



LICENSING AND GENERAL PURPOSES COMMITTEE

**MONDAY 8 JUNE 2009
7.30 PM**

COMMITTEE AGENDA

**COMMITTEE ROOM 5,
HARROW CIVIC CENTRE**

MEMBERSHIP (Quorum 4)

Chairman: Councillor Mrs Lurline Champagnie

Councillors:

Husain Akhtar
Don Billson
G Chowdhury
Ashok Kulkarni
Mrs Vina Mithani (VC)
John Nickolay
Tom Weiss
Jeremy Zeid

Mrinal Choudhury
Mano Dharmarajah
Thaya Idaikkadar
Nizam Ismail
Phillip O'Dell
Raj Ray

Reserve Members:

Note: There are no Reserve Members currently appointed to this Committee.

**Issued by the Democratic Services Section,
Legal and Governance Services Department**

**Contact: Miriam Wearing, Senior Democratic Services Officer
Tel: 020 8424 1542 E-mail: miriam.wearing@harrow.gov.uk**

***NOTE FOR THOSE ATTENDING THE MEETING:
IF YOU WISH TO DISPOSE OF THIS AGENDA, PLEASE LEAVE IT BEHIND AFTER THE MEETING.
IT WILL BE COLLECTED FOR RECYCLING.***

HARROW COUNCIL

LICENSING AND GENERAL PURPOSES COMMITTEE

MONDAY 8 JUNE 2009

AGENDA - PART I

1. **Declarations of Interest:**

To receive declarations of personal or prejudicial interests, arising from business to be transacted at this meeting, from:

- (a) all Members of the Committee, Sub Committee, Panel or Forum;
- (b) all other Members present in any part of the room or chamber.

2. **Minutes:** (Pages 1 - 6)

That the minutes of the meeting held on 2 March 2009 and the Special meeting held on 11 May 2009 be taken as read and signed as correct records.

3. **Public Questions:**

To receive questions (if any) from local residents or organisations under the provisions of Committee Procedure Rule 19 (Part 4B of the Constitution).

4. **Petitions:**

To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Committee Procedure Rule 16 (Part 4B of the Constitution).

5. **Deputations:**

To receive deputations (if any) under the provisions of Committee Procedure Rule 17 (Part 4B of the Constitution).

Enc 6. **Continuation of Additional Licensing for Houses in Multiple Occupation (HMOs):** (Pages 7 - 62)

Report of the Divisional Director of Environmental Services.

Enc 7. **Early Retirement - Delegation of Authority for Approval:** (Pages 63 - 68)

Report of the Corporate Director of Finance.

Enc 8. **INFORMATION REPORT - Voluntary Severance Scheme Progress Update:** (Pages 69 - 76)

Report of the Corporate Director of Finance.

AGENDA - PART II - NIL

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REPORT OF LICENSING AND GENERAL PURPOSES COMMITTEE

(SPECIAL) MEETING HELD ON 11 MAY 2009

Chairman: * Councillor Mrs Lurline Champagne

Councillors: * Husain Akhtar * Ashok Kulkarni
 * Don Billson * Mrs Vina Mithani
 * Mrinal Choudhury * John Nickolay
 * G Chowdhury * Phillip O'Dell
 Mano Dharmarajah Raj Ray
 * Thaya Idaikkadar * Tom Weiss
 * Nizam Ismail * Jeremy Zeid

* Denotes Member present

PART I - RECOMMENDATIONS - NIL
PART II - MINUTES
109. Appointment of Vice-Chairman:

RESOLVED: To appoint Councillor Mrs Vina Mithani as Vice-Chairman of the Licensing and General Purposes Committee for the Municipal Year 2009/10.

110. 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.

111. Minutes:

RESOLVED: That the minutes of the Licensing and General Purposes Committee held on 2 March 2009 be deferred to the next ordinary meeting of the Committee.

112. Establishment of Sub-Committee and Panels 2009/10:

In accordance with the Local Government (Access to Information) Act 1985, a report was admitted late to the agenda in order to enable meetings of the Sub-Committee and Panels to be convened.

The Chairman informed the Committee of the change of date of the next Licensing and General Purposes Committee which would meet on 8 June 2009 instead of 16 June 2009. A report would be submitted to a future meeting regarding the status and responsibilities of the Committee.

RESOLVED: That the Panels and Sub-Committee of the Licensing and General Purposes Committee be established for the next Municipal Year 2009/10 with the Memberships and Chairmen as detailed in the appendix to these minutes.

(Note: The meeting, having commenced at 6.33 pm, closed at 6.39 pm).

(Signed) COUNCILLOR MRS LURLINE CHAMPAGNIE

Chairman

APPENDIX 1LICENSING AND GENERAL PURPOSES PANELS

(Membership in order of political group nominations)

ConservativeLabourLiberal Democrats**(1) CHIEF OFFICERS' EMPLOYMENT PANEL (6)**

3 [2 Voluntary])

(2)

(1)

I.
Members1. Leader of Group1. Leader of Group1. Leader of Group

(Councillor David Ashton or nominee) (CH)

(Councillor Bill Stephenson or nominee)

(Councillor Christopher Noyce or nominee)

2. Deputy Leader of the Group2. Deputy Leader of the Group

(Councillor Susan Hall or nominee).

(Councillor Phillip O'Dell or nominee).

3. (Councillor Paul Osborn / or relevant PH / nominee).

(2) EARLY RETIREMENT SUB-COMMITTEE (3) (Non-proportional)

(2)

(1)

I.
MembersMiss Christine Bednell
Richard Romain (CH)

Mano Dharmarajah

II.
Reserve
Members1. Mrs Lurline Champagne
2. Narinder Singh Mudhar
3. Jeremy Zeid1. Keith Ferry
2. Nizam Ismail
3. -**(3) EDUCATION AWARDS APPEALS PANEL (3)**

(2)

(1)

I.
MembersMiss Christine Bednell(CH)
Mrs Lurline Champagne

Keeki Thammaiah

II.
Reserve
Members1. Mrs Camilla Bath
2. Jean Lammiman
3. Mrs Vina Mithani1. Raj Ray
2. Nizam Ismail
3. -

(4) LICENSING PANEL (3) (Pool of Members)

(To be selected from the following nominees)

Husain Akhtar
 Don Billson
 Mrs Lurline Champagnie
 G Chowdhury
 Ashok Kulkarni
 Mrs Vina Mithani
 John Nickolay
 Tom Weiss
 Jeremy Zeid

Mrinal Choudhury
 Mano Dharmarajah
 Thaya Idaikkadar
 Nizam Ismail
 Phillip O'Dell
 Raj Ray

**(5) NATIONAL NON-DOMESTIC RATE: DISCRETIONARY RATE RELIEF APPEAL PANEL (3)
(Pool of Members)**

(To be selected from the following nominees)

Mrs Camilla Bath
 Don Billson
 John Cowan
 Mrs Myra Michael
 Joyce Nickolay
 Dinesh Solanki
 Mark Versallion

Mrinal Choudhury
 Bob Currie
 Mano Dharmarajah
 Keith Ferry
 Nizam Ismail
 Krishna James

(6) PENSION FUND INVESTMENTS PANEL (4)**(2)****(2)****I.
Members**

Tony Ferrari
Richard Romain (CH)

Mano Dharmarajah *
Thaya Idaikkadar

**II.
Reserve
Members**

1. Mrs Lurline Champagnie
 2. Tom Weiss
 3. John Cowan

1. Keith Ferry
 2. Mrs Rekha Shah

Harrow UNISON Co-optee (Non-voting): Mr R Thornton [Alternate: Mr J Rattray]
 GMB Co-optee: Mr S Karia
 Co-optee (Non-voting): Howard Bluston

(7) PERSONNEL APPEALS PANEL (3) (Pool of Members)

(To be selected from the following nominees)

Mrs Camilla Bath	Bob Currie
Don Billson	Mrs Margaret Davine
Mrs Lurline Champagnie	B E Gate
John Cowan	David Gawn
Manji Kara	Mitzi Green
Jean Lammiman	Graham Henson
Salim Miah	Krishna James
Joyce Nickolay	Raj Ray
Mrs Anjana Patel	Bill Stephenson
Dinesh Solanki	
Jeremy Zeid	

(8) SOCIAL SERVICES APPEALS PANEL (3) or ((2)) (Pool of Members)**(2)****((1))**

Mrs Lurline Champagnie	B E Gate
Mrs Myra Michael	Mitzi Green
Mrs Vina Mithani	Asad Omar
Eric Silver	Mrs Rekha Shah
Dinesh Solanki	

(CH)

= Chair

Denotes Group Members for consultation on Delegated Action and/or administrative matters.



Meeting:	Licensing and General Purposes Committee
Date:	8 June 2009
Subject:	Continuation of Additional Licensing for Houses in Multiple Occupation (HMOs)
Responsible Officer:	John Edwards Divisional Director – Environmental Services
Portfolio Holder:	Councillor Susan Hall – Deputy Leader and Portfolio Holder for Environment Services
Exempt:	No
Enclosures:	Appendix A - Report to the Secretary of State for Communities and Local Government

Section 1 – Summary and Recommendations

Summary:

Proposal to continue with the amended Discretionary Additional Licensing Scheme.

Recommendations:

That the Private Sector Housing Enforcement Team applies to the Secretary of State to be able to continue with the Discretionary Additional Licensing Scheme which has been in operation since 6th April 2006.

Reason: (For recommendation)

To enable the Council to continue to license smaller properties so that means of escape, amenities and Anti Social Behaviour (ASB) can be dealt with effectively.

Section 2 – Report

Current situation

The Housing Act 2004 Part 2 defines what a House in Multiple Occupation (HMO) is and the number of occupants which can occupy a property before it becomes licensable. Under this definition, A property is defined as a HMO if it is occupied by three or more unrelated individuals or two or more households.

Since April 2000, Harrow Council has operated an enhanced registration scheme that registered all HMOs as per the HMO definition. *The local scheme currently licenses 320.*

The Government's Mandatory Licensing Scheme for HMOs only covers larger HMOs , i.e. buildings of three or more storeys and occupied by five or more unrelated people. *This definition covers 110 licensed premises.*

The Government authorisation for the current scheme expired at the end of March 2009 and the Council will have to apply for Government consent in order to continue the enhanced local scheme.

Continuation and Amendment of Enhanced Licensing

It is considered that Harrow's enhanced licensing scheme for HMOs has been effective in increasing the level of knowledge regarding HMOs, in encouraging a raising of standards of the properties in multiple occupation, in improving the safety and welfare of tenants and in terms of assisting the Council and wider partnership in addressing a number of wider issues arising from HMOs.

The majority of complaints relating to HMOs are related to the social impact of HMOs upon the local community, e.g. noise, fly tipping, litter, anti social behaviour and other issues relating to poorly managed properties. The licensing team currently works in close partnership with other Council services and partnership agencies to address these issues.

From the perspective of the tenant, licensing allows the Council to address critical issues such as overcrowding, lack of amenities and fire safety using the licensing conditions. Licensing also places a formal responsibility on the Landlord to ensure that the behaviour of tenants does not adversely impact on the local community.

A risk analysis has indicated that the criteria for licensing should be altered if the Government gives permission for a local scheme to continue. It is currently suggested that local criteria be altered to license one and two storey properties which are occupied by five or more people instead of the current minimum of three or more people and also to license buildings which are converted entirely into self contained flats which do not comply with the Building Regulations 1991 under section 257 Housing Act 2004.

This proposed change is proportionate because it is considered that the level of risk is similar for the different levels of occupation and because the most significant benefits in risk management are to be gained by ensuring that regulations in relation to fire safety standards, basic amenities and general management of the properties are being met.

Consultation with landlords has indicated a good level of support for the enhanced scheme, with approximately 40% of the landlords and managing agents agreeing that Harrow Council should continue with the enhanced licensing regime, compared to under 30% who felt we should discontinue it.

Implications of the Recommendation

Resources, costs

To continue with the discretionary additional licensing will not require any additional resources as provision is included within the existing budget. It is considered that the current scheme offers good value for money as the activity and associated revenue has allowed a service to be developed which has had a positive impact in other areas, both within licensing and in the wider partnership context.

The licensing fee is a standard rate for all types of properties, regardless of the number of storeys or number of occupants. It is estimated that reducing the local scheme to the statutory minimum would cut fee income by approximately £25k. Such a fall in income would require a reduction in staffing within the licensing service. This would have an impact on other areas of service delivery such as ASB, enviro-crime enforcement and other related services as noted above.

Staffing/workforce

Operating an enhanced local licensing scheme will have no staffing implications as the Council has been running such a scheme since 2006. The implications of reverting to the statutory scheme are noted above.

Legal comments

The Council has to apply to the Secretary of State for Communities and Local Government for the designation of additional licensing requirements with respect to houses in multiple occupation in the borough. This is in accordance with Sections 56 to 60 of the Housing Act 2004, The Housing Act 2004 (Commencement No. 5 and Transitional Provisions and Savings)(England) Order 2006, and paragraphs (a), (b) and (c) of Regulation 9 (2) of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006. The Council has to consult with stakeholders and therefore we have sent out letters and survey forms to all landlords and Managing Agents on our database. Also we have placed Public Notice in two local newspapers, Council website etc. A copy of the survey form and questionnaires are also available on the Council website

Financial Implications

There is an income target of £40k for HMO licensing currently set. If the Secretary of State declines the request to continue with the additional Licensing regime, this target will not be met. Further, more HMO's will become not licensable and will require other legislation to regulate public safety and nuisance matters which in turn may increase workload.

Performance Issues

Performance issues not identified.

Risk Management Implications

If the Secretary of State approves the continuation of the Additional Scheme, there will no risk implications. However, in the event of the application being rejected, there will be a reduced number of premises which require licensing, which will have a direct implication on the set target income budget.

Section 3 - Statutory Officer Clearance

Name: ...Sheela Thakrar.	<input checked="" type="checkbox"/>	on behalf of the* Chief Financial Officer
Date: 17 02 09		
Name: ...Paresh Metha	<input checked="" type="checkbox"/>	on behalf of the* Monitoring Officer
Date: 17 02 09		

Section 4 - Contact Details and Background Papers

Contact: Mr P Sivashankar
Service Manager, Housing & Support Services
020 8736 6237

Background Papers:
Report to the Secretary of State

The London Borough of Harrow Application for Designation Approval for Additional Licensing of Houses in Multiple Occupation

**Report to the Secretary of State for
Communities and Local Government**

Additional Licensing for Smaller Houses in Multiple Occupation (HMOs)

January 2009

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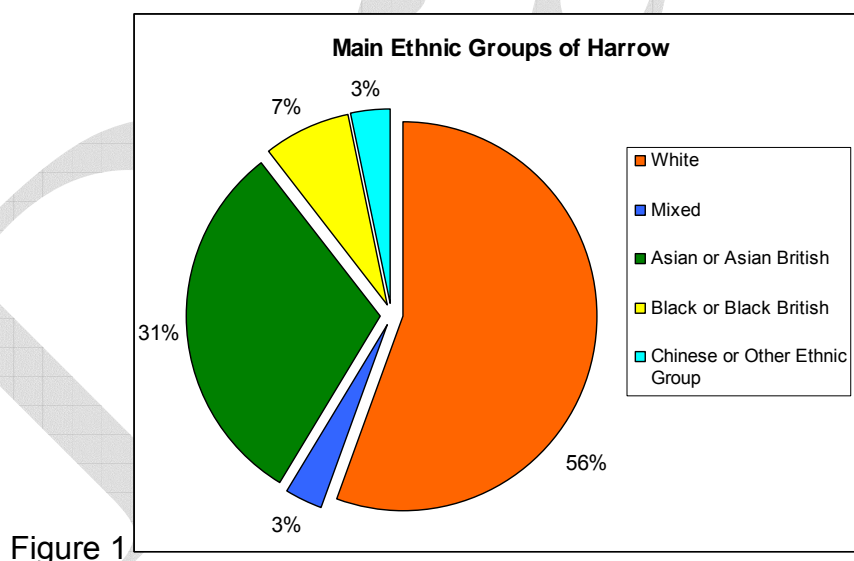
Harrow is situated in the Northwest part of Greater London and is conveniently located in having excellent road, train and rails links connecting with the rest of the U.K. As a result, in addition to the population who permanently reside in Harrow, the borough has a significant number of professionals who rent accommodation during the week, commuting home at the weekend.

