

Neighbourhoods and Community Services Scrutiny Panel – Meeting held on Thursday, 22nd October, 2020.

Present:- Councillors Hulme (Chair), Kelly (Vice-Chair), Ajaib, Begum, M Holledge, Matloob, Minhas, S Parmar, Sabah.

Co-opted Member: Trevor Pollard (Resident Panel Board)

Apologies for Absence:- None.

PART 1

24. Declarations of Interest

In relation to Minute No.27 Councillors Hulme and Minhas declared that they were Council representatives on the Royal Berkshire Fire Authority. They remained logged in throughout the virtual meeting and took part in the discussion on the item.

In relation to Minute No. 27 Councillors Ajaib, Matloob, and Sabah declared that they were landlords, but that their properties were not HMOs or subject to the Council's Selective Licensing Scheme. They remained logged in throughout the meeting and took part in the discussion on the item.

In attendance under Rule 30, Councillor Strutton declared that in relation to Minute No 27 he was a freeholder of a block of four flats – the properties were not HMOs or subject to the Council's Selective Licensing Scheme.

In attendance under Rule 30, Councillor Gahir declared that in relation to Minute No.27 he was a landlord but that his property was not a HMO or subject to the Council's Selective Licensing Scheme. He remained logged in throughout the meeting.

25. Minutes of the last meeting held on 3rd September 2020

Resolved – That the minutes of the meeting held on 3rd September 2020 be approved a correct record.

26. Member Questions

None had been received.

27. HMO and Selective Licensing Schemes under the Housing Act 2004

The Housing Regulation Manager introduced a report that provided an update on the implementation of the Council's property licensing schemes, which had been introduced during spring 2019, under the Housing Act 2004.

The Chair invited comments and questions from the Panel.

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During the course of the discussion, the following points were raised:

- It was confirmed that income generated by the HMO and Selective Licensing Schemes was used to fund the administration of schemes. Additional staff resource had been put in place to deliver the licensing schemes; however the current resourcing was less than was originally intended when the schemes were approved by Cabinet in 2019.
- Recruiting suitably qualified staff had historically been a challenge for the Housing Regulation Team due to the technical and demanding nature of the job, and up until July 2020 the Team had been operating with a number of vacancies. Administrative barriers, financial uncertainty and Covid-19 had created significant delays in the recruitment process and had hampered efforts to train newly appointed staff. Nonetheless, despite the operational challenges, four talented and enthusiastic new Housing Regulation Officers had been recruited and were currently undergoing training to enable them to work autonomously. A new Property Licensing Coordinator was due to join the Team during October 2020.
- It was estimated that 65% of properties subject to the Selective Licensing Scheme and 10% of HMOs had been registered to date.
- A Member queried how HMO were monitored to ensure that properties were maintained to a good standard. It was explained that officers primarily visited properties by appointment with landlords. If there was an issue with a property that the landlord failed to address enforcement action could be taken.
- The Housing Regulation Team had faced unprecedented operational challenges in recent months due to Covid-19. In particular the provision of IT equipment had prevented the roll-out of Licensing Inspection software. Covid had prevented pro-active enforcement work being undertaken during the lockdown period; therefore, during this time there had been a focus on training new team members.
- The Housing Regulation Team adopted an intelligence led approach, using data obtained through Council Tax, Land Registry and the National Anti Fraud Network to identify properties requiring a licence. 350 warning letters had been sent to landlords believed to be licensable, inviting them to make a licence application. Where the recipient of the warning letter failed to respond, the property was allocated to a Housing Regulation Officer for further investigation.
- It was explained that to comply with the conditions of a licence, an overseas landlord was required to appoint a local management agent.
- In relation to 'beds in sheds'- outbuildings used as accommodation, it was explained that before the Housing Regulation Team could intervene, the Planning Department was required to determine if planning enforcement action was required. Only once any planning issues were resolved would the Housing Team become involved and then try to improve the living conditions of the accommodation.
- A Member asked how the Licensing Schemes addressed the issue of tenants sub-letting. In addition, it was asked if the Council's Legal Team had reviewed the Schemes prior to adoption and if an Equalities Impact Assessment had been undertaken. It was commented that the

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policy was discriminatory towards landlords as it failed to recognise that tenants could breach the terms of a licence by sub-letting a property. It was suggested that the policy should be amended to enable action to be taken against tenants found to be sub-letting and that in such circumstances landlords should be offered a temporary exemption notice period to allow them time to evict the offending tenant.

