

COUNCIL - 19 OCTOBER 2017

## **RECOMMENDATIONS OF THE EXECUTIVE AND COMMITTEES**

### **Summary**

The Council is invited to consider the recommendations from the meetings of the Executive held on 14 September 2017, the Licensing Committee held on 19 October 2017 and the Executive held on 12 October 2017 and determine accordingly. The recommendations as set out in the minutes of the Executive on 14 September 2017 and in the reports of the Licensing Committee on 10 October and the Executive on 12 October 2017 are set out below.

### **EXECUTIVE – 14 SEPTEMBER 2017**

#### **1. PRIVATE RENTED SECTOR ACCESS SCHEME POLICY**

The Executive received a report which recommended to Council the adoption of the Private Rented Sector Access Scheme Policy. Councillor C S Kemp, Portfolio Holder for Private Sector Housing, explained that the Policy set out how the Council intended to assist homeless households access accommodation in the private rented sector to prevent and relieve homelessness, as well as encouraging landlords to engage with the Council. Following a question regarding the impact on existing tenants and bond holders from April 2018, it was noted that tenants with bonds would be given advice. The Portfolio Holder confirmed that a holistic approach would be taken when assisting tenants. The Executive was advised that the report would be reviewed by the Overview and Scrutiny Committee at its meeting on 18 September 2017. EXE15-110

#### **RECOMMENDED to Council**

- That (i) **the Private Rented Sector Access Scheme Policy, as set out in the Appendix to the report, be adopted;**
- (ii) **the Strategic Director for Housing be delegated authority to agree leases with private landlords for accommodation to be used in accordance with the Policy;**
- (iii) **the Strategic Director for Housing be delegated authority to make minor amendments to the Policy (specifically including changes to the scope and level of incentives) in consultation with the Portfolio Holder;**
- (iv) **the Council's Allocation Policy be amended such that existing tenants accommodated through the Council's existing Private Rented Sector Access schemes cease to be eligible to apply for the Council's Housing Register after 31 March 2018; and**
- (v) **the Flexible Homelessness Support Grant be used to provide the additional £95k budget provision required to deliver the Let's Rent Connect scheme and £10k for the Let's Rent Complete scheme.**

## Recommendations of the Executive and Committees

Reason: The adoption of a policy ensures that the Council acts consistently in providing incentives and other activities to procure private rented accommodation for homeless households. It also provides private landlords with transparent information on how the Council intends to work with them in helping homeless households secure accommodation and assists in marketing the Council's schemes to private landlords. The policy also ensures that the Council's offer to private landlords is competitive within the marketplace and that wherever possible homes across the Borough are secured for local families rather than homeless households from other local authority areas.

### **2. LICENSING PRIVATE RENTED ACCOMMODATION - PROPOSAL TO MAKE A SELECTIVE LICENSING DESIGNATION IN PART OF CANALSIDE WARD**

*(Note: A supplementary report in respect of this item will be circulated in advance of the meeting.)*

The Executive received a report which recommended to Council the proposal to introduce a selective licensing scheme in part of Canalside Ward. It was noted that the scheme aimed to deliver improvements to the management of private rented accommodation through the imposition of licence conditions. The Portfolio Holder for Private Sector Housing, Councillor Kemp, reported that there would be opportunities for landlords to join the proposed scheme without paying a fee. Councillor Kemp advised that the report would be reviewed by the Overview and Scrutiny Committee, at its meeting on 18 September 2017, which would provide an opportunity for Members to go through the proposal in detail. Concern was expressed about the suitability of the scheme, the cost of the scheme, the potential impact on tenants and the consultation responses to the proposal. Councillor I Johnson commented that information on the schemes used by other Borough's would be useful when the matter was discussed further at the Overview and Scrutiny Committee.

EXE17-041

#### **RECOMMENDED to Council**

- That (i) **the Head of Democratic and Legal Services be delegated authority to designate a selective licensing designation under the Housing Act 2004 within the area of Canalside Ward set out in the report and at Appendix 1 and Appendix 2 to the report;**
- (ii) **the selective licensing designation come into force on 01 March 2018;**
- (iii) **the selective licensing designation cease on 28 February 2023;**
- (iv) **the fee structure for the selective licensing scheme set out in Appendix 9 to the report be adopted and subsequently reviewed as part of the Council's fees and charges setting process;**
- (v) **the Strategic Director for Housing, in consultation with the Portfolio Holder, be delegated authority to amend the Council's Houses in Multiple Occupation Licensing Policy to**

## Recommendations of the Executive and Committees

**incorporate the introduction of selective licensing and rename as the Housing Standards Licensing Policy; and**

- (vi) the Strategic Director for Housing, in consultation with the Portfolio Holder, be delegated authority to make minor amendments to the Housing Standards Licensing Policy.**

Reason: Following completion of the public consultation in respect of the proposal to introduce a selective licensing scheme in part of Canalside Ward, it was now appropriate for a decision to be made whether to proceed with the scheme.