Harrow is the 12th largest London borough, covering an area of twenty square miles, and is made up of twenty one wards. In terms of population it is the 21st largest in London (based on ONS Mid-Year Population (MYE) estimates (2007).

The 2007 MYE for Harrow shows a total population of 214,700:- 108,700 women and 106,000 men. Harrow's population has grown by 2.2%, lower than the London growth rate of 3.2%, but higher than Outer London's at 2.1%. These latest estimates show that Harrow's population has increased by around 0.02% since mid-2006

Of Harrow's residents, approximately 136,000 (63.6%) are of working age 42,000 (19.6%) are children aged 15 and under; and 36,000 (16.8%) are over retirement age.

Harrow is one of the most diverse boroughs in the UK and is one of eight local authorities nationally with the highest proportion of ethnic minority, with a breakdown as shown in figure 1 below. Harrow is currently also one of the safest boroughs in London, with the second lowest crime rate in the capital.



Harrow is now the sixth best performing Council in London and one of the most improved. An independent report by Price Waterhouse Coopers has shown that the Council is continuing to make improvements in key priority areas identified by local residents.

Housing Stock of Harrow

Harrow has a total of 83,582 dwellings. The housing stock is made up as shown in figure 2 below. (CIPFA return of 2007/2008).

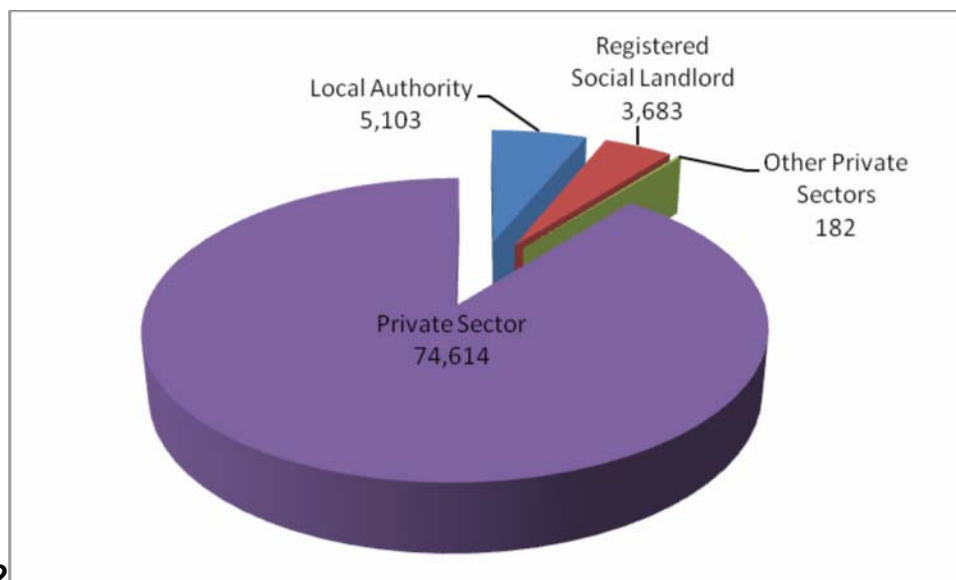


Figure 2

As indicated in Figure 2 the majority of the properties in Harrow are within the private sector which comprises of 74,614. We work in partnership with various Registered Social landlords who own 3,683 properties in Harrow to ensure tenants are provided with properties which are safe and secure. Harrow's aim is to provide properties which are met by the Decent Homes standards.

Many of the properties in Harrow are two storey three/four bed semi or terraced properties

Nearly 6% of Harrow households are lone parents with dependent children and tend to reside in areas where there are private rented properties.

Strategic Perspective

There is a continuing demand for social rented properties in Harrow, both for permanent residents and the commuting population noted earlier. This high demand has not been a driver for a high quality rented stock, as Licensing Officers have noted a number of converted self contained flats, which appear to have either been converted improperly prior to the Building regulations of 1991 or converted without building consent. These may be deficient in terms of issues including fire safety and insulation and may also be poorly managed.

Harrow's strategic objective in operating a licensing regime is to regulate the use of properties and to improve the standards in the housing stock. At present the Council licence all mandatory and smaller properties occupied by three or more people who are not blood related as per the HMO definition under the Housing Act 2004, i.e. an entire house or flat which is let to three or more tenants who form two or more households who share a kitchen, bathroom or toilet and is their main residence.

Harrow also wishes to promote responsible behaviour among landlords and tenants in order to address wider social issues which can be associated with HMOs including anti-social behaviour, noise and other environmental nuisance. The Council notes that these issues are only associated with a small minority of landlords and tenants but considers that an appropriate licensing regime, coupled with an understanding of acceptable conduct standards, can have a major impact on these wider issues.

Current licensing Scheme

The Council has been operating the local enhanced licensing scheme since April 2000. A total of 445 premises are currently licensed and current statistics show that approximately 80 premises are being issued with new or renewed licenses each year. Harrow Council currently believes that there are still in excess of 400 HMO's which need to be licensed, hence our wish to continue to operate an additional scheme.

HMO Licensing scheme enables the Council to maintain a more accurate and detailed register of all HMO's in the Borough. Our web site holds a public register of all licenced properties in Harrow, allowing potential tenants to select properties which are licensed and assessed as meeting basic standards.

All licenses are issued for a period of five years. Premises which apply for a license are categorised by risk and high risk premises are targeted for inspection. The application process considers the nature of the premises, the level of amenity provision, .e.g. ratio of bathrooms and kitchen provision to proposed numbers of tenants, sizes of bedrooms, whether landlords are "fit and proper" people and whether basic safety measures are in place. The period of issuing a license takes four to six weeks, which includes a two week consultation process with interested parties.

The Harrow fee structure is based on the fee calculator used by the West London Group and our charges are one of the lowest amongst the West London group. Standard applications are subject to a fee of £641.50. Self contained flats which do not comply with the Building Regulations of 1991 are charged £128.30 a reduced fee for five years, as the Council's objective in monitoring these properties is primarily in ensuring safety and compliance with fire safety issues. The structure offers a £75.00 discount to Landlords if

they are accredited under the London Landlords Accreditation Scheme (LLAS) or a member of a recognised professional body such as the NLA (National Landlords Association).

Complaints received about unlicensed homes are investigated and inspected using the Housing Health and Safety Rating System. Once the owner/Managing Agent has been identified, the Council will enforce the statutory obligation to license the property. Assuming that many tenants living in HMO's will not complain about defects within their properties we regularly carry out house to house and 'Day of Action' surveys to ascertain occupancy.

The Council has a good practice procedure whereby we send out letters to landlords of suspected HMO's which have come to our attention via complaints. If a response is not received within two weeks and an inspection confirms the property is likely to be a HMO, we send out another letter informing the landlord that if we do not hear within two weeks we will be calling them for a Police and Criminal Evidence (PACE) interview, which may lead to prosecution for non-compliance with their statutory responsibilities. We have found that in most instances a response is received before the PACE interview takes place.

In an attempt to obtain more Information about the numbers of HMOs, we have written to all Public Houses in Harrow requesting information on whether any flats associated with the Public House are occupied. This has enabled us to collect more detailed and accurate information and increase the number of HMOs which are licensed.

Proposal

Harrow Council is requesting permission to continue to licensing smaller properties under the Discretionary Additional Licensing scheme, as most of the properties in Harrow fall outside the scope of the Mandatory Licensing Scheme. It is requested that this permission be granted for a five year period, to March 2014. The licensing of HMO properties will enable the Council to continue to ensure that regulations in relation to fire safety standards, basic amenities and general management of the properties are being met. The Council is seeking permission to continue to operate a borough-wide licensing scheme as the HMOs in Harrow are spread across the whole borough and have not shown to be concentrated in any one ward.

Putting the application process into perspective, current statistics show that of the 79 HMO licenses issued in the past 12 months, 52 fell outside the scope of the mandatory scheme. Reverting to the basic scheme would have a significantly detrimental impact on the Council's ability to monitor the HMO stock appropriately.

As indicated in the figures 4 and 5, Harrow does have relative hotspots for the various types of complaints received but generally complaints are received from all over the Borough, reflecting the wide spread of HMO's across the Borough. This spread of complaints is a further justification for maintaining the additional licensing for all the wards of the Borough.

In order to avoid confusion among Landlords and tenants alike, Harrow aims to license properties with two storeys occupied by five or more people and the Mandatory three or more storey's and occupied by five or more people as well. Although Harrow has been Licensing all properties occupied by three or more, evidence and consultation with our

Partners have shown that we not need to continue licensing the single storey properties or properties occupied by less than five people.

Harrow proposes to continue with the current fees for all HMO properties, whether mandatory or additional, as noted earlier, including the discounted rate for accredited landlords.

Resources

The Council proposes to deliver the additional licensing scheme with its current resources. The service does not have a dedicated HMO team but delivers the licensing function within its Private Sector Housing Service. However, through internal service reviews, the feasibility of establishing a dedicated HMO Investigative resource is to be considered. This will allow the service to move to a more proactive stance in dealing with emerging HMO issues.

Evaluation

The impact of the HMO licensing scheme will be monitored and scrutinised by the Council's Licensing and General Purposes Committee, which will receive an annual report, outlining the level of licensing and enforcement activity, reports on tenant and landlord feedback and the outcomes of the scheme in terms of property improvement and wider social impact.

Through these reports, the Council will continue to monitor and reassess the need to continue with the Licensing Scheme after the five year extension which is requested in this application. However, evidence gathered to date has shown that there are many HMO's which are operating illegally and it is expected that the need for such a scheme will remain for the foreseeable future, as more of these premises are developed.

Purpose and Benefits of Additional Licensing

Landlords, who offer poor quality HMO properties to tenants in a poor state of disrepair, would be required to licence their properties and thus we would be able to monitor and improve standards of these properties. Also we would be able to collect more detailed and meaningful data as to where these properties are and who manages them.

We believe the continuation of additional licensing would be beneficial to the tenants as many do not make any complaints to the Council for fear of repercussion i.e. eviction from 'rogue' landlords.

Additional licensing will enable the Council to specify the maximum number of persons who can occupy the house and ensure there are basic amenities and the property is free from disrepair. We can also attach conditions relating to the management of the house with the aim to improve standards generally.

Complaints relating to HMO's in the Borough

The numbers of complaints received are mainly related to noise, fly tipping, litter anti social behaviour and poorly managed properties. The complaints refer to both Additional and Mandatory HMO's. The complaints have being referred to us via several sources, mainly owner occupiers, Police, Anti social behaviour team and the Fire Officers. Therefore we know the Additional licensing Scheme would be beneficial to regulate theses properties. We would be able to address issues such as overcrowding, lack of amenities and fire safety using the licensing conditions and also place responsibility on the Landlord to ensure the behaviour of his tenants.

Litter is a problem because it is

- Unightly, but it also makes a location feel unkempt and unsafe.
- Litter cleaning is a huge cost to the council
- Some forms of litter carry environmental health dangers

There were 2,336 incidents of litter recorded by Harrow Council between October 2007 and September 2008, this includes a small number of incidents in which bins needed emptying. This is a dramatic reduction from the previous 12 months, where there were 4,016 recorded incidents, a 75% reduction.

Noise has always been a problem because it can

- Reduce quality of life for the residents and can damage health
- It can make people more aggressive
- Noise disputes can lead to neighbours taking the law into their own hands (though this is rare in Harrow.)
- There were 1,469 noise complaints received by Harrow Council between October 07 and September 2008 compared to 2,757 in the previous 12 months, a reduction of 47%.

The various we deal with noise complaints are

- In the majority of cases, problems are dealt with informally, but there are a small number of prosecutions.
- Licensing conditions imposed on landlords

Flytipping why it's a problem

- Fly-tipping poses a threat to humans and wildlife, damages our environment, and spoils residents' enjoyment of an area
- Fly-tipping undermines legitimate waste businesses where illegal operators undercut those operating within the law.
- As with other problems that affect local environment quality, areas subject to repeated fly-tipping may suffer declining property prices and local businesses may suffer as people stay away
- Fly-tipping can increase other types of crime and ASB in the area
- If a fly tipping incident is not removed it attracts further incidents.
- It costs Harrow a considerable amount every year to investigate and clear up fly-tipping. The cost falls on Harrow Council and private landowners
- It is one of the highest frequency problems reported in Harrow

- There were 5929 incidents of fly-tipping recorded by Harrow Council between October 2007 and September 2008, down from 6646 incidents over the same period in the previous 12 months, an 11% decrease.
- 19% of fly-tips are concentrated on 10 roads. Over 30% is concentrated in the top 30 roads.

The map below shows the main hotspot be in Marlborough ward on the border with Wealdstone. There is also a high concentration in Edgware ward.

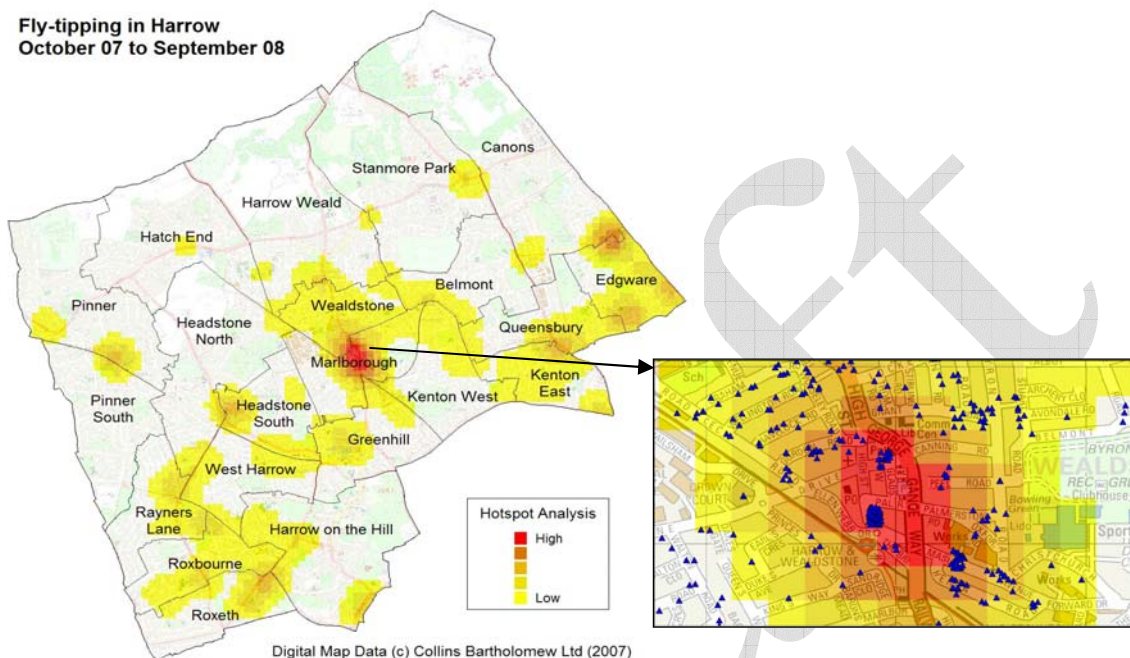


Figure 5

Current methods for tackling the problem

Harrow Council has adopted a variety of approaches to tackling fly-tipping:

- Alley gates. There is good evidence that alley-gating reduces fly tipping. A map of the current and future alley gates is included in the appendix.
- Fly tips are removed from public land within 24 hours of being reported.
- Perpetrators are prosecuted when possible.
- There is an extensive display of signs
- Weeks of Action frequently take place in areas of extensive fly-tipping.
- CCTV is occasionally installed in areas which experience substantial fly-tipping

Partnership working to Alleviate Housing Issues.