- The Housing Regulation Manager confirmed that the Licensing Schemes had been reviewed and approved prior to adoption by Cabinet in March 2019. It was explained that each case was investigated and dealt with on the basis of the evidence. Decisions to prosecute were made in-line with the Crown Prosecution Service guidance and the public interest test.
- It was asked if the Housing Regulation Team shared information with the HMRC regarding non payment of rental income. It was explained that it was not routine practice to share this information; however the suggestion would be taken into consideration for future practice.
- It was explained that the Housing Regulation Team explored opportunities for joint working with partner agencies to tackle issues such as modern day slavery and anti-social behaviour. Intelligence gathered was used to target enforcement activity.
- It was requested that the Council improve engagement with private sector housing tenants and established a forum to enable tenants to seek information and advice.
- In relation to property inspections, the Panel was advised that all properties were inspected at least once. If complaints regarding a property were received, officers would visit more often. If a serious deficiency or hazard was reported an unannounced visit would be undertaken.

The Chair then invited councillors in attendance to address the Panel under Rule 30.

Councillor Strutton raised concern in relation to difficulties the Housing Regulation Team had faced to recruit additional staff. He noted that no targets or business plan had been established to monitor the performance of the Licensing Schemes. He suggested that it would be beneficial for the Housing Regulation Team to establish a good working relationship with the Council's Planning Department.

The Housing Regulation Manager explained that income generated could legally only be used to fund the Licensing Schemes. It was not possible to use the funding to improve the standard of housing stock in Slough. She reported that the Council's staff restructure proposed that the Housing and Planning Departments would be in the same directorate and this would improve joint working between the teams.

Councillor Dar asked which wards the licensing schemes had been implemented and suggested that the Selective Licensing Scheme be applied across the borough. He suggested that it would be useful for the Panel to be

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provided with data to compare the performance and progress of the schemes in six months' time.

The Housing Regulation Manager explained that Selective Licensing Scheme applied to most of the Chalvey and Central wards. A borough-wide scheme would require approval from the Secretary of State. Ahead of approval being granted the Council would be required undertake a lengthy process to gather the evidence needed to justify the necessity to implement a borough-wide scheme.

Councillor Akram commented that tenants were often unaware of the importance of ventilation to prevent mould and damp occurring in a property. She said that some tenants caused deliberate damage to a property, in the hope that the Council would provide them with alternative accommodation. She requested that the Housing Regulation Team ensured that clear guidance and advice regarding ventilation was communicated to tenants. In relation to overseas landlords and the requirement to appoint a local managing agent, she queried if this was a legal requirement stipulated by the Housing Act 2004. In addition, she felt that it would be useful for data to be presented in future reports to indicate the impact of the licensing schemes.

The Housing Regulation Manager explained that the Housing Act 2004 required that suitable management arrangements were in place. The legislation did not restrict an overseas landlords from owning a property in Slough, however they would be unable to adequately manage it and respond to emergencies if they lived overseas – and this was not deemed to fulfil the requirement to have suitable management arrangements in place. In relation to mould and damp issues, it was explained that Housing Regulation Officer often provided guidance to tenants regarding the importance of adequate ventilation. The Council was also working with the Green Doctor Scheme to promote energy efficiency measures to tenants.

Prior to concluding the discussion on the item, the Chair adjourned the meeting to allow Members to consider an email that had been circulated by a Member of the Panel.

The Panel reconvened when the same Members were present.

The Chair thanked the Housing Regulation Manager for the report and the Housing Regulation Team for their work during the challenging Covid-19 pandemic.

Resolved –

- (a) That the report be noted.
- (b) That an update report including the following information be provided to the Panel in six months' time:
 - Enforcement activity data

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- Progress made to process HMO/Selective Licensing Schemes applications
- Performance information and data relating the HMO/Selective Licensing Schemes
- Information regarding the Council's plans to improve engagement with tenants from the private rented sector and improve issues relating to anti-social behaviour in HMOs
- An update on the issue of tenants sub-letting and how the Council addresses this matter.
- Information regarding the condition of private rented sector housing stock in Slough.