If it was agreed that the scheme be introduced, the Council was required to make a designation for the scheme and delegated authority was required for that purpose.

The introduction of the scheme would also require amendments to the Council's Houses in Multiple Occupation Licensing Policy to incorporate the selective licensing scheme, and it was proposed that the policy be renamed. The provision of delegated authority to make minor amendments to the policy would ensure that the policy could readily be updated to reflect minor legislative change.

### **3. MAJOR WORKS AFFECTING LEASEHOLDERS AND ARRANGEMENT FOR THE PAYMENT OF SERVICE CHARGES**

The Executive received a report which recommended to Council proposed updates to the procedure for consulting Leaseholders for major works and approval for an updated scheme for recharging major works service charges. It was noted that Leaseholders had been consulted via the Leaseholder Forum held on 6 September 2017. EXE17-045

#### **RECOMMENDED to Council**

- That (i) the consultation procedure and payment plan arrangements for Leaseholders outlined in the report be adopted; and**
- (ii) delegated authority be given to the Strategic Director for Housing to make minor changes to the policy in consultation with the Portfolio Holder for Housing.**

Reason: To update the existing procedures to ensure the Council consults effectively with Leaseholders and in doing so, complies with the statutory legal duty to notify Leaseholders of works and additionally, provide financial payment options that can assist Leaseholders to meet their commitments whilst adopting a sympathetic approach.

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### LICENSING COMMITTEE – 10 OCTOBER 2017

Set out below are the recommendations before the Licensing Committee in respect of the Review of Scheme of Delegations. The extract from the minutes of the meeting will be tabled at Council.

#### 4. REVIEW OF SCHEME OF DELEGATIONS

##### Recommendations

The Committee is requested to:

**RECOMMEND TO COUNCIL** That authority be delegated to the Legal Services Manager to:

- (i) authorise named officers of the Licensing Team to be “authorised persons” for the purposes of the Licensing Act 2003; and
- (ii) authorise named officers of the Licensing Team to be “authorised officers of the Council” for the purposes of the Local Government (Miscellaneous Provisions) Act 1976.

### EXECUTIVE – 12 OCTOBER 2017

Set out below are the recommendations before the Executive in respect of the introduction of a mandatory training programme for elected Members and the adoption of Ordinary Watercourse Byelaws. The extract from the minutes of the meeting will be tabled at Council.

#### 5. THE TRANSFORMATION AGENDA – MANDATORY TRAINING PROGRAMME FOR ELECTED MEMBERS

##### Recommendations

The Executive is requested to:

**RECOMMEND to Council** That

a programme of mandatory training for Elected Members be introduced as part of the Council’s Learning and Development Programme for Councillors from May 2018 onwards as outlined in Section 3.0 of the report.

#### 6. ADOPTION OF ORDINARY WATERCOURSE BYELAWS

##### Recommendations

The Executive is requested to:

**RECOMMEND to Council** That

- i) the proposal to make drainage byelaws, as set out in Appendix 1 to the report, be endorsed;
- ii) the Council consult with Defra, Natural England and the local navigation authority on the Council’s proposal to make the drainage byelaws;

## Recommendations of the Executive and Committees

- iii) subject to there being no objections by Defra, Natural England and the local navigation authority to the informal consultation the byelaws be made;
- iv) the Assistant Director (Place), in consultation with the Portfolio Holder, be authorised to consider and seek to resolve any objection to the said byelaws being made (including amending the proposed byelaws);
- v) the byelaws be submitted to the Secretary of State for confirmation with or without any outstanding objections (as the case may be); and
- vi) in the event these byelaws are adopted by the Council, authority be delegated to the Assistant Director (Place) to authorise or refuse any applications for consents submitted under the said byelaws.

### Background Papers:

None.

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REPORT ENDS