We work very closely with Landlords and Managing Agents to improve the standards of HMO's in the Borough. Since 2000 we have been successfully hosting annual Landlords Forum which are always well attended -in fact all our events are attended by 175 - 200 people. The events have enabled us to update Landlords/Managing Agents of their legislative duties. Our Forums include representatives and speakers from different

organisations such as Trading Standards, CORGI and NICEIC representatives, independent Solicitor, Landlords Association, ASBO, Housing benefits and Fire Brigade .

We also actively encourage Landlords and Managing Agents to 'drop in' to our Offices in order to offer them advice and guidance on the HMO process. On an average we see 'face to face' about three Landlords a week.

We have built up a good rapport with landlords and Managing Agents through the licensing regime, and therefore improvements to properties have resulted in less formal action regarding enforcement and safety matters.

We aim to continue networking with existing and new Agencies in order to improve conditions in private rented properties. We realise that in order to make a real impact in improving the standards of rented properties we have to continue with additional licensing of smaller properties. It will also help us to build a database of the non-compliant landlords. This will help us to manage and ensure these properties are upto adequate standards. , and therefore provide better quality housing for the tenants and residents of Harrow.

Harrow Council and its partners provide specialist housing and services designed to meet the particular needs of vulnerable people to enable them to live independently or regain independence. For example, for people with learning or physical disabilities or mental health needs. At present there are more than twenty Housing Associations working in Harrow.

On Tuesday 3rd March 2009 the Council hosted an Open Day - Housing Options, Overcrowding and Opportunity Day for tenants and landlords. (refer to appendix). This will be in addition to the Landlords Forum which we will be hosting this year.

Sheltered housing is provided by Harrow Council, Housing Associations and private companies to meet the needs of older people in the borough. There are approximately 1,200 sheltered housing flats for rent and 700 privately owned leasehold flats for older people in Harrow.

Although we cannot offer accommodation to most of the people applying to us, we have brought together a wide range of housing options:-

- **Mediation** - An external mediation service designed to try and prevent homelessness wherever appropriate.
- **Homelessness Prevention Outreach** - A practical advice service for private tenants, particularly those whose tenancies are at risk of ending.
- **Sanctuary** - A scheme for victims of domestic or other violence who need additional security measures to be installed into their properties.
- **Harrow Homeless Forum drop-in service** - A weekly drop-in service offering advice on accommodation and support.
- **Locata** - A choice based letting scheme. The way to find a home in West London.
- **Fresh start** - An innovative relocation option linking with housing associations and Councils in areas such as the Midlands, North, North-East and North-West of England.. Council also can also offer information about employment opportunities.
- **Private Rented** - A comprehensive advice service to assist in seeking and securing private rented accommodation. Some tenants may qualify for help with rent deposits via the LetStart scheme.
- **Low cost home ownership** - A part buy/part rent scheme, which enables people to get on the first rung of the housing ladder through buying a share in a home.

- **Supported Lodgings** - Accommodation in someone's home, for younger people, offering a safe and secure place to live.
- **The Housing Advice Centre** - offers free, confidential, independent and impartial advice to people who live or work in Harrow.
- **Housing Repossessions**- offers advice and guidance for people who are at risk of losing their home
- **Shelter** - advice agency for people who are homeless, or who are threatened with homelessness

On 28 September 2006, the new Harrow Compact, a two-way agreement was signed between Harrow Federation of Tenants and Residents Associations (HFTRA) and the Council. The Federation is the umbrella organisation for all tenants and residents associations recognised by the London Borough of Harrow. The committee is elected from member associations.

The Homeless Person Units have placed many tenants within the Council's database of licensed HMO's.

Harrow Council works very closely with the Safer Neighbourhood team and the Police who refer complaints to the Authority. Together we have reduced the number of complaints amicably. We have carried joint inspections with the fire brigade and have been successful in implementing fire safety measures in HMO's. We also carried out joint inspections with the border Immigration department where it was suspected that the unlicensed HMO was occupied by illegal immigrants.

We have also carried out joint inspections with Anti Social Behaviour Team (ASB) and have signed up four Acceptable Behaviour Contract's. An acceptable behaviour contract (ABC) is a written agreement between an anti-social behaviour perpetrator and those agencies involved in dealing with this type of behaviour.

An ABC, is an intervention designed to engage the individual in recognising their behaviour and its negative effects on others, in order to stop the offending behaviour continuing.

The ABC consists of a list of anti-social acts that the offender agrees not to continue and outlines the consequences if the contract is breached. Contracts usually last for six months but can be renewed if both parties agree. ABCs are not legally binding, but can be cited in court as evidence in ASBO applications or in eviction or possession proceedings. **(refer to appendix)**

At present we are also working with the Police and the Anti Social Behaviour Team, setting up a contract between the Landlord and tenants 'Private landlord Agreement' a partnership approach to help Landlords to eliminate anti social behaviour from their tenants. **(refer to appendix)**

Alternative Approach – Evidence of suggested solutions to achieve objectives by other means.

We have explored other ways in which the problems associated with HMO's could be resolved and are currently working in partnership with the West London Group, which is made up of the following Boroughs, Brent, Ealing, Hammersmith & Fulham, Hillingdon, Hounslow and Kensington & Chelsea, to implement powers which require local authorities

to secure the occupation of long term empty properties and proper management of privately rented dwellings, in particular poorly managed HMO's as prescribed under the Housing Act 2004.

Under the Housing Act an Interim Management Order (IMO), allows the Local Authority to manage the property for up to a year, until suitable management arrangements have been made. The owner does keep their right as an owner. If the IMO expires and no improvement in management has been made, then the Council can issue a Final Management Order (FMO). This can last up to five years and be renewed following this period.

In effect, the responsibility of managing, maintaining adequate standards and to ensure basic amenities exist within the property will be taken away from the Landlord and be given to the nominated Agent. This will improve the living conditions of the tenants and also help reduce the number of Empty Dwellings and provide additional accommodation.

Harrow Council launched The Empty Homes Strategy in January 1996 with the aim of bringing empty residential properties back into use and we offer the following options to achieve this

- Advice
- Housing Association Leasing Scheme
- Letstart (Direct Letting Scheme)
- Renovation Grant
- Enforcement Actions

At present there are approximately 1000 empty homes which pose a threat to neighboring properties which are vulnerable to threat of crime and anti-social behaviour. If all attempts to bring the empty property back into use have failed, the Council can use Compulsory Purchase Order, Enforced Sales Order or Empty Dwelling Management Orders. To date, the Council has brought back fifty five empty dwellings back into use and issued thirty five Better Homes Grants.

The number of vacant dwellings in the borough on the 1st April 2008 was 940, of which 484 were vacant for over six months.

The tendering contract advert will be going out at the beginning of week commencing 12th February 2008. **(refer to appendix)**

At present we are also looking at setting up an Accreditation Schemes for landlords and are considering a similar structure of a scheme from ANUK Landlord Model Accreditation Scheme Version 2 February 2007. The success of the Accreditation Scheme depends on the Landlords wanting to join the scheme as it will be voluntary and there will be cost implications to set up and continue running this Scheme. The Landlords who fail to licence their properties will probably not co-operate and want to join this Scheme, as they may perceive this as not having any beneficial value to them.

The Council does receive a number of complaints from the general public and tenants regarding problems associated with HMO's. This enables us to improve some of the properties. Unfortunately evidence has shown that most residents and tenants do not make complaints for fear of repercussion. As a result these properties remain badly managed and possibly in disrepair.

Public Consultation

The Council has attempted widespread consultation in relation to the application to continue the additional licensing scheme. There is already a high level of awareness of the local licensing regime through the work which we have undertaken with the local Landlord's Forum, we have attempted to obtain views of wider groups through wider public consultation. In addition to our contacts with Landlords and Managing Agents through our annual Landlords Forums and 'drop in' surgeries, the consultation on our intention to continue with the Additional Licensing Scheme involved three steps: placing a public notice in two local free papers, distributed to all Harrow residents, informing that the Council intends to continue with an Additional Licensing Scheme; two separate questionnaires were sent out simultaneously, one to landlords and Managing Agents and the other to owner occupiers, HMO tenants and Housing Association tenants; and placing copies of the public notice and consultation survey on the Harrow Council web site. The consultation process was held over eight weeks.

The recent consultation process has shown that, in general, landlords, residents, tenants appreciate that the licensing process is an effective way to deal with issues of bad management and properties in disrepair. This confirms that landlords are still prepared to licence their properties rather than put in a single household, therefore still providing a much needed rental market.

We found that HMO occupiers may not complain about their living conditions or lack of amenities for fear of being evicted and it follows that the bad Landlords or Managing Agents will not always be known to us.

Results of Questionnaire

Although we sent out 2000 questionnaires to the landlords and Agents we only received 73 completed questionnaires 3.65%.

The Tenants and owner occupier's questionnaires of the 700 which were sent out we received 58 completed forms 8.29%,

The consultation questionnaire shows that between 40% -62% of the tenants and resident's main concern in relation to HMO's is

- Badly managed properties
- Property in poor state of disrepair
- Overflowing bins/dumped refuse
- Anti social behaviour
- Noise from tenants
- Overcrowding

The results of the questionnaires indicate that just under 40% of the landlords and Managing Agents agree that Harrow Council should continue with the Licensing regime, compared to under 30% who felt we should discontinue with it.

Included in the report is a summary of the responses received, including the comments made by the respondents. **(refer to appendix)**

Summary

The progress we have made to date with the licensing of the HMO's in Harrow is an indication of the success of the scheme.

Our main is to work with Landlords and Managing Agents to improve the standards of all HMO's. The additional licensing is seen as long term and will enable us to ensure that fire safety and amenities and standards are regulated thereby improving the quality of HMO's which in turn would benefit the tenants and the residents of Harrow. The Licensing Scheme gives us an accurate record of where the HMO's are in the Borough, and allow us to be fair to Managing Agents and Landlords alike. It would also be easier for tenants/owner occupiers to understand the licensing scheme and for the Council to use our resources wisely.

Action Plan

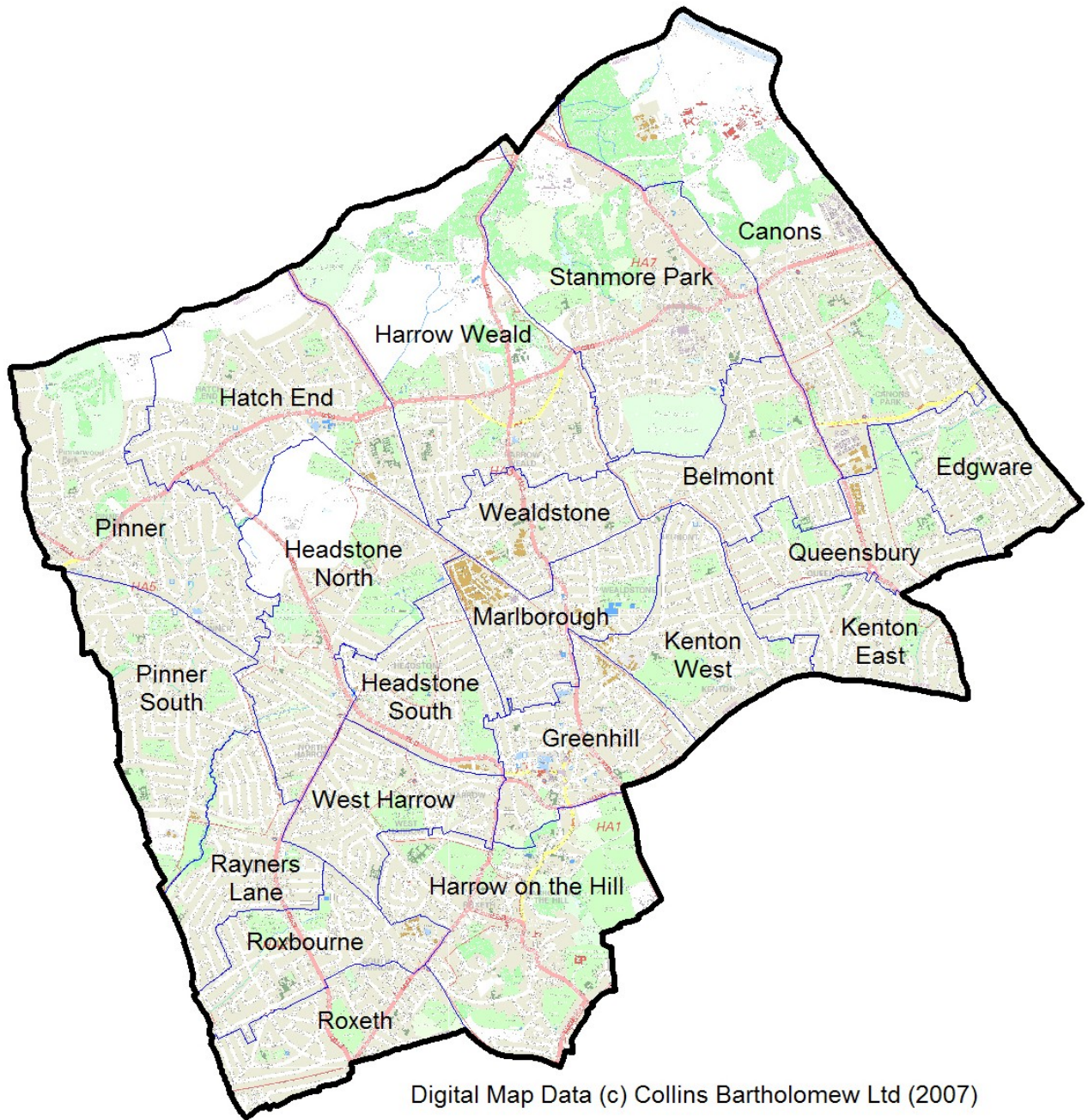
Having taken into account the success of the registration/licensing of the smaller properties which we have been operating since April 2000 and the evidence gathered from the questionnaires which show strong indication from landlords, Managing Agents, residents and tenants alike the Council wish to continue with the Additional Licensing Scheme. **(refer to appendix)**

We will continue to monitor and review our Licensing scheme to take into account the significant changes to tenure within Harrow and tailor our Scheme accordingly over the next period of the Scheme.

Through our Landlords Forums and 'drop in surgeries' we are able to offer support and advise to new and inexperienced landlords.

Map of Harrow showing proposed wards to operate Additional and Mandatory Licensing scheme.

