



To: Councillor Kevin Price Executive Councillor for Housing  
Report by: Yvonne O'Donnell Environmental Health Manager  
Relevant scrutiny committee: Housing 21/09/17  
Scrutiny Committee  
Wards affected: ALL

## **Proposed Changes to the Residential Team Structure within Environmental Health**

### **Not a Key Decision**

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#### **1. Executive summary**

- 1.1 The private rented sector currently comprises approximately 28% of the housing market within Cambridge. With the average house prices in the City at over 40% above the national average the demand for rental accommodation remains high. It is vital therefore that the Council focuses on improving standards within the sector thus fulfilling their statutory function.
- 1.2 Cambridge City Council introduced a voluntary Property Accreditation Scheme in 2007 and appointed a full time Property Accreditation Officer to facilitate this none statutory function.
- 1.3 There are currently around 550 properties within Cambridge City that are accredited via the Property Accreditation Scheme a number which has been achieved over the past 11 years since accreditation was launched.
- 1.4 Currently there are 6.5FTE Enforcement Officers within the Residential Team that actively respond to reactive complaints from customers regarding concerns relating to a wide range of housing standards issues within private rental accommodation as well as reports of harassment and illegal eviction. These Officers also actively respond to reactive complaints from customers relating to statutory nuisance issues arising from matters such as noise disturbance.

- 1.5 Proactive house in multiple occupation (HMO) property inspections as well as HMO licensing inspections are also conducted by these Officers on a risk based approach for which the current risk rating system used is under review.
- 1.6 Property Accreditation has been a positive scheme however greater emphasis needs to be placed on dealing with poorer standards of housing with a shift from accreditation to enforcement.
- 1.7 The Government plan to make changes to increase the scope of HMO's that are subject to mandatory licensing which is a statutory function under the provisions contained within Part 2 of the Housing Act 2004. This proposed change in legislation would lead to increased levels of statutory duties for existing enforcement officers within the Residential Team.

## **Recommendations**

The Executive Councillor is recommended:

- 2.1 To approve the cessation of the Property Accreditation Scheme including the deletion of the current employment post of Property Accreditation Officer.
- 2.2 To increase enforcement activity facilitating further improvements within the private rented sector.

## **3. Background**

- 3.1 Despite best efforts of the Property Accreditation Officer numbers of properties being accredited has plateaued and a decrease in numbers has been noted particularly over the last year.
- 3.2 Accredited properties are generally well managed / maintained:
  - In excess of 280 of the currently accredited properties are managed by Anglia Ruskin or Cambridge Universities in compliance with the ANUK Registration scheme for student accommodation.
  - Whilst over 100 of these currently accredited properties are HMO's that are subject to the mandatory licensing a regime that has proven to improve housing standards, (this number would increase to nearer 150 under the proposed extended licensing regime).

- 3.3 This means that around 80% of the current accredited properties fall within this categorisation of being well managed / regulated prior to accreditation by Cambridge City Council.
- 3.4 One of the reasons that the Government have announced their intention regarding extension of mandatory licensing is owing to the fact that they have stated that there is evidence that landlords are choosing to rent out smaller HMO's to avoid the need to licence under limited mandatory licensing criteria as well as avoiding the attention of enforcement authorities.
- 3.5 Currently there are 347 HMO's within Cambridge City that have been licensed under current mandatory licensing criteria however it is predicted that this number would increase to over a thousand under the proposed extended regime. This change in legislation will lead to increased levels of statutory duties for existing Enforcement Officers within the Team something that requires forward planning in order to ensure the continued effectiveness of this enforcement function.
- 3.6 Enforcement Officers within the Residential Team will continue to:
- Work with a range of Landlords and Property Managers to improve housing standards within private rented housing via a range of actions from informal advice and encouragement to formal action where necessary in accordance with the Enforcement Policy and Concordat
  - Offer a popular Landlord training programme.
  - Organise / deliver Landlord Forums and a Landlord Newsletter via which links could be maintained with members of the Property Accreditation Scheme Steering Group.
- 3.7 A Housing Standard is due to be adopted by Cambridge City Council following which it will be made available to Landlords the main purpose of the new standard is to try to protect the health, safety and wellbeing of the occupants and to give landlords clear guidance relating to matters including fire protection, amenities and room sizes within HMOs.
- 3.8 Taking into account the above factors, the effectiveness and value of the Property Accreditation Scheme is greatly reduced therefore a shift of staffing resource is proposed from this non-statutory scheme over to maintained enforcement within the Residential Team with the aim of ensuring continual improvement of standards within the Private Rented housing.

## **4. Implications**

### **(a) Financial Implications**

The annual amount of total direct expenditure linked to the Property Accreditation Scheme is £50, 530.00 of which employee pay and allowances amount to 47,420.00. Cessation of the scheme would therefore result in a significant annual saving within Environmental Health part of Environmental Services.

Currently Landlords whose properties are subject to mandatory licensing and are accredited of which there are currently over 100 benefit from a discount of £100 from the full licence fee. This discount applies for both new licences and renewal of licences. Current licence fees for the majority of properties licensed is £562 for a new licence and £452 for a licence renewal. The licence fee generally relates to properties being licensed for a 5 year period (discretion can however be exercised with regards to the length of a licence) and is derived fairly taking into account real time chargeable hours taken to process an application. Upon cessation of the Property Accreditation Scheme this discount would no longer apply thus resulting in increased income generation via the licensing scheme.

### **(b) Staffing Implications**

The Property Accreditation Officer has been briefed regarding this proposal and will receive support and guidance with regards to the Organisational Change process of which they will be part.

### **(c) Equality and Poverty Implications**

YES an Equality Impact Assessment has been completed, please see Appendix A.

### **(d) Environmental Implications**

There are no anticipated environmental implications with regards to this proposal.

### **(e) Procurement**

There is no procurement involved with regards to this proposal.

## **(f) Consultation and communication**

The Property Accreditation Steering Group will be advised of the proposal initially via e-mail and will be invited to comment with regards to this.

Should approval be sought with regards to cessation of the scheme there will be a wind down period between October 2017 and January 2018 during which the decision can be publicised via various means including the Council website, social media and as part of a Landlord Forum.

Advice is available at <http://intranet/corporate-marketing/>

## **(g) Community Safety**

Upon cessation of Property Accreditation the work of the Residential Team will continue with regards to Enforcement Officers working with private sector Landlords and Agents / exercising their statutory duties and powers where necessary in order to continue to drive up standards in the Private Rented Sector which comprises a high percentage of the Housing tenure within Cambridge City thus creating safer homes.

## **5. Background papers**

These background papers were used in the preparation of this report:

Housing Act 2004

<http://www.legislation.gov.uk/ukpga/2004/34/contents>

Extending mandatory licensing of houses in multiple occupation and related reforms

<https://www.gov.uk/government/consultations/extending-mandatory-licensing-of-houses-in-multiple-occupation-and-related-reforms>

## **6. Appendices**

Appendix 1 – Equality Impact Assessment

## **7. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact:

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