



**DECISION OF SHEILA SMITH
DIRECTOR OF PEOPLE AND COMMUNITIES
DECISION NO. P&C53 (2015/16)**

SUBJECT: West of England Rental Standard

Background

- 1) Across the West of England an Accreditation scheme for privately rented properties has operated for a number of years although reducing resources to administer the scheme prompted a review and investigation into a new scheme.
- 2) There are an estimated 12,000 privately rented dwellings in North Somerset and a significant number of landlords will maintain their properties to a good standard which helps attract and retain tenants. The Regulator's Code of the Legislative and Regulatory Reform Act 2006 requires us to help landlords to comply with their legal obligations. We do this in a number of ways, including publishing advice, providing a landlords manual and an Accreditation Scheme. Accreditation provides landlords and tenants with peace of mind that properties comply with minimum legal standards.
- 3) The review of the existing scheme was concluded last year and the West of England Heads of Housing Group requested a revised cost neutral scheme was further researched and scheme details be examined by officers. A proposal has been developed for a new scheme – the West of England Rental Standard.
- 4) An Executive Member decision (P&C114 2014/15) was approved in April 2015 to proceed with new scheme subject to officers being satisfied with operational details. (Appendix 1 attached). The proposed scheme was also endorsed by the West of England Planning, Housing & Communities Board (PH&CB).
- 5) The West of England Rental Standard (WoE – RS) adopts a more strategic approach to property accreditation. The WoE – RS switches from accrediting individual properties to accrediting landlords and agents by endorsing third party providers or Council self-funding accreditation schemes.
- 6) The scheme was launched in January 2016 when interested organisations could apply to be accepted onto the WoE – RS scheme. Five organisations have applied and been approved, a formal announcement will be made at the Landlord Expo in March.

7) The scheme will be managed by Bristol City Council as lead and each accrediting organisation will pay a fee which will be used for scheme management and marketing. Each local authority will make a commitment to support the scheme through officer time although this will be minimal and can be absorbed into existing West of England partnership working.

8) The scheme will initially be operated by the four WoE local authorities although there is interest from other South West authorities to join at a later date, on payment of a fee.

9) A Collaboration Agreement between Bristol City Council and the other WoE local authorities is necessary to reinforce the partnership arrangement, recognise the contribution of participating authorities and while there is no monetary contribution required, it commits each signatory to perform their role as outlined. The draft collaboration agreement has been examined by our Legal Team and there are no risks for the Council. There are also no financial implications for the council as the scheme is self funding.

10) The agreement contains the usual contractual clauses in relation to membership, Project Board, governance, roles, indemnity, complaint and dispute resolution and termination.

DECISION:

To enter into a Collaboration Agreement with Bristol City Council in connection with the West of England Rental Standard.

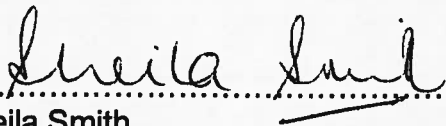
To authorise the Private Sector Housing Service Leader to agree the details of the terms of the agreement subject to legal services and financial services advice.

Reasons:

To enable North Somerset Council to participate in the scheme and comply with Contract Standing Orders.

Other Alternatives Considered:

Not entering into a Collaboration Agreement would prevent North Somerset Council from taking part in this scheme.

Signed:..........
Sheila Smith
Director of People and Communities

Dated:.....8.3.16.....

Reviewed:



Signed:.....

Mark Hughes
Head of Housing and Directorate Governance

Dated: 7/3/16

NORTH SOMERSET COUNCIL

2014-15 Scheme

DECISION OF COUNCILLOR ELFAN AP REES

DEPUTY LEADER AND EXECUTIVE MEMBER FOR HOUSING, STRATEGIC PLANNING, HIGHWAYS AND ECONOMIC DEVELOPMENT with advice from the DIRECTOR OF PEOPLE AND COMMUNITIES.