Figure 3



SPECIFICATION FOR MANAGEMENT OF EMPTY AND PRIVATE RENTED MULTI-OCCUPIED ACCOMMODATION

1. BACKGROUND TO THE REQUIREMENT

1.1 The Housing Act 2004 introduced new powers which require local authorities to secure the occupation of long term empty properties and proper management of privately rented dwellings, in particular poorly managed Houses in Multiple Occupation (HMOs).

1.2 The London Borough of Hounslow as the lead authority for the West London sub-region is co-ordinating and overseeing the tendering process to secure the services of an external partner to manage properties that local authorities within the sub region may have to take over. This will enable the sub- regional partnership (comprising Hounslow, Ealing, Brent, Hillingdon, Hammersmith and Fulham, Harrow and Kensington & Chelsea) to tackle poorly managed and vacant homes and bring these back into use as decent housing to meet the needs of West London residents.

2. SCOPE OF THE REQUIREMENT

2.1 The West London Partnership consisting of London Boroughs of Brent, Ealing, Hammersmith and Fulham, Harrow, Hillingdon, Hounslow and Royal Borough of Kensington and Chelsea (“the Authority”) require the management of properties subject to Interim Management Order (IMO), Final Management Order (FMO) and Empty Dwellings Management Order (EDMO) (“The Orders”) (“the Service”).

2.2 This Contract governs the management services as defined above and shall include refurbishment, maintenance, financial and tenancy management t of the properties subject to “the Order”....

2.3 The Service shall be provided in accordance with this specification, legislative requirements and any subsequent changes to that legislation or this specification.

3. CONTRACT

3.1 The Authority anticipates that this Contract shall be for a Contract Period of four years .

3.2 This Contract shall have the option to extend for two further one year periods.

4. PURPOSE OF THIS SPECIFICATION

4.1 This specification outlines the requirement, and provides outcomes the Authority need to achieve as a result of the Service. Some specific detail has been provided to assist the Contractor in the procurement process. However the Contractor shall be deemed to be the technical expert, and shall be responsible for satisfying themselves of the detailed requirements necessary to ensure the successful operation of the Service.

5. OUTCOMES

5.1 The Contractor shall provide the Service to enable the following outcomes to be achieved:

5.1.1 A well managed and maintained portfolio of multi-occupied housing.

- Review of level of complaints from tenant
- Regular inspection of the property by Local authority
- Properties under the contractors are fully compliance with Management Regulations
- Free from Category 1 Hazards

5.1.2 Cost effective re-development of vacant properties to "Decent Home Standard" as residential homes.

- Achieve value for money through competitive tendering for works required
- Achieve highest quality of workmanship
- Achieve delivery of refurbishments within the agreed time scale

5.1.3 Management of building and maintenance contracts within agreed budgets and in accordance with agreed performance indicators and contractual terms.

5.1.5 Enable the West London partnership to demonstrate Best Value for Money for the Contract.

6. MANAGEMENT STANDARDS AND RESPONSIBILITIES

6.1 The Contractor shall provide the Service in accordance with management requirements specified in Schedule 3 Management Responsibilities of this Specification.

7. PERFORMANCE INDICATORS

7.1 The Contractor shall manage the Contract within the specified performance indicators below and any other performance indicators as required by the Partners. The Contractor shall ensure:

7.1.1 The dwelling is fully occupied for at least 85% of the time. Should void levels exceed this time, the managing Contractor shall be liable for any shortfall in the anticipated income.

7.1.2 Once tenanted, 100% of the chargeable rent is collected. Where there is a non-payment of rent for 4 weeks or more the Contractor will be expected to notify the relevant council and if necessary commence possession proceedings to evict the tenant and secure possession of the property.

7.1.3 A minimum of 95% of the scheduled repairs and complaints are completed within the Contractors own published performance criteria or any other period mutually agreed between the Authority and the Contractor.

7.1.4 Supply the Local authorities with the relevant management information as specified in clause 8 of this specification

8. CONTRACT MANAGEMENT AND MANAGEMENT INFORMATION

8.1 The Contractor shall provide each council with regular management information in the formats and frequency specified by the relevant council. The management information must enable demonstration of effective management and maintenance of the properties including monitoring and reporting of performance indicators.

8.2 The management information shall include but not be limited to:

8.2.1 Monthly accounts in respect of each property showing all details of income, expenditure and planned maintenance.

8.2.2 Monthly reports on rental income arrears, tenancy changes and void periods in respect of each property.

8.2.3 Monthly reports on complaints, response times and clear-up rates

8.2.4 Monthly reports on maintenance needs, building contracts prepared and let, and progress of site works.

8.3 The Contractor will meet regularly with the Authority's Contract Management Group to discuss performance and progress on all relevant performance management and monitoring issues.

9. TENDER RESPONSE REQUIREMENTS

9.1 The tenderer must provide a full and detailed Method Statement demonstrating skills and experience for supply of the Service. The Method Statement shall be submitted in the format specified in Schedule 1 Tender Method Statements of this Specification and in accordance with any specific response requirements detailed in Appendix 1 Tender Instructions clause 7.

9.2 In total, the method statements should be comprised of no more than twenty sides of standard A4 type.

9.3 The tenderer must submit the fixed pricing for the entire Contract Period. All pricing must be submitted using the format in Schedule 2 Tender Pricing within this Specification. All costs must be included and declared in the Tenderer's proposal, including expenses. Any other costs not included and declared in the proposal, which arise during the contract, will be the responsibility of the Tenderer. All pricing must be submitted excluding Value Added Tax (VAT).

SCHEDULE 1: TENDER METHOD STATEMENTS AND SELECTION CRITERIA

10. METHOD STATEMENTS

10.1 Proposed method to deliver a comprehensive housing development, management and maintenance service for properties across seven boroughs of West London within agreed budgets and timescales.

10.2 Proposed method to maintain and regularly provide the West London steering group with comprehensive financial management, accounting and reporting services in with clause 8 of the specification on individual properties and the overall portfolio.

10.3 Proposed method to create and manage tenancies, manage all issues relating to change of tenancies, minimise void periods and to collect all due rents.

10.4 Proposed method for assessing performance and providing process improvements in accordance with the needs and instructions of the West London Partnership steering group or as directed by individual local authorities

10.5 Proposed method to deliver an out-of-hours emergency service across West London, either directly or through service agreements with local contractors. Please specify if you are proposing to sub-contact any part of this service to others.

10.6 Proposed methods for achieving equality of opportunity, excellent service standards and the speedy resolution of complaints.

Draft selection criteria for IMO/FO and EDMO contractor

<u>No</u>	<u>Discretion : Price</u>	<u>%</u>
1	Economically advantageous: Deliver a cost effective management scheme: <ul style="list-style-type: none"> • To maintain a well managed portfolio of multi-occupied housing. • To re-develop vacant units as residential homes. • To manage building and maintenance contracts within agreed budgets and in accordance with agreed service standards and contractual terms. • To work together with the West London partnership to deliver agreed targets 	40
<u>No</u>	<u>Discretion : Quality</u>	<u>%</u>
1	The proven ability and capacity to deliver a comprehensive housing development, management and maintenance service for properties across seven boroughs of West London within agreed budgets and timescales.	14
2	The proven ability to create and manage tenancies, manage all issues relating to change of tenancies, minimise void periods and to collect all due rents.	10
3	The proven ability to maintain and regularly provide the West London steering group with comprehensive financial management, accounting and reporting services on individual properties and the overall portfolio.	10
4	A proven ability and capacity to deliver an out-of-hours emergency service across West London, either directly or through service agreements with local contractors	10
5	A demonstrable commitment to value of each local authority within the partnership such as equality of opportunity, excellent service standards and the speedy resolution of complaints.	10
6	An understanding of and proven ability in planning and implementing projects and process improvements to meet agreed deadlines in accordance with the needs and instructions of the West London Partnership steering group.	6
Total		100

Results of Consultation Report from landlords

Returned Consultation Questionnaires from Landlords November 2008. 2000 questionnaires sent out incl the ones left at Housing Advice, CAB and Housing Assessment

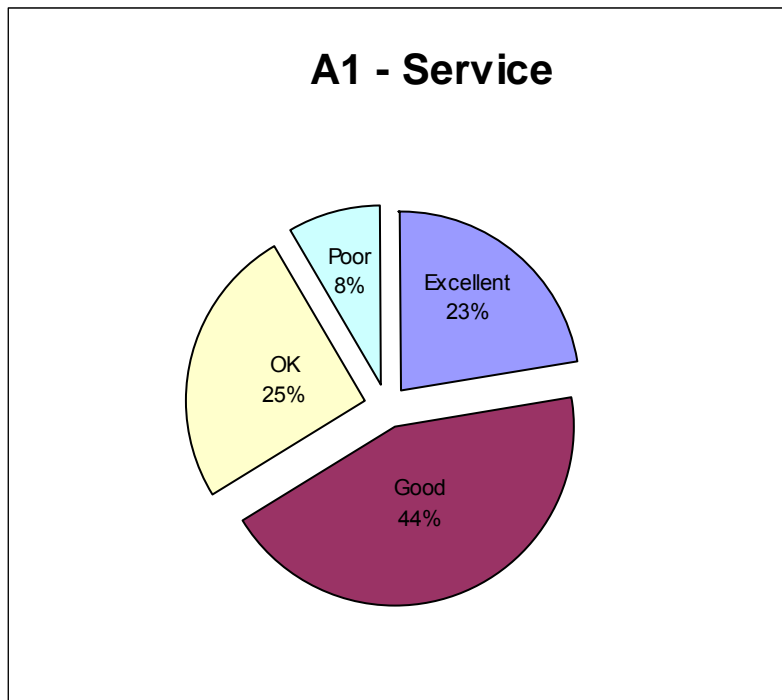


Figure 6. Relates to Office opening hours

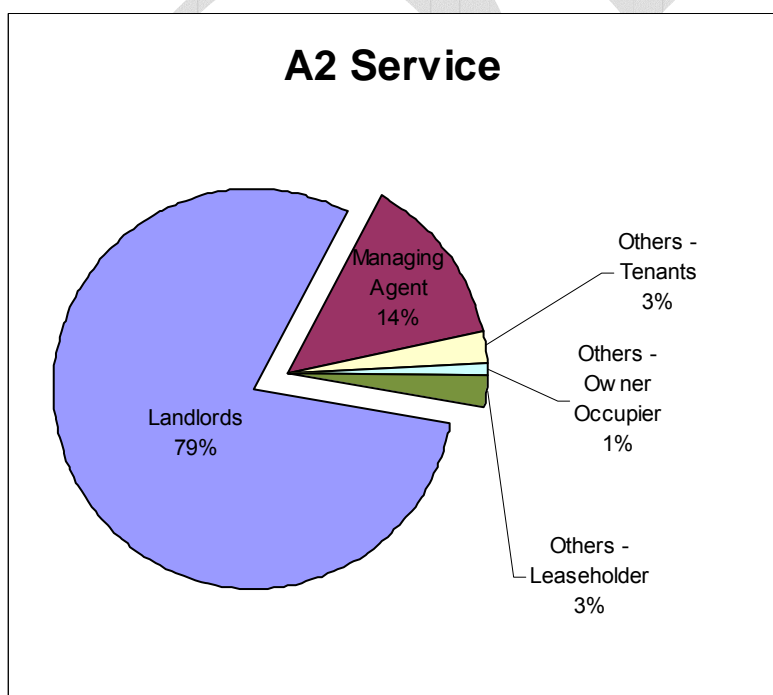


Figure 7. This relates to who filled out the questionnaire ie Landlord, Managing Agent or other

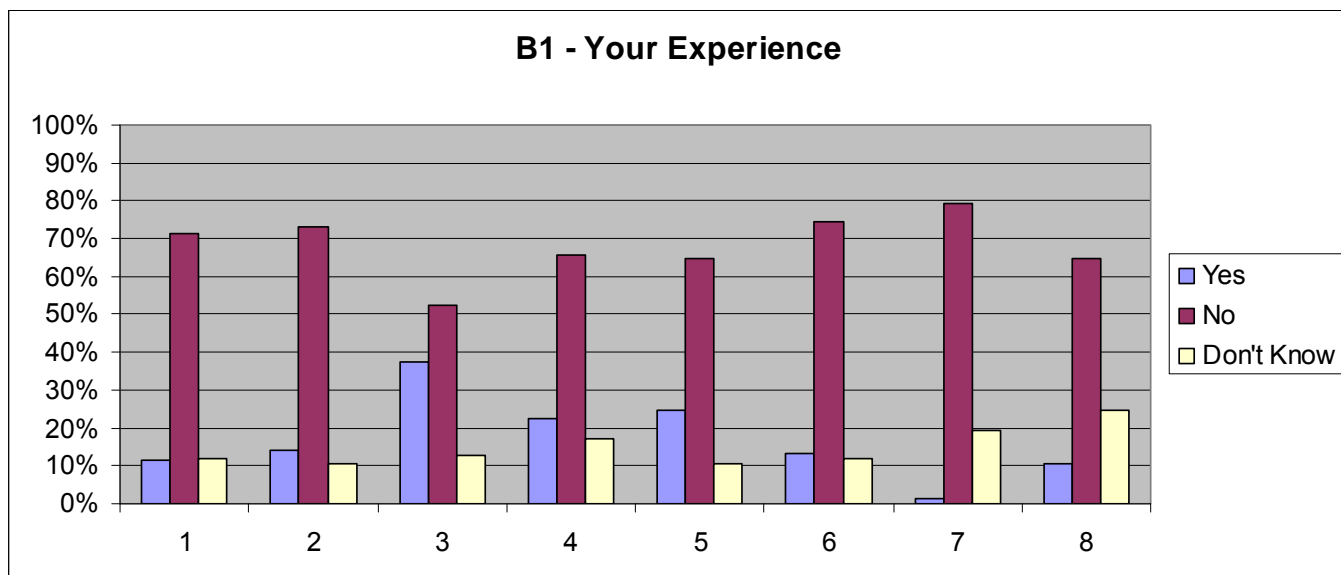


Figure 8. . Relates to experience of problems associated with HMO properties

1. Badly managed properties
2. Property in a poor state of disrepair
3. Overflowing bins
4. Anti social behaviour
5. Noise nuisance from tenants
6. Overcrowding
7. Extensions built without Planning/building consent
8. Lack of fire precautions

