

Council: 25 July 2017

Agenda Item 14.5 – Administration amendment in the name of Cllr Tom Davey

Opposition Motion in the name of Cllr Ross Houston – Standards in the private rented sector

Delete all except paragraph number three in the original motion and replace with:

Council notes there was no Housing & Planning Bill introduced, debated, or voted on in Parliament this year, nor were there any Labour amendments to said bill requiring private landlords to make their homes “fit for human habitation.”

Council suggests the legislation to which Cllr Ross Houston may have been referring in the original draft of this motion was the Housing & Planning Act — which received royal assent on 12 May 2016. Council notes a similar lack of attention to detail led to the defeat of the Labour amendment to said Act — based on Karen Buck MP’s failed Homes (Fitness for Human Habitation) Bill — by 312 votes to 219 on 12 January 2016.

Council recognises the proposed amendment was defeated because it was poorly drafted, would have reproduced existing legislation — of which councils such as Barnet make great use —and created unnecessary costs for law-abiding landlords and their tenants.

Council notes that since April 2015, local authorities are now required to obtain Secretary of State confirmation for any selective licensing scheme affecting more than 20% of private landlords in their area.

Council agrees with housing minister Brandon Lewis that “the blanket licensing approach adopted by some local authorities has major drawbacks” — namely that they have the effect of penalising responsible and compliant landlords rather than supporting them — when the more nuanced approach encouraged by the Selective Licensing of Houses (Additional Conditions) (England) Order 2015 could more effectively target rogue landlords.

Council notes Barnet did just this in respect of Houses in Multiple Occupation (HMOs) last year and applauds the Private Sector Housing Team for successfully prosecuting ten rogue landlords since November 2015; extracting almost £300,000 in fines, fees, and victim surcharges.

However, Council recognises not all authorities operate to as high a standard as Barnet, and notes the one redeeming feature of Karen Buck’s bill was the proposed introduction of powers to enforce standards in public sector housing — which may have prevented the situation in Camden whereby tower block residents were forced to live with exposed gas pipes and missing fire doors.

Council therefore requests that the Leader of the Council to write to the Secretary of State to enquire how the issue of public sector housing standards will be addressed in the forthcoming parliamentary session.