken by the service;
- All attempts should be made to encourage the return of HMOs to be reverted to family homes;
- What was the difference between a HMO and co-living models; and
- Noting the importance of the Rogue Landlord Team and questioning whether more officers were required for the team.

The Head of Compliance, Enforcement and Community Safety stated that a breakdown of activity by ward could be provided to Members following the meeting. She further acknowledged the work of the Rogue Landlord Team and stated that she would always welcome additional resources to expand capacity within the team. The Executive Member for Housing and Regeneration added that the team provided an important service to some of the most vulnerable residents across the city and lobbying for additional funding to deliver this service would continue.

In response to the question and comments regarding HMO licensing and standards, the Head of Compliance, Enforcement and Community Safety described that the definition of a HMO was prescribed in legislation. She stated that she was confident that the HMO standards and conditions applied in Manchester were robust, however they remained committed to working with and listening to both residents and landlords on this issue. She added that she would also welcome feedback and suggestions on this subject from Members.

The Neighbourhood Manager advised the Committee that officers from across different teams met regularly to share intelligence and identify any problematic HMO properties to then agree an action plan. She said this could include inviting in landlords for discussions.

The Executive Member for Housing and Regeneration reported that work was also currently underway with the local Universities to refresh the Student Strategy that would assist students to access high quality and better managed student accommodation, noting the benefits that could bring to local neighbourhoods. The Chair welcomed this and stated that it was important to recognise the impact of the behaviour of tenants and the management of properties had on communities and neighbourhoods.

The Executive Member for Housing and Regeneration stated that the aspiration would be to return HMOs back into larger family homes as it was recognised that there was a demand for these in areas of the city.

In regard to the question relating to co-living, the Executive Member for Housing and Regeneration stated that this was a model of housing that was distinct from HMOs and she made reference to the report that had been considered by Executive at their

meeting of 3 July 2020 and the approach to co-living adopted in advance of the review of the Local Plan

The Chair concluded this item of business by expressing her gratitude to all staff working within the service for the work they undertook on behalf of the residents of the city.

## **Decision**

To note the report.

### **NESC/20/37            Fire Safety in High Rise Residential Buildings**

The Committee considered a report of the Strategic Director (Growth and Development) that described those activities to address fire safety in high rise residential buildings.

The Committee had been invited to comment on this report prior to its submission to the Executive on the 9 September 2020.

The main points and themes within the report included: -

- The latest information on the removal of unsafe Aluminium Composite Material (ACM) cladding;
- An update on the collection of data on all External Wall Systems;
- Information on other fire safety issues in High Rise Residential Buildings;
- An update on work undertaken on council-owned High Rise Residential Buildings;
- A description of the Council's interdepartmental Fire Safety Group;
- An update on the Council's work with residents and, in particular, the Cladiators;
- A description of the Council's role as an Early Adopter of the Dame Judith Hackitt recommendations; and
- An introduction to the Building Safety Bill and Fire Safety Bill and the implications for Manchester.

Some of the key points that arose from the Committee's discussions were: -

- Welcoming the comprehensive report and acknowledging the work that had been undertaken to progress this important issue;
- Acknowledging the role of the Executive Member for Housing and Regeneration in leading on this issue and providing a voice for the many affected residents in Manchester;
- Welcoming the Council's role as an Early Adopter of the Dame Judith Hackitt recommendations;
- This approach should apply to all properties, including those under 18 metres;
- Developers should be encouraged to rectify any issues with cladding rather than occupiers; and
- Occupiers access to relevant information relating to the property was important; and

- Noting the difficulties experienced by occupiers who lived in High Rise Residential Buildings obtaining insurance, insurance companies should be lobbied on this issue.

The Executive Member for Housing and Regeneration said that the Council would continue to support residents and work with them to lobby the government for more resources to deal with all fire safety issues in multi-occupied buildings. The Council would continue to argue that leaseholders should not be made to pay to remedy problems in poorly constructed buildings. The Council would also support Greater Manchester Fire and Rescue Service and residents in lobbying the government to provide funding to remedy all fire safety issues in multi-occupied buildings irrespective of the arbitrary 18m height definition. She said the lobbying on behalf of residents extended to insurance companies.

The Executive Member for Housing and Regeneration described that Leader had written to the Secretary of State to suggest that VAT not be charged to developers to encourage them to rectify cladding, however this had been rejected by the Treasury. She further advised the Members that the Council was also a member of the Greater Manchester High Rise Task Force.

The Interim Director of Housing & Residential Growth advised the Committee that Manchester was a member of the national Early Adopters Forum which provided an mechanism for the Council to seek to influence national policy and directly represent the lived experience and views of residents to the government.

The Executive Member for Housing and Regeneration advised the Committee that because of the Council's role as an Early Adopter of the Dame Judith Hackitt recommendations they had undertaken proactive work with premises and managing agents to ensure occupants were aware of fire safety within the premises. She further stated that fire safety advice and responsibilities would also be included in the Short Term Letting Charter that had previously been discussed. The Committee welcomed this.

The Committee welcomed Robin Lawler, Chief Executive, Northwards Housing. He described that all of their high rise properties had been subject to an independent fire risk assessment. He said that the programme for installing sprinkler systems in blocks continued, however tenants did have the right to refuse the installation of these in their flats. He said that whilst every attempt had been made to encourage them to have these installed they respected the views of the tenant. He advised that that installation was such that at the time a property became vacant sprinklers could be installed prior to any re-let.

## **Decisions**

The Committee note the report and endorse the recommendations that the Executive:

1. Note this report;
2. Delegate to the Strategic Director (Growth and Development) in consultation with

the Executive Member for Housing and Regeneration responsibility to develop a process for Mandatory Occurrence Reporting as detailed in section 9.10; and

3. Agree that the Accountable Person for buildings in scope is the Council of the City of Manchester as described in section 9.16.

### **NESC/20/38            Overview Report**

The report of the Governance and Scrutiny Support Unit which contained key decisions within the Committee's remit and responses to previous recommendations was submitted for comment. Members were also invited to agree the Committee's future work programme.

The Chair informed the Committee that following discussions with officers it had been agreed that the budget item listed for the October would be removed from the work programme.

In response to a question regarding the Climate Change Subgroup, the Chair reminded the Committee that at the 25 March 2020 meeting of Council the report 'Constitutional Amendments and Other Matters for Council Business Continuity' was considered and approved. The Committee were reminded that within that report it recommended and agreed that Scrutiny Subgroup meetings should be suspended for the time being.

### **Decision**

To note the report subject to the above amendment.