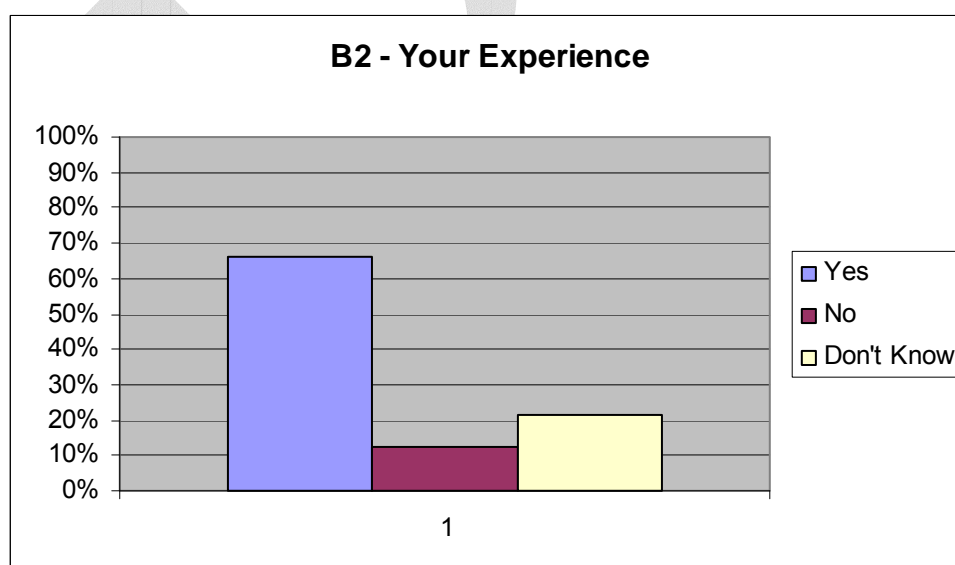


Figure 9. Do Agents /Landlords manage their properties to an acceptable standard

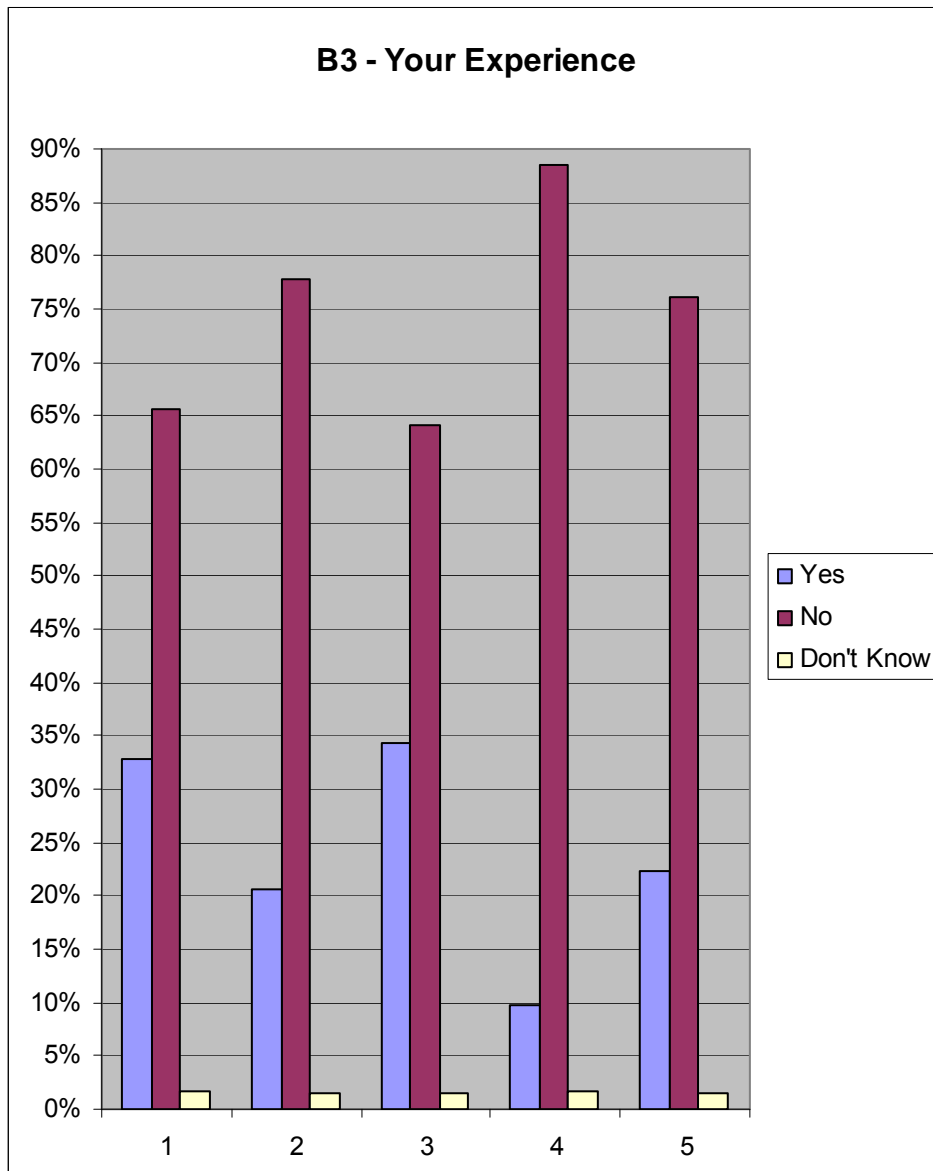


Figure 10. . Have you used the following services?

1. Housing Assessment Team
2. Homelessness Team
3. Housing Advice
4. Anti-Social Behaviour Team
5. Police

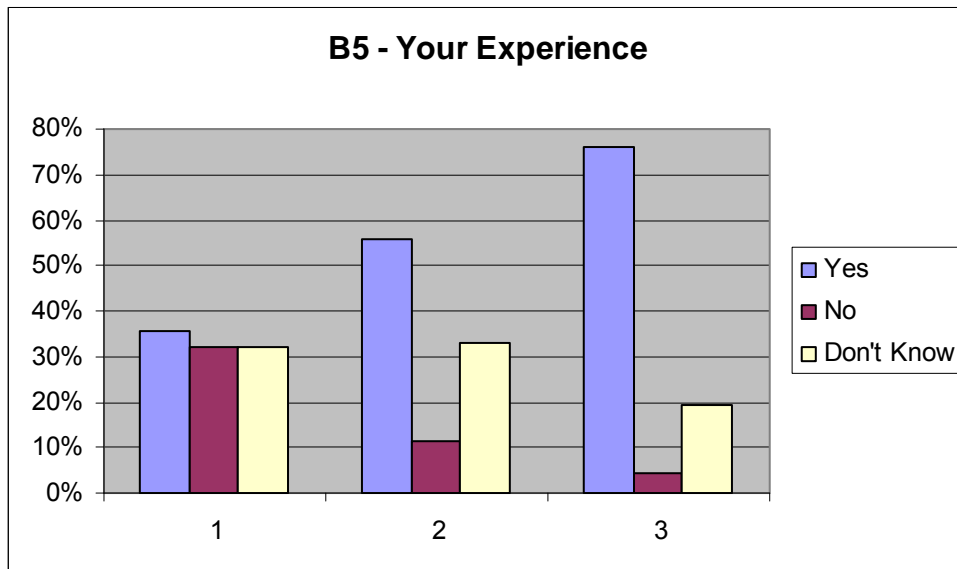


Figure 11. The Council could use as an alternative

1. Prosecution
2. Landlord Accreditation Scheme
3. Partnership working Landlord/Managing Agents

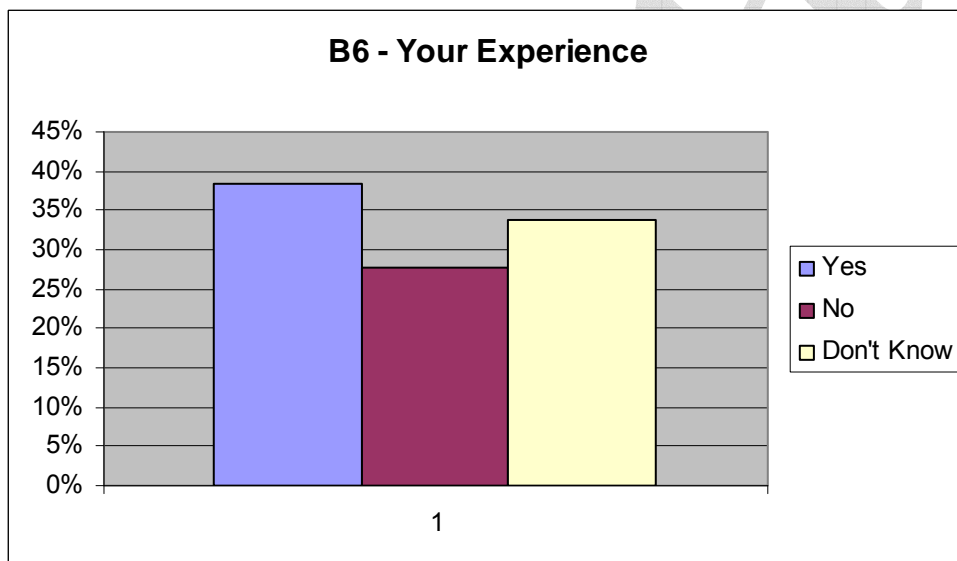


Figure 12. Is it easier for Council to identify and deal with problems in Graph 3 using the licensing scheme?

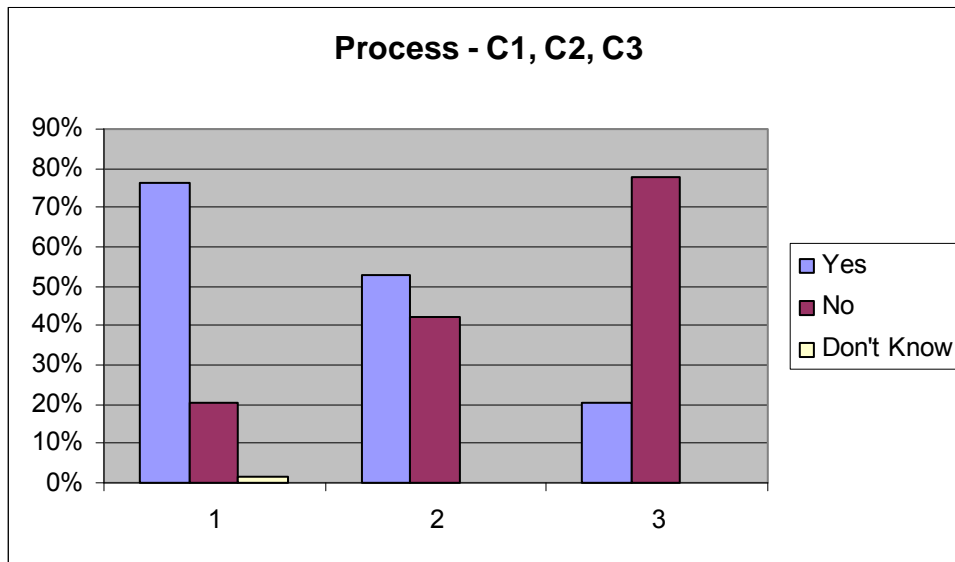


Figure 13.

1. Is written guidance supplied with HMO pack sufficient or require further guidance
2. Where you fully informed during the licensing process
3. Any other Services you would like information on

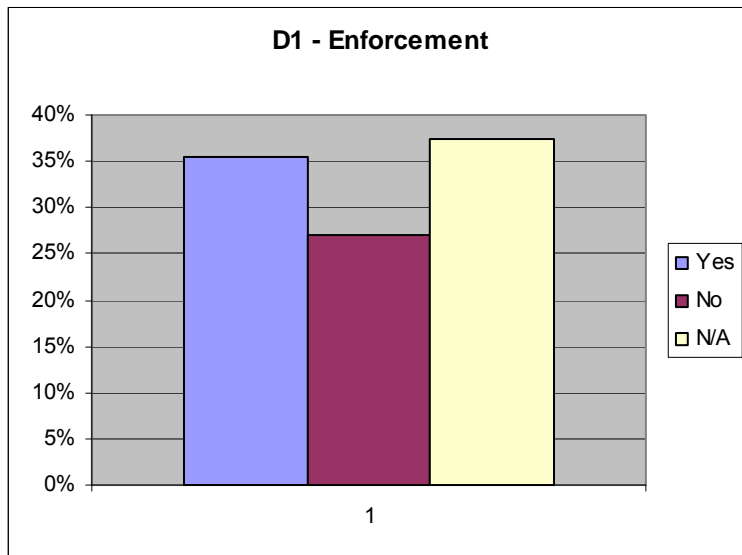


Figure 14. . If a notice was served on your property were the implications made clear?

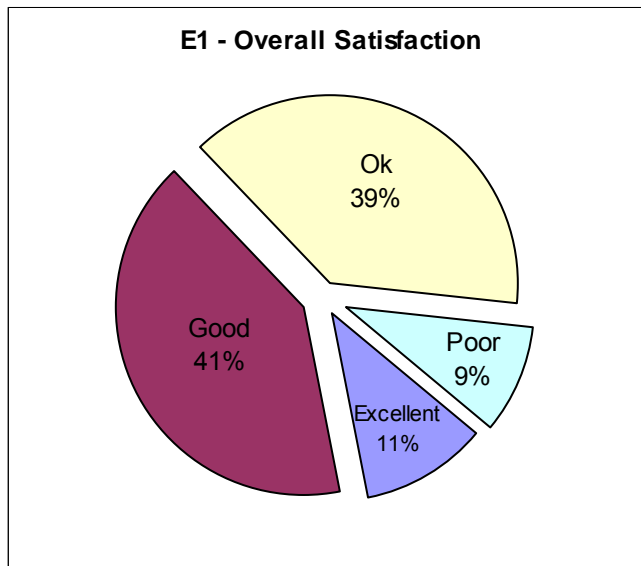


Figure 15. Overall opinion of our Service

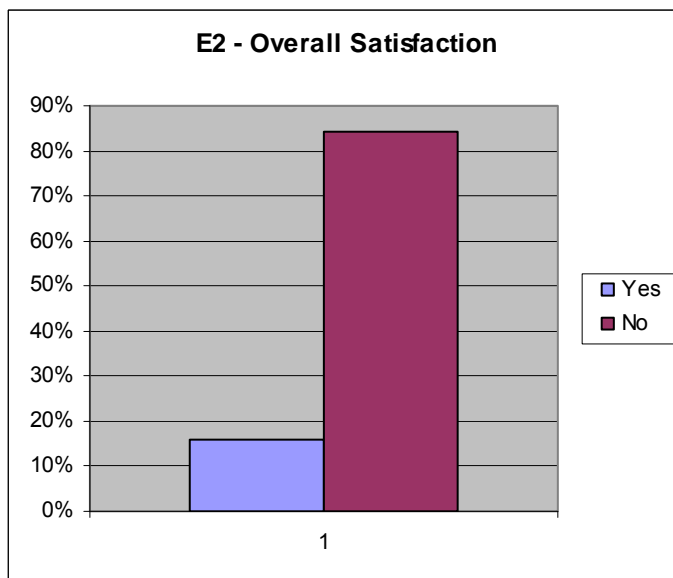


Figure 16. Any aspects you wish to comment on

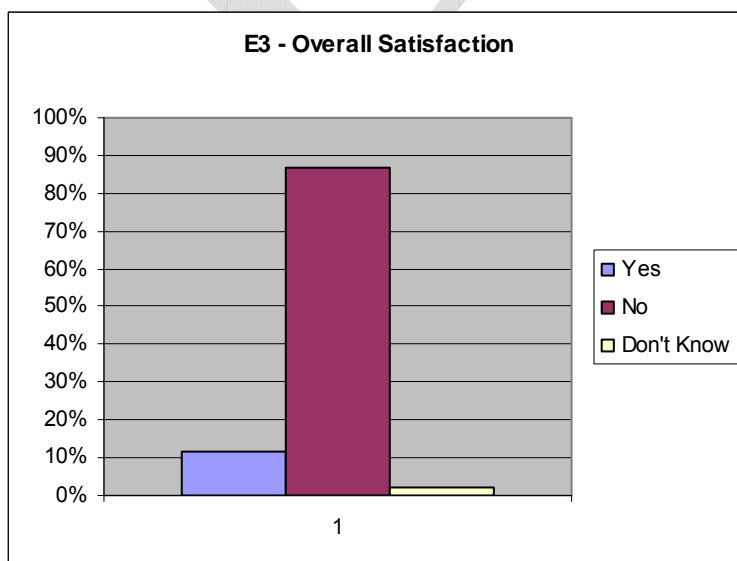


Figure 17. Anything important for the Service or would improve the Service

Returned Consultation Questionnaires from Tenants November 2008. 700 questionnaires sent out incl the ones left at Housing Advice, CAB and Housing Assessment

