

# **JOINT NEIGHBOURHOODS AND COMMUNITIES AND REGENERATION AND LIVEABILITY PORTFOLIO DECISION RECORD**

19 January 2009

The meeting commenced at 8.30 am in the Civic Centre, Hartlepool

## **Present:**

Councillor    The Mayor, Stuart Drummond  
                  Pamela Hargreaves (Performance Portfolio Holder)

Officers:     Peter Scott, Director of Regeneration and Planning Services  
                  Joanne Burnley, Senior Environmental Health Officer  
                  John Smalley, Principal Environmental Health Officer  
                  Steve Hilton, Public Relations Officer  
                  Jo Wilson, Democratic Services Officer

## **1.     Apologies for Absence**

Apologies for absence were received from Councillor Peter Jackson. The Mayor indicated that (as permitted under the Local Government Act 2000 and the Constitution) he would exercise his powers of decision.

## **2.     Selective Licensing Approval, Fees, Conditions and Delegation of Powers** *(Director of Regeneration and Planning Services)*

### **Type of decision**

Non-key

### **Purpose of report**

- I. To report on the result of an application made to the Department for Communities and Local Government (CLG) for the introduction of a selective licensing scheme for private landlords in those areas agreed by Cabinet at its meeting on 18

February 2008;

- II. To seek approval for the standard conditions to be applied to licensed landlords and properties;
- III. To agree a fee structure for licence applications; and
- IV. To seek approval for the delegation of powers associated with selective licensing.

### **Issue(s) for consideration by Portfolio Holder**

The Principal Environmental Health Officer outlined the outcome of the application to the CLG for a selective licensing designation. A number of conditions were set out, both mandatory and non-mandatory, which would apply to all licensable properties in Hartlepool. The total cost of the scheme had been estimated at £612,625, with the Council and NDC covering £398,182. It was proposed that an average licence fee of £413 per property be charged in order to cover the shortfall. This amount was based on an estimated 520 properties which would require a licence. However deductions would be offered to those landlords already in the accreditation scheme and options to pay in instalments would be available.

Details were given of procedural matters and enforcement options including the power to revoke a licence in certain circumstances. Failure to apply for a licence could lead to a fee of up to £20,000 and a rent repayment order being served on the landlord in question. Local Authorities would also have the right to apply to have any Housing Benefit repaid in such cases. In order to exercise the Council's duties in the day to day operation of the scheme it was proposed that the Director of Regeneration and Planning Services be given delegated powers to grant, vary and revoke licences and take a number of enforcement actions. A regular monitoring report would be provided to the Portfolio Holders on the operation of the scheme.

The Environmental Health Officer further clarified that should an application for a licence be refused for whatever reason the applicant could appoint a managing agent to act in their stead. Talk were ongoing with Housing Hartlepool into the possibility of taking this role. The Portfolio Holder asked if the areas designated on the original application were still correct. The Environmental Health Officer confirmed this, stating that any future areas would need to be re-applied for via the CLG in the same manner. However it was felt that this would be a relatively straightforward process, given the success of this application. The Portfolio Holder requested that an update report be brought back to the Portfolio Holders in six months.

## **Decision**

- I. That the outcome of the application for selective licensing designation be noted
- II. That the adoption of the standard licence conditions be agreed, with the proviso that officers may vary or apply additional conditions where the situation dictates.
- III. That the reduced fee/early application discount fee structure outlined in Option 3, Appendix 4, be agreed and flexibility be offered to pay the licence fee over a 12 month period. Payment by instalments would be conditional upon the fee being paid in full upon the sale or transfer of the property or a variation,
- IV. That a 50% fee be charged on an application to vary an existing licence.
- V. That the arrangements for the day to day operation of the scheme, including the delegation of powers to the Director of Regeneration and Planning Services as set out in section 7.1 of the report, be agreed

The meeting concluded at 8.45 am.

**P J DEVLIN**

**CHIEF SOLICITOR**

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