

Wyre Forest District Council

Record of a Council Decision delegated to be made by a Cabinet Member

Item decided: To enter into a lease for two years at 17 New Street under the Private Sector Leasing.	
Cabinet Member who has taken the decision	Deputy Leader and Cabinet Member for Economic Regeneration, Planning and Capital Investment
Date of the decision	24/02/2020
Reason for the decision/alternatives considered	<p>The Council has received some funding from the Ministry of Housing, Communities and Local Government to establish a private sector leasing scheme. This will provide much needed good quality, affordable accommodation to utilise for those households we have duties to under the Homelessness Reduction Act 2017.</p> <p>The Business Case to support this decision is appended at Appendix One (exempt as it contains commercially confidential information) and the Private Sector Leasing Policy pertaining to this property is appended at Appendix Two.</p>
Date and source of Delegated Decision (if appropriate)	Wyre Forest Constitution (Section 3, Part 6) gives delegated authority to the relevant Cabinet Member to approve leases up to the value of £100k
Officer(s) consulted – if applicable	Corporate Director: Resources Principal Solicitor
Any interest declared by the Consultee or Cabinet Member	Not Applicable

WYRE FOREST DISTRICT COUNCIL

Private Sector Leasing Policy

Strategic Housing Services

Economic, Prosperity and Place Directorate

November 2019

POLICY

Policy Owner: Kevin Tebbett

Version 1.00

Date: November 2019

Approved by:

Revision History

Revision Date	Version Control	Summary of changes
09/01/2020	V2	Minor abbreviation changes

Document Review

This document is subject to an annual review. Updates will be made in accordance with business needs and by the document owner.

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1. Introduction

- 1.1 Wyre Forest District Council has a statutory duty under the Housing Act 1996 to accommodate homeless households on a temporary basis whilst investigations are undertaken to determine if they are homeless, awaiting permanent accommodation following a positive decision or pending a review of a homeless decision.
- 1.2 The Council aims to ensure that the accommodation is suitable as possible during this time which meets the housing needs of the household.
- 1.3 The Private Sector Leasing (PSL) scheme seeks to provide high quality accommodation as an alternative to placing individuals and families in Bed & Breakfast (B&B) accommodation. Local Authorities are unable to use B&B accommodation to house pregnant or families with children except in an emergency and then only for a maximum of six weeks.
- 1.4 The PSL scheme will lease properties from landlords in the private sector for temporary accommodation. The Council will guarantee the owner a guaranteed monthly rent paid in advance.
- 1.5 The Worcestershire Homeless and Rough Sleeping Strategy 2019-2022 has three key priorities one of which is;
“Improve supply/ access to good quality, affordable and supported housing “

2. Aims and Objectives

The aims of the Private Sector Leasing Policy are to:-

- Increase access to the Private Rented Sector
- Improve standards within the Private Rented Sector
- Reduce the use and cost of bed and breakfast accommodation
- Provide safe and secure homeless to vulnerable households
- Ensure the Council meets its statutory duties

3. Legislation

- 3.1 The Housing Act 1996 places clear duties on local authorities to provide temporary accommodation for potentially priority homeless households whilst their situation is investigated.
- 3.2 Under the [Homelessness \(Suitability of Accommodation\) \(England\) Order 2003](#), bed and breakfast accommodation is not considered suitable for families with children and households that include a pregnant woman, except where there is no other accommodation available, and then only for a maximum of 6 weeks.
- 3.3 A Private Sector Leasing scheme can be established using its powers under the Local Government Act 2000 2(1) (b) to “promote the improvement of social well-being” in the local authority area. The Act allows the Council to act as an agent. The power to charge landlords for services on a non-profit basis is granted by the Local Government Act 2003.
- 3.4 The Housing Act 2004 requires that certain HMOs will be subject to mandatory licensing. Properties occupied by 5 persons or more, who do not form a single household and share facilities do require to be licensed.

4. Key principles of the PSL Scheme

- 4.1 Wyre Forest District Council will lease private sector properties from owners / landlords to use as temporary accommodation and let them to homeless households nominated by the Councils Housing Advice Team.
- 4.2 The Private Sector Access Team (PSAT) will manage the properties on behalf of the landlord during the period of the lease. The property will be returned to the landlord in the same condition as it was accepted minus fair wear and tear.
- 4.3 The landlord is guaranteed the monthly agreed payments for the period of the lease whether it is occupied or not and will be paid in advance on the 1st of every month.
- 4.4 The payment to the landlord will be based on or below the current Local Housing Allowance.