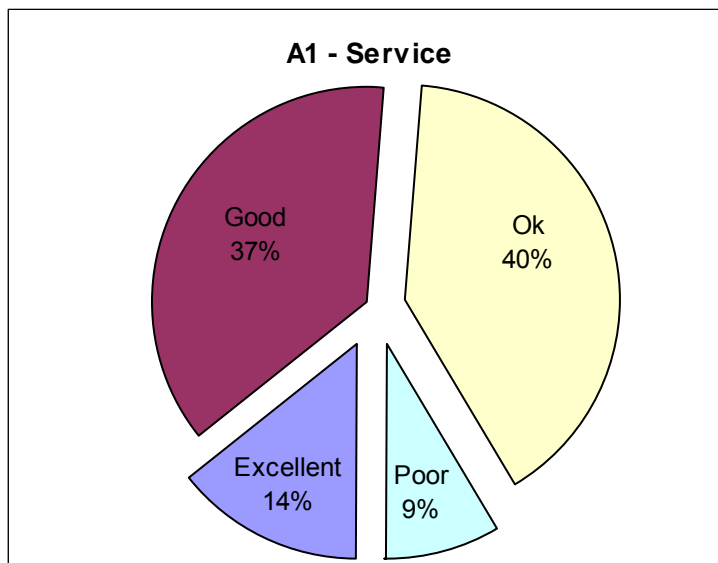


Figure 18. This graph relates to Office opening hours

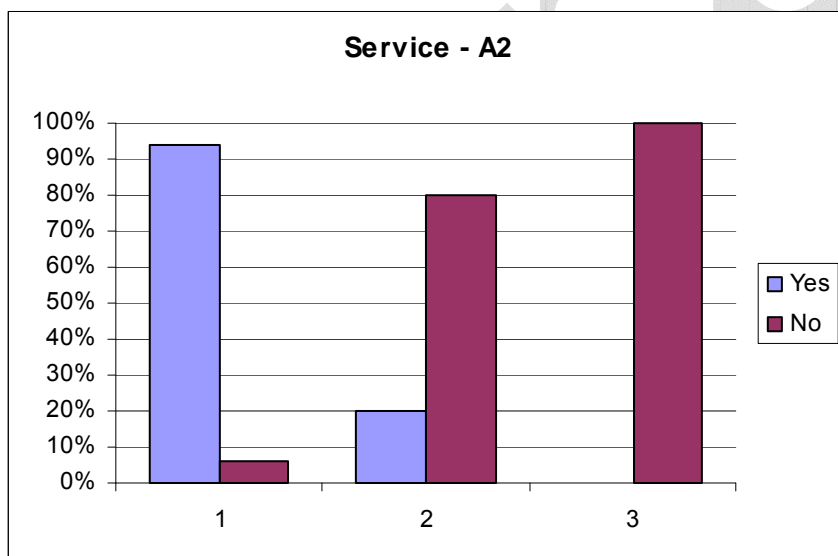


Figure 19. This relates to who filled out the questionnaire

1. Owner Occupier
2. HMO tenant
3. Housing Association

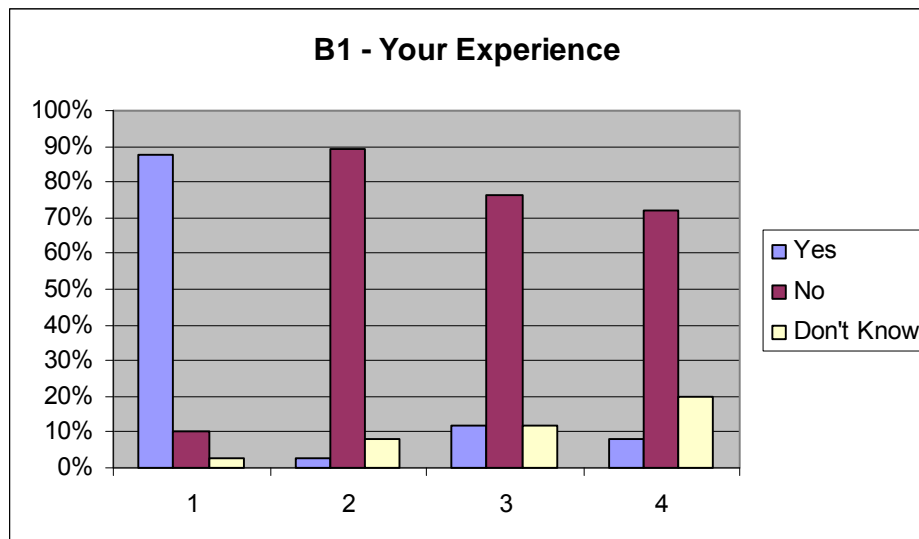


Figure 20. Relates to experience of HMO properties

1. Do you know a HMO is?
2. Currently live or lived in a HMO
3. Does property have a HMO licence
4. Is HMO Licence displayed

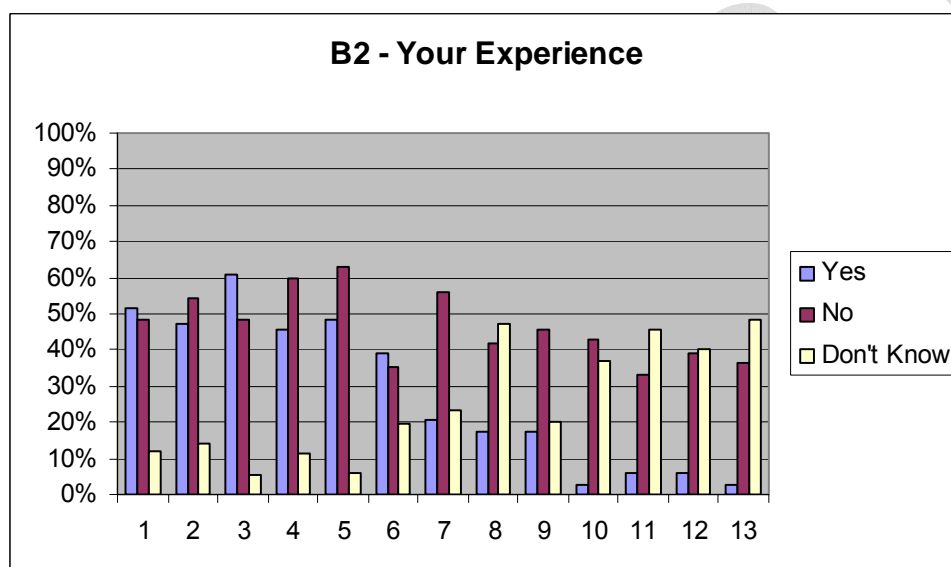


Figure 21. Problems associated with HMO's

1. Badly managed properties
2. Property in poor state of disrepair
3. Overflowing bins/dumped refuse
4. Anti social behaviour
5. Noise from tenants
6. Overcrowding
7. Extensions built with planning/building consent
8. Lack of fire precautions
9. Harassment
10. Unlawful eviction
11. Unfair deposit retention
12. Discrimination
13. Failure to provide a Gas safety report (CP12)

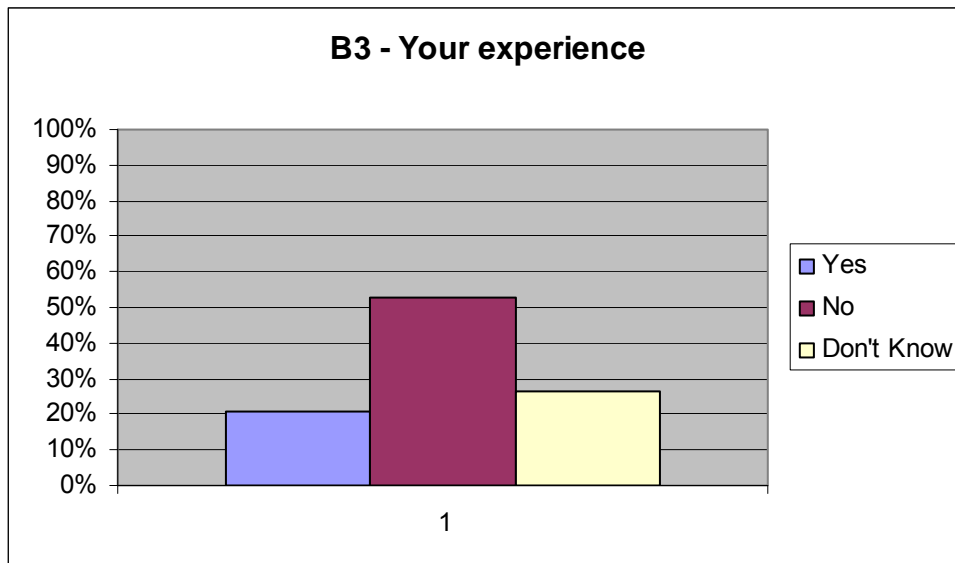


Figure 22. . Do Agents /Landlords manage their properties to an acceptable standard

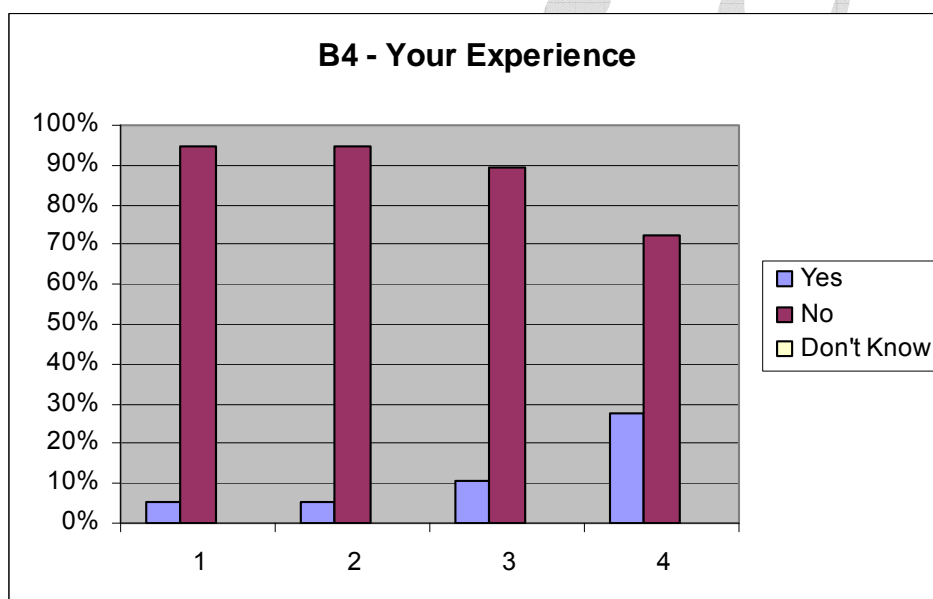


Figure 23. Have you used the following services?

- 6. Homelessness Team
- 7. Housing Advice
- 8. Anti-Social Behaviour Team
- 9. Police