(c) That the Council's Legal Team be requested to review the HMO and Selective Licensing Schemes, and to provide a report commenting on: the legality of the policies; the approaches adopted by other local authorities; and the comment made during the discussion that the policies were discriminatory towards landlords.

28. Customer Experience Update

The Head of Customer Centric Services introduced a report that outlined the Council's recent decant from the Customer Service Centre at Landmark Place into three local Council Access Points.

The Chair invited comments and questions from the Panel.

During the course of the discussion, the following points were raised:

- In relation to Local Welfare Payments - it was reported that the Council now had a PayPoint contract in place, (live from the 1st October 2020), providing an improved and automated process for residents. The Panel requested a breakdown of Local Welfare payments issued by the Council be provided in a future update report.
- It was explained that residents were able to make face-to-face appointments with staff working in the Council Access Points. Residents chose to attend appointments for a variety of reasons, including: assistance with language; submitting documents; assistance with complex needs, requiring additional support.
- The Head of Customer Centric Services explained that data was not yet available to show the number of cases resolved following the first contact meeting, however advanced reporting systems were being developed to record this information and the reasons residents visited a Council Access Point.
- It was confirmed that the Council's contact centre number remained the same.
- Concerns were raised regarding home working, productively, and data protection and how these matters were managed. It was explained that Team Leaders were able to listen to calls to assess quality. Staff had found it challenging working from home, however productively and the

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number of calls responded to had increased compared to the same period the previous year.

- A Member requested information regarding the cost of the Council's translation service contract and details of the language (s) most frequently used. It was agreed that this would be circulated to the Panel following the meeting.
- Concern was raised regarding the quality of the Customer Satisfaction Survey - it was requested that a copy of the Survey and the responses received be circulated to the Panel following the meeting.
- Confirmation was sought that notices have been placed at Landmark Place directing residents to the new Council Access Points for information and advice. It was agreed that Head of Customer Centric Services would check and report back to the Panel, following the meeting.
- It was asked if the Council's move to going 'cashless' had resulted in an increased number of accounts being in arrears. It was explained that there had been an increase in the number of people making payments online and via the automated telephone service. The Panel was informed that due to the financial pressures faced by many residents resulting from Covid-19, it was difficult to determine if non payment was a result of the peoples financial circumstances or their inability to access payment services. During the discussion, it was confirmed that residents were able to make a Council Tax payment at a Post Office.
- Concerns were raised regarding digital access and the significant number of residents who did not have either internet access / access to IT equipment or the digital skills to seek out information online. It was explained that Customer Service Officer were offering face-to-face appointments to residents at the Council Access Points in Britwell and Northborough, Cippenham Green, and Langley Kedermister Wards - additional Council Access Points would be opened in the future.

The Chair then invited councillors in attendance under Rule 30 to address the Panel.

Councillor Strutton congratulated Head of Customer Centric Services and her team for their work during the challenging Covid-19 pandemic period. He reiterated concerns raised regarding home working and data protection, and asked if staff had been provided with guidance / protocols on how to handle information whilst working from home. He highlighted the importance of joined up working across Council departments to resolve residents' issues collegiately. He commented that it would be good practice to review corporate complaints and the learnings arising from these to improve processes.

Councillor Gahir asked if Team Leaders undertook random spot checks on people working from home or visited them at home to check that data protection procedures were being adhered to.

The Head of Customer Centric Services reported that random home visits were not undertaken. She agreed to check what guidance / protocols had

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been issued to staff regarding data protection whilst working from home and to report back to the Panel following the meeting.

The Chair thanked the Head of Customer Centric Services for the report.

Resolved –

- (a) That the report be noted.
- (b) That the Head of Customer Centric Services be requested to circulate the following to the Panel:
 - Information on what guidance was issued to staff regarding data protection and working from home.
 - Confirmation that notices have been placed at Landmark Place directing residents to community hubs for information and advice.
 - A copy of the Customer Satisfaction Survey and the responses received.
- (c) That the Head of Customer Centric Services be requested to provide an update report, including the following information, to a future meeting:
 - A breakdown of the Local Welfare payments issued by the Council.
 - The cost of the Council's translation service contract and details of the language (s) most frequently used.

