
REPORT OF LICENSING AND GENERAL PURPOSES COMMITTEE

MEETING HELD ON 19 SEPTEMBER 2005

Chair:	* Councillor Idaikkadar	
Councillors:	* Arnold	* Dharmarajah
	* Mrs Bath	* Ann Groves
	* Billson	* Knowles
	* Blann	* Vina Mithani
	* Branch	* John Nickolay
	* Choudhury	* O'Dell
	* Janet Cowan	* Ray

* Denotes Member present

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
70. Attendance by Reserve Members:

RESOLVED: To note that no Reserve Members were included in the Committee's membership.

71. Declarations of Interest:

RESOLVED: To note that there were no declarations of interests made by Members in relation to the business to be transacted at this meeting.

72. Arrangement of Agenda:

RESOLVED: That all items be considered with the press and public present.

73. Minutes:

RESOLVED: That the minutes of the Special meeting held on 16 May 2005 and the meeting held on 16 June 2005, having been circulated, be taken as read and signed as a correct record.

74. Public Questions, Petitions or Deputations:

RESOLVED: To note that no public questions were put, or petitions or deputations received at this meeting under the provisions of Committee Procedure Rules 18, 15 and 16 (Part 4B of the Constitution) respectively.

75. Nomination for the Early Retirement Sub-Committee - Additional Reserve Member:

RESOLVED: That Councillor Ann Groves be appointed as a Reserve Member to the Early Retirement Sub-Committee.

76. Mini-Valuation:

Members received a report of the Executive Director (Business Development) proposing that further information be sought from the scheme actuary following the revocation of the 2005 pension regulations and the resulting impact to Harrow's pension fund. The outturn of the mini valuation was to be forwarded to the Office of the Deputy Prime Minister (ODPM).

RESOLVED: That (1) a letter be sent to the ODPM advising them that Harrow expected regulations to be amended to address the additional burden of costs associated with revocation, enclosed with a copy of the actuaries report; and

(2) the Group Manager be instructed to write to all associated employers, providing them with the actuary report and advising them of their right to make contributions higher than those detailed in the 2004 valuation rates and adjustment certificate.

77. **Housing Act 2004: Criteria for Enforcement Action under the Housing Health and Safety Rating Scheme:**

A report of the Chief Environmental Health Officer was presented to the Committee, which asked Members to consider prioritising enforcement action against properties listed within category 1 under the Housing Act 2004.

An officer explained that the Housing Act legislation enabled Councils to establish a registration scheme, which provided local authorities with a system to tackle poor housing conditions in the private rented sector. Members were informed that local authorities had a duty to take enforcement action when a property was established to be under category 1, ie. hazardous to the occupants or in substantial disrepair. Whilst properties identified under category 2 carried a discretionary power to act, there was no statutory duty to do so. Properties were graded under a Health and Safety Rating System: the greater the risk, the higher the hazard, which when totaled up determined which category a property would be designated to. The officer advised that 95% of properties within the Authority were likely to be classified as category 1, and that prioritising action at category 1 premises on a risk assessed basis would enable resources to be targeted to improve the living conditions for the most vulnerable people who were at the greatest risk.

RESOLVED: That (1) enforcement action under the Housing Act 2004 be granted to those properties where the hazard, when assessed under the Housing Health and Safety Rating System, fell into bands A, B or C representing a category 1 hazard, where there was a statutory duty for the Council to take enforcement action; and

(2) this be reviewed after 1 year and a report be submitted to the Licensing & General Purposes Committee to agree any amendments required.

78. **Housing Act 2004: Adoption of an Additional Licensing Scheme for Houses in Multiple Occupation consisting of 2 Storey Properties:**

Members received a report of the Chief Environmental Health Officer, which outlined the powers given to local authorities in the Housing Act 1985 to establish a registration scheme for houses in multiple occupation (HMOs).

In order to continue the existing scheme adopted by Harrow in 2000 and to protect the most vulnerable people who were at the greatest risk, Members approved adoption of the existing scheme under the Housing Act 2004. Multiple occupancy was at the lower end of the rental private sector market, and provided homes for those on a low income. It was vital that Harrow maintained a register of accommodation to meet housing needs. The scheme contained in the legislation related to three storey properties with 5 or more occupants only and as such fell well short of the Council's existing scheme. The existing scheme included properties of two storeys and as such was more relevant to the local needs and property type. If the existing scheme was not adopted, it was considered that the landlord would be placing people at considerable risk.

RESOLVED: That (1) the additional licensing scheme (transitional scheme) be approved for 3 years to license 2 storey Houses in Multiple Occupation (HMOs) with 5 or more tenants from the date of commencement of Part 2 of the Housing Act 2004 in November 2005; and

(2) the additional licensing scheme be approved at the end of the transitional period to ensure that 2 storey HMOs continue to be covered.

79. **Licensing Act 2003, Transitional Arrangements and end of Grandfather Rights for Conversion of Existing Licenses:**

The Chief Environmental Health Officer reported on applications for personal licences, which had fallen within officers delegated powers and had been granted, as required under the new Licensing Act 2003.

Members noted the 84% success rate of applications received and addressed by the Authority within the set timeframes. The Chief Officer thanked the members of the Licensing and General Purposes Committee for the support and guidance offered to officers in enabling the Panel Hearings within the timescales. The officer advised the Committee that 75 premises had failed to submit a conversion application by the deadline of 6 August 2005 but that the Licensing Team had already contacted those affected to offer them some guidance. Members congratulated the Licensing Team and Democratic Services for their hard work and efforts in meeting the deadlines.

RESOLVED: That the list of personal and premises licences granted under delegated authority be noted.

80. **Update on Licensing Issues:**

The Chief Environmental Health Officer updated Members on issues arising from Licensing Panel meetings following implementation of the Licensing Act 2003 and the implications of possible appeals, if a robust system was not put in place. He advised that a letter summarising a meeting held between the Leaders of each political party, the Chair of Licensing and General Purposes Committee, the Portfolio Holder for the Environment and Transport and Licensing officers would be sent to all Members of the Licensing and General Purposes Committee in due course.

RESOLVED: That the update be noted.

(Note: The meeting, having commenced at 7.30 pm, closed at 9.15 pm).

(Signed) COUNCILLOR THAYA IDAIKKADAR
Chair