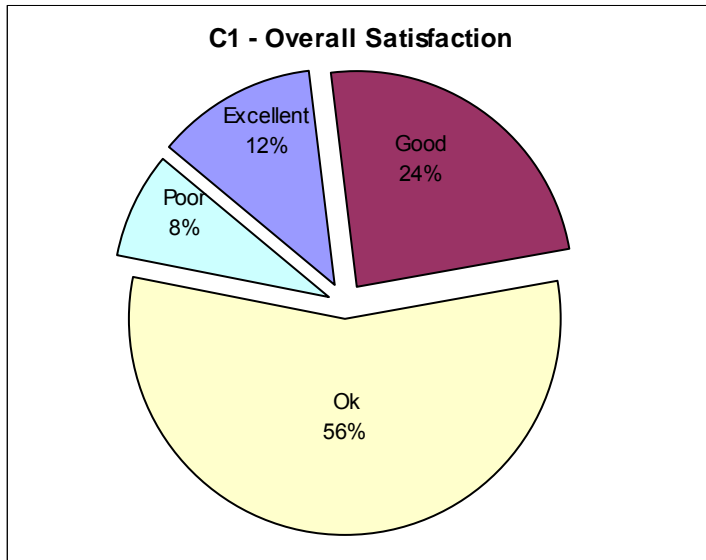


Figure 24. Overall opinion of our Service

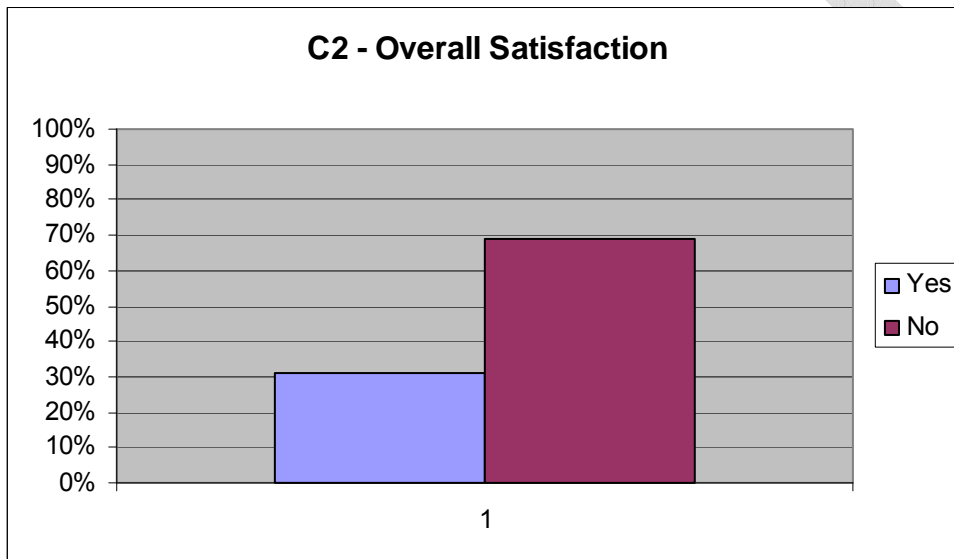


Figure 25. Any aspects you wish to comment on

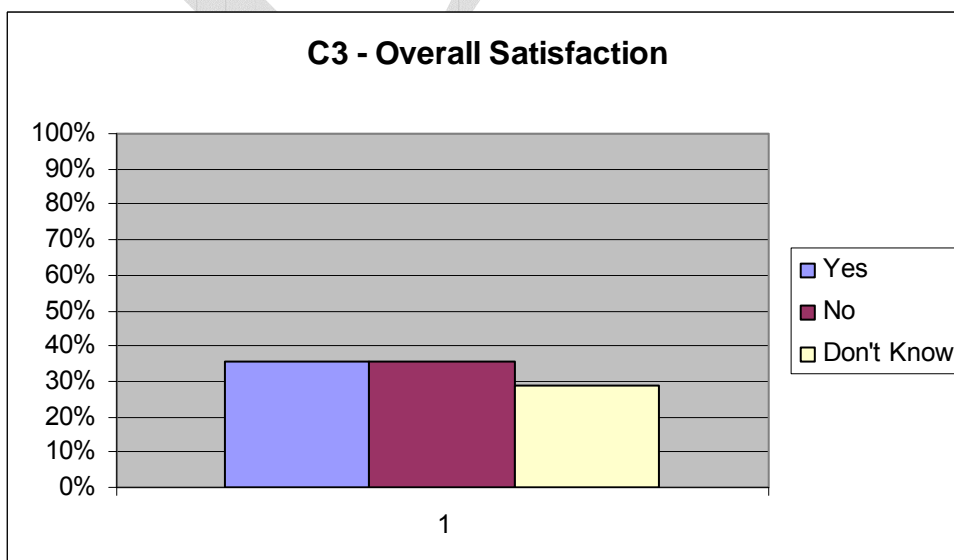


Figure 26. Any suggestions to improve the Service

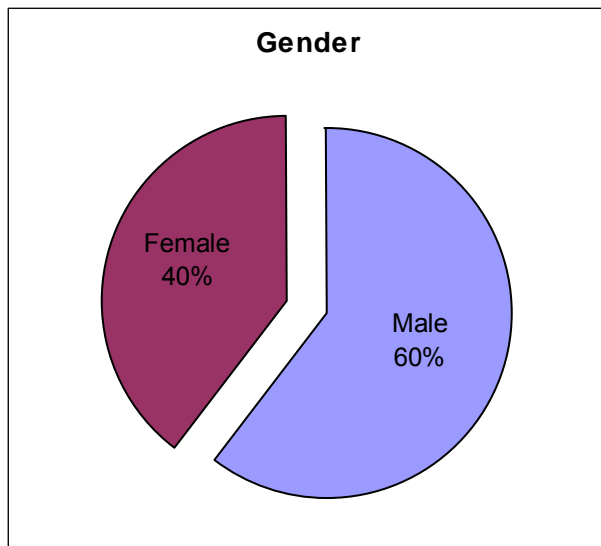


Figure 27. Relates to both sets of questionnaires

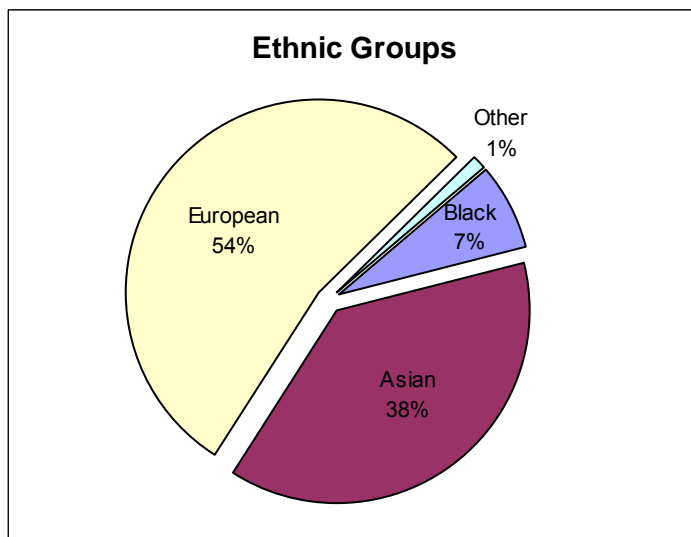


Figure 28. Relates to both sets of questionnaires

Owner Occupier, HMO tenant, Housing Association Tenants Questionnaire

Client No	A1. SERVICE
	Office is open from 9am -5pm Monday – Friday. How do you rate this availability
Client No 1	N/A
Client No 2	N/A
Client No 9	I am not sure as I have not had the chance to use the facility
Client No 16	Not suitable for workers
Client No 25	Should be 7am -7pm
Client No 30	Could be open on Saturdays for workers
Client No 33	Phoned many times always answering machine. Left tel no. nobody phoned back. Sent email and letters no reply for 3 months
Client No 35	Only good if you stayed until 5pm
Client No 36	Not useful for those who work during the day - cannot contact
Client No	A2d © SERVICE – if not owner occupier/HMO tenant/Housing Association tenant what are you?
Client No 1	SNU Spiritualist Church Harrow This survey does not apply to this non residential building
Client No 3	Joint Tenant
Client No 24	Private tenant
Client No 33	Landlord
Client No 34	Landlord
Client No 35	Landlord
Client No 40	Council Tenant
Client No	B2d © Your experience of HMO's
Client No 2	We feel there are many landlords who manage their facilities very well and receive no complaints, but there are many many properties owned by landlords who offer very little apart from a single sleeping space which is charged at #140.00 per week. Tenants live in fear of being evicted, live in squalid disgusting conditions, do not hold a proper tenancy, are abused by other residents, suffer from depression, alcohol dependency and generally have lived in this single person housing environment all their lives without security of tenure or are empowered to improve the present conditions in which they live.
Client No 4	The above yes etc is mostly related to our neighbouring property no. 32
Client No 9	Illegal parking on the pavement drugs etc. Also flytipping
Client No 10	Inconsiderate parking blocking my drive
Client No 12	The next door house no.66
Client No 25	N/A
Client No 27	Parking problems already a major problem for existing residents
Client No 30	The property next door no. 19 Cunningham Park is badly in need of repair, broken gutters, fences etc. At the moment it is bedsits with shared bathroom & kitchen, but I have heard it is to become 6 flats, where do the people park their cars, it is bad enough at the moment.
Client No 31	lack of cleanliness in back garden & front of house
Client No 32	On occasion there has been a lot of standing water, wonder if all drains are checked regularly due to this inclement weather.
Client No 35	Only honest landlords will register you go 'after' the honest landlords and not the dishonest. In my experience the worst HMO's are 'run' by non indigenous people

Client No B4e © Which other Services have you used

- Client No 2. Set rigid standards about the number of persons allowed to live in the size of property - three people in a three bedroom house. Ensure proper cooking and bathing facilities are in place meeting strict regulations. Ensure fire regulations are in place. Consult with Housing associations such as 'Innisfree' to offer help in setting the standard of accommodation. Allow no more that (for example) 3 HB payments against a three bed property.
- Client No 27 Harrow Planning To follow progress on local conversions regarding planning permission not given but building continued
- Client No 36 Environmental Health & Planning

Client No C1 © Overall satisfaction

- Client No 1 N/A
- Client No 3 We haven't had your service
- Client No 9 I am not sure I have not used your Services before.
- Client No 10 N/A
- Client No 16 N/A
- Client No 24 Client No 24
- Client No 27 Access good, return poor
- Client No 32 The Police from Edgware & Harrow were very helpful
- Client No 34 Not manned

Landlord, Managing Agent Questionnaire

Client No	A1 © SERVICE – Office is open from 9am -5pm Monday – Friday. How do you rate this availability
Client No 7	Consider flexibility by Saturday rota ½ day am
Client No 10	8am – 5pm
Client No 11	Prefer later opening times e.g. 1pm - 9pm
Client No 14	If poss. Saturday mornings
Client No 17	Telephone lines are always busy you need to help landlords and not be against them. At the end of the day his giving/helping people in need of accommodation
Client No 26	extended hours on one-two days a week would be more beneficial
Client No 33	not helpful for those who work
Client No 40	Should be open till 7pm and Saturday from 10am-2pm
Client No 42	What about those who work? Same opening times plus Saturday until noon
Client No 62	Should open 9am -6pm
Client No 65	Need phone attendant. Nicely and quick in time
Client No	A2d © If not Landlord or Managing Agent what are you?
Client No 1	Leaseholder
Client No 42	Landlord in another Borough Leaseholder to 314/314B Northolt road, s. Harrow. 314 = business, 314A = residential
Client No 58	residential
Client No 59	Tenant
Client No 60	Owner occupier/neighbour to 2 storey HMO
Client No 69	A landlord of a Public House that provides accommodation as part of the job
Client No 72	Tenant in private rented accommodation
Client No	B1© Your experience of HMO's
Client No 3	I've had no exp at all with HMO properties
Client No 7	Not needed to
Client No 9	I beg you to carry out the proposed change (Five or more people) as it is madness at the moment. It is an immense burden on Landlords currently
Client No 68	Empty houses or frequent changes Not everyone has registered in this Borough in the last 5 years so it is not a fair field
Client No 70	field
Client No 72	Lack of gas safety certificate
Client No	B3f © Have you used any other Services? .
Client No 7	Not required Many houses round here have had loft conversions for their own family.
Client No 68	I have a tenant whose rent is paid by the Council. Young thieves
Client No 69	Licensing Team & Health & Safety
Client No 72	Environmental Health

Client No	B4e © How do you think that Harrow Council could identify and deal with some of the problems associated with HMO's in B1 If the licensing scheme were to be discontinued.
Client No 6	Yes through legal methods
Client No 7	Monitoring, advice, guidance, support tenants rights
Client No 8	Yes
Client No 9	Yes- If neighbours/tenants complained, the council could still have a role in the process
Client No 11	Rely on complaints received from anybody
Client No 13	Follow up reports from other residents by site visits HMO licensing is a bad idea. Get rid of this and monitor landlords by having a mutual relationship,
Client No 17	after all they are helping the council by providing properties
Client No 20	Badly
Client No 23	Yes but it could prove difficult
Client No 26	Central port of call at council who can advise and act on calls from both landlords and tenants. They can also notify officially so landlords/tenant would need to act on it
Client No 33	The council could write to the occupiers of the property as they would if the property was owner occupied
Client No 34	You should not discontinue the licensing scheme. Just make it more relevant. Most Eastern European Communities in Harrow live in shared accommodation (usually shared with persons known) I believe the vast majority are unregistered. The licensing scheme should focus on the most dangerous. Properties with over 5 persons should be registered only (properties over 2 floors should also be registered)
Client No 35	Yes
Client No 41	I think officers could patrol areas considered at high risk and respond to complaints
Client No 42	How do they deal with in property belonging to the council?
Client No 44	How do you determine cost of licence? It is a money making racket
Client No 45	For less than five person should discontinued (like the other Boroughs)
Client No 49	Yes the current scheme does not work. I am still waiting for licenses 3 years ago The licensing scheme does not work so discontinue will make no difference Add concerning points into tenancy agreement, but it should balance for landlord and tenants.
Client No 57	As at the moment tenants are getting away with it
Client No 67	Inspect property from time to time Many houses round here have had garages converted to using on granny flats in back gardens.
Client No 68	Licensing scheme should not be discontinued
Client No 70	Come down on those that overcrowd and leave genuine landlords of 30 years alone
Client No 72	Clear guidelines to tenants rights to fix the above problems i.e. numbers to call to enforce regulations such as fire safety

Questionnaire B5d © Apart from Prosecution, Landlords Accreditation Scheme and Partnership working with Landlords/Managing Agents what else could the Council use?

- Client No 2 My properties are rented to one family
- Client No 7 Maybe random spot checks unannounced?
Prosecution should be a last resort. Council should work with
- Client No 11 landlords/managing agents
- Client No 17 Again have a mutual relationship with landlords. This will help the landlord and council

B6b© Do you think it would be easier for the Council to identify and deal with problems as associated as in B1 using the licensing scheme

- Client No 7 Worth a pilot/trial
- Client No 13 Any scheme is only as good as the councils ability to enforce it
Do not use licensing. You're too heavy handed with landlords. It is putting me off being a landlord
- Client No 17 If property is assessed regularly
- Client No 18 It is unnecessary red tape. You don't need to
- Client No 22 Unless the problems are reported to the council by either party, it would be difficult. That's why a central point of contact at the council. Furthermore all councils across UK need to be consistent in their approach
- Client No 26
- Client No 34 You are suggesting that the council move responsibility to the landlord. This will become onerous for the landlord and lead to unregistered property and landlords leaving the market
- Client No 35 They can, being mindful that licensing scheme HMO's for occupancy of three or more tenants
- Client No 41 The admin burden distracts resources from enforcement and advice. Accreditation and workshops might be more effective
- Client No 44 Licensing for less than 5 people should discontinue
- Client No 45 You need people on the ground not in offices moving licenses

C1 © Process Is written guidance supplied with HMO pack sufficient?

- Client No 2 Again I don't think this applies to my properties
- Client No 3 I have knowledge of the process
- Client No 6 Clear
- Client No 7 Unaffected so unsure
- Client No 9 Appalling! Lack of detail, different advice/guidance from different council staff
- Client No 23 Did not receive application pack as it does not apply to me
- Client No 27 Further guidance would be good + a FAQ
- Client No 29 not clear how habitable rooms were to be named
- Client No 33 not clear, more guidance would have been helpful
- Client No 41 Ok at present. Clearer details on website cleaner explanation of costs
- Client No 44 There must be some rules with attention to people income of lots of other factors

Client No 50 Helpful comments on all details
 Client No 54 Do not have one
 Client No 58 more advice needed
 Client No 60 No knowledge for this section
 Client No 62 Have not received pack

Client No C2b© Were you fully informed during the licensing process?

Client No 13 have not used the process
 Client No 33 I called and was told by an officer that the council hadn't decided how to implement the scheme
 Client No 39 Harrow women's aid merged with Hestia in April 2001 and Hestia may not have been involved in the licensing process
 Client No 42 Never knowing what the licence will cost. What happens on licence renewal if you do not want to renew
 Client No 54 N/A
 Client No 57 Need to update on regular basis
 Client No 58 Sort of
 Client No 72 HMO licence hasn't been registered for the property

Client No C3© Would you like information on any other Services?

Client No 7 As long as it is cost effective with end user benefits review
 Client No 11 Council officers should visit landlord's property first to give advice. Instead first asking for the fees
 Client No 17 Simplify your documentation for landlords. Make each point very clear and concise
 Client No 27 FAQ More info on process, affecting landlords
 Client No 32 To convert in two self contain flats
 Client No 35 The different agencies that can be of help in supplying information (in general) re-renting houses
 Client No 42 What kind of services
 Client No 43 What services?
 Client No 44 Better rules. What we have at the moment has got plenty of rooms to improve
 Client No 57 What liabilities are there for tenants, HMO is for landlords? There should be a similar thing for tenants
 Client No 65 Clear the rubbish which kept at my premises only. Put notice board
 Client No 72 What tenants should look out for when renting in regards to whether a property should have a HMO

Client No D1b© Enforcement If a notice was served on your property – were you made clear of the implications?

Client No 1 N/A
 Client No 2 No notice served not applicable
 Client No 4 No notice was ever served
 Client No 6 N/A
 Client No 7 Not Applicable
 Client No 20 Not been served
 Client No 22 Where a notice for noise nuisance was served, the landlord was threatened not

the tenant and
 No info was given regarding any appeal rights
 Client No 29 No notice served
 Client No 39 The notice has been served as far as I know
 Client No 44 But its not right
 Client No 54 N/a
 Client No 57 No notice served
 Client No 60 No notice served
 Client No 62 N/A
 Client No 68 N/A
 Client No 69 No notice served
 Client No 71 N/A
 Client No 72 N/A. I am a tenant
 Client No 73 N/A

Client No E1 ©Overall satisfaction of our Service

Client No 2 See above N/A
 Calls were never returned and every time I tried calling no officer was available
 Client No 33 to speak with me
 Client No 35 Sympathetic, understanding and patient
 Client No 44 Room for improvements
 Client No 54 N/A
 Client No 68 N/A

Client No E2b© Other aspects you wish to comment on

Client No 1 Council very pernickety in requiring scale drawings of all rooms. Time consuming, over burdensome and not helpful.
 Client No 2 N/A
 Client No 11 I visited the Forward Drive to ask for advise and the facilities were very poor. My tenants housing benefits application was lost in (emergency housing) so another had to be filled in
 Client No 22
 Client No 35 Their general manner which was very good
 The lack of time given to carry out procedures without no given to cost to
 Client No 42 landlord
 Client No 59 Council Housing
 Client No 63 Support from Council for eviction of tenants not paying rent and sitting tenants
 Client No 65 Need lights in alley
 Client No 68 I had my husband's mother living with us 34 years she had a bedsit to 94 years.
 three sons in Service came back from time to live when changing works
 Client No 70 Again equal playing fields for all landlords

Client No E3© Anything else that would improve the Service

Client No 2 N/A
 Client No 17 Treat landlords with respect and be caring towards them
 Client No 29 We only phoned up once and the lady was very helpful
 Client No 33 Harrows licensing scheme makes it impossible for small, responsible landlords to let their property

- Client No 42 Informing property owners of the procedures required to get the property out of HMO. how difficult will this be and if so why?
- Client No 49 Make a scheme work. The current scheme is a complete failure
- Client No 54 N/A
- Client No 63 Must include Landlords rights for eviction within 1 to 2 months with the support of Council.
Also Council not to give support at Citizens Advice Bureau to stay sit to tenants!
- Client No 70 As above because it costs money to keep properties to the standards
- Client No 72 How do you enforce a HMO if your landlord is bankrupt

Client No F1b© Further consultation – Would you be interested in participating in future stakeholder consultation exercises regarding the review of the Private Sector’s Housing enforcement policies?