DECISION NO: P&C 114 (2014/2015)

SUBJECT : West of England Rental Standard

Background

- 1) Across the West of England an Accreditation scheme for privately rented properties has operated for a number of years although reducing resources to administer the scheme has prompted a review and consideration to introducing a new scheme.
- 2) There are over 12,000 rented properties in North Somerset. There are legal duties and powers to require landlords to bring their houses up to a minimum standard.
- 3) We do not have the resources to visit every privately rented property, although there is no need to visit in the majority of cases, as most landlords will maintain their properties to attract and retain tenants. We are required by the Regulator's Code of the Legislative and Regulatory Reform Act 2006 to help landlords to comply with their legal requirements. We can do this in a number of ways, including publishing advice, providing a landlords manual and Accreditation. Accreditation can provide landlords and tenants with peace of mind that properties comply with minimum legal standards.
- 4) The Council *currently* operates a **property** based Accreditation scheme for privately rented properties, although we have not promoted or monitored this scheme for some time. It is largely a self certification system where a landlord completes an application form confirming that his or her property meets our Accreditation standard.
- 5) A review was necessary as; the current Accreditation scheme is out of step with the current rental market where there is very high demand for rented accommodation and current fiscal constraints. The West of England Heads of Housing Group requested the potential for a revised cost neutral scheme was further researched and details of potential schemes be examined by officers. A proposal has subsequently been developed for a new scheme – the West of England Rental Standard.
- 6) The proposed West of England Rental Standard (WoE – RS) takes a more strategic approach. The proposed WoE – RS switches from Accreditation of individual properties to Accreditation of landlords and agents by endorsed third party Accreditation providers or Council self-funding accreditation schemes.

7) There is no statutory duty to have an Accreditation scheme and landlords apply to accredit their properties on a voluntary basis.

8) The WoE- RS will set out key criteria and minimum legal standards for a property. Third Party organisations such as the National Landlord's Association, Residential Landlord's Association or Bristol Association of Lettings and Management Agents etc can apply to be endorsed Accreditation Providers if their own schemes meet the WoE - RS.

9) An exploratory meeting with interested parties was recently held and potential providers have indicated initial interest. The next step will be to submit their scheme details for examination and challenge against the WoE – RS.

10) The benefit of a WoE - RS is that it will have a greater profile, our administrative boundaries are not meaningful to most tenants and landlords. A WoE scheme will be more attractive to the organisations we wish to apply to be licensed. The businesses in the PRS service sector are more likely to provide sponsorship or incentives and it creates a potential launch pad for expansion. However, the Heads of Housing agreed that if not all Council's in the WoE adopted the standard then it could proceed individually or in partnership others who did adopt it. All WoE authorities have confirmed interest in the scheme.

11) The proposed WoE-RS will help landlords and agents to:

- Advertise a single badge for accreditation across the WoE.
- Self-regulate using an accrediting body of their choice
- Join a licensed accreditation schemes tailored to their sector of the private rented sector market.
- Work to a consistent standard across the sub region,
- Improve the professionalism of those managing privately rented properties and
- Expose poor landlords by promoting the WoE Rental Standard to private tenants

11) The proposed scheme will be subject to endorsement from the Planning, Housing & Communities Board (PH&CB). It is will also be subject to the final details being finalised by officers, a review of the operational details and assessment of outcomes for the Council. The details of a formal launch will be finalised on final agreement of the scheme.

Decision:

1) To implement a WoE Rental Standard, subject to officers being satisfied adequate controls, standards and sanctions are incorporated into the scheme

Reasons:

To comply with the provisions of the Regulator's Code of the Legislative and Regulatory Reform Act 2006 and improve the quality of the private rented sector accommodation.

Other Alternatives Considered

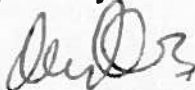
The alternative would be to have no scheme which could impact of the requirements of the Regulators Code referred to above. The development of the scheme in this way allows for alternative provision to be evaluated.

Financial Implications

There will be a one off direct costs of an estimated £2000, which are planned to offset by charging an application fee to organisations who apply and/or encouraging sponsorship of the scheme, subject to market testing.

Implications for Future Years.

There should be minimal implications for future years and the scheme will be regularly reviewed with an opportunity to withdraw.

Reviewed 

Mark Hughes, Head of Strategic Housing

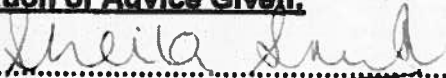
Dated 13/4/15

Signed 

Councillor Eifan Ap Rees
Executive Member for Housing, Strategic Planning, Highways and Economic Development

Dated: 14/4/15

Confirmation of Advice Given:

Signed 

Sheila Smith, Director of People and Communities

Dated 9.4.15