29. Low Emission Strategy Update

The Environmental Quality Team Manager introduced an update report regarding the status of the Council's Low Emission Strategy (LES).

The Principal Environmental Officer outlined the progress, key issues and risks to LES programme, particularly due to the impact of the Covid-19 pandemic.

The Chair invited comments and questions from the Panel.

During the course of the discussion, the following points were raised:

- The Panel was informed that a LES Programme Communication Plan had been developed and would form part of the two year review process. Communication with school was ongoing. Officers were currently engaging with schools regarding a Clean Air Day- an air quality awareness campaign, involving educational and active participation, linking with sustainable travel initiatives, such as 'Bikeability Training' and 'Walking with Daisy'. The AirTEXT service was also being promoted via online resources and social media

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platforms. It was explained that the Covid-19 pandemic had highlighted health inequalities associated with poor air quality.

- Members were advised that the delivery of the LES programme had been delayed due to the lack of dedicated officer resource and disruptions arising from the Covid-19 pandemic. In addition, the Council's 'Our Futures' transformation programme had been launched, which required that every staff post below senior management team was subject to re-evaluation as part of the restructure process. The Environmental Quality Team Manager was unable to recruit additional officers until the restructure process had been completed.
- It was explained that continuous air quality monitoring was undertaken across the Borough. Data recorded from the continuous and passive monitoring locations was presented in Slough's Annual Status report every June.
- It was noted that LES programmes would require funding to be successfully implemented. New monitoring locations in Chalvey and Langley and the decommissioning of the Salt Hill Park monitoring station would require financial resources to maintain the projects.
- Concerns were raised in relation to closures on the M4 resulting in vehicles travelling through Slough creating 'rat runs' and worsening the town's air quality. It was explained that Highways England was the authority responsible for establishing diversion routes and the Council was required to oblige, even if there was a detrimental impact on air quality. It was highlighted that more use of sustainable modes of travel would improve the air quality across Slough.

The Chair then invited Councillor Strutton to address the Panel under Rule 30.

Councillor Strutton expressed disappointment that Environmental Quality Team had not been provided with the sufficient officer resource to progress the delivery of the Low Emission Strategy. He suggested that the Council's restructure process should seek to ensure the Strategy was sufficiently supported.

Resolved –

- (a) That the report be noted.
- (b) That Cabinet be recommended to ensure that the relevant posts be filled so that the important LES schemes could be progressed.
- (c) That the Health Scrutiny Panel be encouraged to establish an Air Quality Task and Finish Group.

30. Homelessness and Rough Sleeping Task and Finish Group Report

Resolved – That the Panel endorsed the Homelessness and Rough Sleeping Task and Finish Terms of Reference, as set out in Appendix A of the report.

31. Work Programme Report 2020-21

Members gave consideration to the Work Programme:

- It was noted that the items listed separately 'Impact of personalised charges on tenants' and 'Housing rents and Service Charges update' would be combined to form parts of the same report.
- An update on Homelessness and Rough Sleeping Task and Finish Group be provided at the 6th January 2021 meeting.
- That an update report in relation to Customer Experience be scheduled for a future meeting.
- That an update report regarding the Council's HMO and Selective Licensing Schemes under the Housing Act 2004 be scheduled in six months' time.
- That the Council's Legal Team be requested to review the HMO and Selective Licensing Schemes and to provide a report to the 18th November meeting, commenting on the legality of the Policy; the approaches adopted by other local authorities; and the comment made during the discussion that the Policy was discriminatory towards landlords.
- That a report in relation to the Council's Local Plan, in particular addressing the provision of outdoor green space for small developments be scheduled. There was also discussion about establishing a Task and Finish Group to review the matter. It was agreed that an email would be circulated to Panel Members seeking volunteers to join a Task and Finish Group.

Resolved – That subject to the amendments and inclusions detailed above, the Work Programme, as set out in Appendix A of the report be agreed.

32. Members' Attendance Record 2020/21

Resolved – That the details of the Members' Attendance record be noted.

33. Date of Next Meeting - 18th November 2020 (Extraordinary Meeting)

Resolved – That the date of the next (extraordinary) meeting was confirmed as 18th November 2020.

Chair

(Note: The Meeting opened at 6.30 pm and closed at 10.02 pm)