5. Property Types

- 5.1 The demand for housing is led by a range of household sizes which range from vulnerable single persons, single parent households to large families. As a result a range of property types and sizes will be sought, which include HMOs, one, two and three bedroom accommodation including flats and houses.

6. Property Standards

- 6.1 The property must be in a clean condition and free from category one hazards as set out in the Housing, Health Safety Rating System (HHSRS)
- 6.2 The property must have vacant possession
- 6.3 The property must be within the Wyre Forest boundary

- 6.4 The property must have valid gas, electrical and Energy Performance Certificates
- 6.5 If the property is mortgaged approval must be sought from the lender and a valid building and public liability insurance must be in place
- 6.6 If the property is owned by an employee, or a relative of an employee of a Council this must be declared to the line manager or Audit Services.

7. Acceptance on to the scheme

- 7.1 Landlords who wish to join the scheme will have their properties inspected to ensure that they meet the property condition standards set out in section six.
- 7.2 If a property does not meet the required standard, the landlord will be issued with a specification of works required to bring the property up to standard. Advice and guidance will be provided to the landlord to ensure that the property meets the required standard.
- 7.3 The landlord will need to provide the original safety certificates, which will be copied and returned. A note of the expiry date for the gas safety certificate will be entered on to the system and the landlord will be notified one month prior to the expiry date.
- 7.4 Should the property not meet the standard required, advice will be provided on the availability of grants by the Private Sector Housing Team if appropriate.

8. Leasing Arrangements

- 8.1 All properties will be leased on a two year lease agreement.

- 8.2 A copy of the current lease for self contained accommodation can be found in Appendix one and the lease for Houses in Multiple Occupation (HMO) can be found in Appendix two
- 8.3 The lease is a non repairing lease and therefore the landlord will remain responsible for the day to day repairs to the property as specified in Section 11 of the Landlord and Tenant Act 1985. However, should any repairs be necessary as a result of tenant damage or tenant neglect, the cost of the repair will be met by the Council.

9. Nominations to PSL Properties

- 9.1 Nominations to the scheme will be made by the Housing Advice Team in a timely manner to ensure that there are no unnecessary delays and void periods are kept to a minimum.
- 9.2 If a property within the scheme is empty this must always be used before any other type of temporary accommodation is considered.
- 9.3 Households will be nominated in the following preference:-
- Households with children
 - Households with pregnant women
 - Vulnerable single households
 - Length of time in temporary accommodation
- 9.4 All nominations will be accompanied by a completed risk assessment. Whilst consideration will be given to each nomination on a case by case basis the PSAT reserves the right to refuse a nomination on the basis of an unsuitable level of risk to the successful delivery of the scheme or reputational damage to the scheme.

10. Marketing of the Scheme

10.1 The PSL scheme will be aimed at portfolio landlords and accidental landlords. The scheme will be promoted to landlords and homeowners through ongoing marketing and promotional activities

10.2 Promotion activities will include:-

- The Landlords Forum
- Promotion through the day to day work by Private Sector Housing staff
- Website
- Local press
- Promotional leaflets
- Direct marketing to known landlords
- Empty homes work

11. Management of the properties

11.1 The PSAT will manage all properties within the scheme for the period of the lease.

11.2 At the beginning of each letting the occupier will be advised of their responsibilities under the terms of the tenancy, which will include Ant-social Behaviour (ASB) and payment of rent.

11.3 Assistance will be provided to ensure that where applicable Housing benefit is in place and arrangements will be made for the costs to be paid direct to the council.

11.4 If there is rent payable and the occupier falls in to arrears money advice and debt management assistance will be provided. However, if arrears levels continue to rise the rent recovery procedure will be followed.

11.5 Regular visits will be undertaken to the property on at least a quarterly basis. Support will be provided where required to ensure that the tenancy remains sustainable.

11.6 Referrals to other agencies will be undertaken with the agreement of the occupier if there is an identified need.

12. Monitoring and Review

12.1 The scheme will be monitored on a monthly basis and will include reports on void costs, arrears levels and tenant damage charges.

12.2 Quarterly review meetings will take place with the Principal Housing Strategy Officer to review progress, financial outcomes and future needs and issues arising.

12.3 Monthly finance meetings will ensure that void and arrears budgets are strictly monitored to ensure costs are within agreed budgets.

12.4 The scheme will be reviewed on an annual basis in line with annual budget planning and taking account of any fluctuations in demand and needs.

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