- Client No 9 I am so relieved by your suggested change, I have had to turn away so many excellent tenants due to you current "unrealistic" rules, even the prospective tenants get really upset. I am so glad Harrow council has finally seen sense it is a really difficult time for landlords currently. Interest rates make it "non-viable"
plus house prices are dropping. Being a landlord is causing me endless, sleepless nights
I think to myself is it worth being a landlord, esp. with all the rules and regulations a landlord has to follow. I'm strongly thinking of selling my properties
- Client No 17 with my friends as well, as it is getting tougher and tougher being a landlord, especially the council asking for money for everything from the landlord. We are just not treated right by the council. You just want to make our lives more difficult at every stage. I suggest you stop your licensing, and be a lot fairer to landlords. If all landlords stop being landlords, it would put pressure on the council. Where would you get the properties? Landlords are helping the council and yet your regulations against landlords are getting stricter every year, I don't find this fair at all. PLEASE BE FAIR TO THE LANDLORDS
- Client No 34 I strongly believe licensing should be for properties with 6 or more people. Many houses are 3 bedrooms and let out to two couples and one single person.
I would welcome the opportunity to discuss this with you
- Client No 49 I feel several landlords and tenants should help the council team
- Client No 54 I do not have a HMO
- Client No 68 I am too old now but did when younger I wrote about 10 years of the NHS Ernest Marples on roads and houses.

**HOUSES IN MULTIPLE OCCUPATION (HMO'S) AND THE HOUSING ACT 2004
PUBLIC NOTICE IN RESPECT OF ADDITIONAL LICENSING SCHEME
THE LONDON BOROUGH OF HARROW COUNCIL
ADDITIONAL LICENSING
(HOUSES IN MULTIPLE OCCUPATION) SCHEME 2006
(DEEMED DESIGNATION)**

NOTICE

The Council of the London Borough of Harrow hereby gives Notice to submit to the Secretary of State for Communities and Local Government of the designation of additional licensing requirements with respect to houses in multiple occupation in the borough. This scheme will be known as the London Borough of Harrow Designated Area Additional Licensing (Houses in Multiple Occupation) Scheme 2006 (the Scheme). This is in accordance with Sections 56 to 60 and Section 257 of the Housing Act 2004, ('the Act') The Housing Act 2004 (Commencement No. 5 and Transitional Provisions and Savings) (England) Order 2006, and paragraphs (a), (b) and (c) of Regulation 9 (2) of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions) (England) Regulations 2006.

The current Scheme was deemed to have been made on 6th April 2006 and will cease to have effect on 6th April 2009.

The Scheme applies to all Houses in Multiple Occupation (HMOs) within the borough except exempted by the relevant sections of the Act. This will also include properties under Section 257 of the Act. (Properties converted into flats and the building work undertaken in connection with the conversion did not comply with regulation 20 of Building Regulation 1991 which came into force in June 1992).

Landlords, people managing properties and tenants within the borough should contact the Private Sector Housing Enforcement Team for further advice if they have any doubts as to whether a license is required for their property.

A person having control of or managing a licensable HMO in the borough must apply to the London Borough of Harrow for a Licence of such properties. A person who wishes to establish an HMO must ensure that the house has been granted a licence by this Authority unless the building has the benefit of a Temporary Exemption or it is subject to a Management Order (interim or final).

The person in control of the property ('landlord') shall apply for a license for such properties for a fee, set up by the Authority and such a licence if granted shall be valid for a period not exceeding five years from the date of the granting of the licence.

Failure to apply for a licence is an offence under Section 72(1) of the Housing Act 2004 for which a person may be fined up to £20,000.

For an application to be considered it must provide prescribed particulars and must be accompanied by the required fee, including documentation which the Authority may deem appropriate.

Enquiries regarding the licensing of houses in multiple occupation within the London Borough of Harrow and requests for application forms may be made by telephone to the Private Sector Housing Team on 020 8736 6259. Email enquires may be directed to ehealth@harrow.gov.uk or in writing as detailed below. This information is also available on the Harrow Council's website http://www.harrow.gov.uk/site/scripts/documents_info.php?categoryID=898&documentID=581

Harrow Council, Community Safety Services, Private Sector Housing Enforcement, Civic Centre, PO Box 18, Station Road, HARROW, Middlesex, HA1 2UT. Tel: 020 8736 6259. FAX 0845 280 1845

Consultation on Additional Licensing for Houses in Multiple Occupation (HMOs)

The results of this consultation will enable the Council to ensure the HMO Licensing scheme addresses your concerns. We will not give your personal information to anyone else. The information we receive helps us to see if the people who fill in our questionnaires reflect the different groups of people who live in the borough. Under the Data Protection Act 1998, we require your consent to process it. When you fill in the boxes below you are giving your consent.

SERVICE

A1	Our office is open from 9am to 5pm Monday to Friday. How do you rate this availability?	<table style="width: 100%; border: none;"> <tr> <td style="text-align: center; width: 25%;">Excellent,</td> <td style="text-align: center; width: 25%;">Good,</td> <td style="text-align: center; width: 25%;">OK,</td> <td style="text-align: center; width: 25%;">Poor,</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table> <p>Comments:</p>	Excellent,	Good,	OK,	Poor,	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Excellent,	Good,	OK,	Poor,							
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>							
A2	<p>Are you?</p> <p>Owner occupier</p> <p>A House in Multiple Occupation tenant</p> <p>Housing Association</p> <p>Other</p>	<table style="width: 100%; border: none;"> <tr> <td style="width: 50%;">Yes <input type="checkbox"/></td> <td style="width: 50%;">No <input type="checkbox"/></td> </tr> <tr> <td>Yes <input type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td>Yes <input type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> <tr> <td>Yes <input type="checkbox"/></td> <td>No <input type="checkbox"/></td> </tr> </table> <p>Please specify:</p>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>
Yes <input type="checkbox"/>	No <input type="checkbox"/>									
Yes <input type="checkbox"/>	No <input type="checkbox"/>									
Yes <input type="checkbox"/>	No <input type="checkbox"/>									
Yes <input type="checkbox"/>	No <input type="checkbox"/>									

B3	Do you think Agents and landlords manage their properties to an acceptable standard	Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/>
B4	<p>Have you used the Services of any of the following:</p> <p>Homeless Persons Team</p> <p>Housing Advice</p> <p>Anti-Social Behaviour Team</p> <p>Police</p> <p>Other</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Please specify</p>

OVERALL SATISFACTION

C1	What was your overall opinion of our service?	<p>Excellent, Good, OK, Poor,</p> <p><input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/></p> <p>Comments:</p>
C2	Are there any other aspects you wish to comment on?	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Comments:</p>
C3	Is there anything else, which you feel, is important for the service or would improve the service?	Comments

FURTHER CONSULTATION

D1	<p>Would you be interested in participating in future stakeholder consultation exercises regarding the review of the Council's Private Sector Housing Enforcement policies?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Comments</p>
D2	<p>You are welcome to return this questionnaire anonymously, but if you wish to give your name and address so we can respond to any issues you have raised, then please do so here.</p>	<p>Name:</p> <p>Address:</p> <p>Daytime Tel:</p> <p>Mobile Number:</p> <p>Email:</p>

EQUALITY MONITORING

To help us monitor equal access and service delivery, we would like to monitor the ethnic origin of our service users. This will help us to ensure that we continue to provide a service, which is delivered on a fair basis across the community. Any information you provide will be treated in strictest confidence.

Please tick the box which best describes your ethnic origin:

Black African
 Caribbean
 Other Please specify

Asian Bangladeshi
 Chinese
 Indian
 Pakistani
 Other Please specify

European Irish
 UK
 Other Please specify

Other Ethnic Group Please specify

Is your first language English? Yes
 No If "NO" please specify

Gender Male
 Female

Thank you for taking the time to complete this form and assisting us in improving the service. Your comments and suggestions are always welcome.

Please return the completed questionnaire to: Mrs S Abdul-Cader

Harrow Council
 Community Safety Services
 Private Sector Housing Enforcement
 Civic Centre
 PO Box 18
 Station Road, Harrow
 HA1 2UT Email: ehealth@harrow.gov.uk Tel: 020-8736 6252 Fax 0845 280 1845

If you have any questions regarding this form, please do not hesitate to contact Private Sector Housing Enforcement Team on 020- 8736 6252 or 020- 8736 6259.

Consultation on Additional Licensing for Houses in Multiple Occupation (HMOs)

Under the Data Protection Act 1998, we require your consent to process the information you provide. When you fill in the boxes below you are giving your consent.

SERVICE

A1	Our office is open from 9am to 5pm Monday to Friday. How do you rate this availability?	Excellent, <input type="checkbox"/> Good, <input type="checkbox"/> OK, <input type="checkbox"/> Poor, <input type="checkbox"/> Comment here
A2	Are you? A Landlord Managing Agent Other	Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> please specify

YOUR EXPERIENCE

B1	Have you experienced any of the following problems with HMO properties? Badly managed properties Property condition in a poor state of disrepair Overflowing bins and/or	Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/>
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	<p>refuse dumped around the property</p> <p>Nuisance from anti social behaviour</p> <p>Noise nuisance from the tenants</p> <p>Overcrowding</p> <p>Extensions built without planning/building consent</p> <p>Lack of fire precautions in HMO properties</p> <p>Other</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>If other, please specify here</p>
B2	<p>Do you think Agents and landlords manage their properties to an acceptable standard</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p>
B3	<p>Have you used the Services of any of the following:</p> <p>Homelessness Team</p> <p>Housing Advice</p> <p>Anti-Social Behaviour Team</p> <p>Police</p> <p>Other</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>If other, please specify here</p>
B3	<p>How do you think that Harrow Council could identify and deal with some of the problems associated with HMO's in B1 If the licensing scheme were to be discontinued.</p>	<p>Don't Know <input type="checkbox"/></p> <p>Comment here</p>

B4	<p>The Council could use</p> <p>Prosecution</p> <p>Landlords Accreditation Scheme</p> <p>Partnership working with Landlords/Managing agents</p> <p>Other</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>If other, please specify here</p>
B5	<p>Do you think it would be easier for the Council to identify and deal with problems as in B1 using the Licensing scheme</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> Don't Know <input type="checkbox"/></p> <p>Comment here</p>

PROCESS

C1	<p>Is the written guidance supplied with the HMO application pack sufficiently clear, or would further guidance be helpful?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Comment here</p>
C2	<p>Did we keep you fully informed during the licensing process?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Comment here</p>
C3	<p>Are there Services you would like more information on?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Comment here</p>

ENFORCEMENT

D1	If a notice was served on your property were you made clear about the implications of the notice and informed of your appeal rights?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comment here
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OVERALL SATISFACTION

E1	What was your overall opinion of our service?	Excellent, <input type="checkbox"/> Good, <input type="checkbox"/> OK, <input type="checkbox"/> Poor, <input type="checkbox"/> Comment here
E2	Are there any other aspects you wish to comment on?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comment here
E3	Is there anything else, which you feel, is important for the service or would improve the service?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comment here

FURTHER CONSULTATION

F1	Would you be interested in participating in future stakeholder consultation exercises regarding the review of the Council's Private Sector Housing Enforcement policies?	Yes <input type="checkbox"/> No <input type="checkbox"/> Comment here
F2	You are welcome to return this questionnaire anonymously, but if you wish to give your name and address so we can respond to any issues you have raised, then please do so here.	Name Address Telephone Mobile No Email



Meeting:	Licensing and General Purposes Committee
Date:	8 June 2009
Subject:	Early Retirement – Delegation of authority for approval
Responsible Officer:	Myfanwy Barrett – Corporate Director of Finance
Portfolio Holder:	David Ashton – Leader of the Council and Portfolio holder for Strategy, Partnership and Finance
Exempt:	No
Enclosures:	None

SECTION 1 – SUMMARY AND RECOMMENDATIONS

Elected Members (i.e. Early Retirement Sub-Committee) have requested that the Licensing and General Purposes Committee review the exercising of discretionary delegations relating to Local Government pension Scheme Early Retirements

This report details background, current process and suggested amendments.

RECOMMENDATIONS:

1. Redundancy retirements to be approved by the Officer Sub-Group, release of pension benefits to be signed off by the Corporate Director of Finance.
2. Efficiency retirements to be approved by the Officer Sub-Group, release of pension benefits to be signed off by the Corporate Director of Finance.
3. Early retirements (active or deferred members) under Regulation 30, where there is no strain on the pension fund, to be approved by the Divisional Director of Shared Services.
4. Divisional Director Shared Services reports annually to the Licensing and

General Purposes Committee providing a breakdown of all early retirement cases.

SECTION 2 - REPORT

2.1. Background

Elected Members (i.e. Early Retirement Sub-Committee, 28 March 2009 and 28 April 2009) have requested that the Licensing and General Purposes Committee review the delegations relating to Early Retirements under the Local Government Pension Scheme in circumstances where either:-

- I. The business case represents a rubber-stamping exercise (e.g. redundancy or efficiency of the service), or
- II. The business case clearly illustrates that there is no financial strain on the pension fund.

This report focuses on the following reasons for early retirement:-

1. Redundancy
2. Efficiency of the service
3. Early retirement (active) under Regulation 30 where there is no strain on the pension fund
4. Early retirement (deferred) under Regulation 30 where there is no strain on the pension fund.

2.2 Redundancy/Efficiency under Regulations 4, 5 & 6 of the Local Government (Early Termination of Employment) (Discretionary Compensation) (England and Wales) Regulations 2006 (LGPS)

- 2.3 Historically, Members were presented with redundancy and efficiency retirement cases in order for Members to make a decision on whether or not to award the employee additional Compensatory Added Years (CAY) . An award of CAY provided a separate, additional, pension and lump sum that was paid out of council revenue not the London borough of Harrow pension fund.
- 2.4 To ensure compliance with the Age Discrimination Act, effective from 1 October 2006, the award of CAY was removed from the above regulations with effect from 1 April 2007.
- 2.5 Once the employer has taken an employment decision to cease an individual's employment on the grounds of either redundancy or efficiency of the service, the LGPS Regulations state that, as long as the employee meets the LGPS criteria, the employee is entitled to immediate payment of retirement pension.
- 2.6 In essence we now have a situation where redundancy/efficiency cases are being presented to Members for rubber stamping. There is no decision that impacts directly on Council revenue budget (i.e. award of

CAY), any strain on the pension fund is managed through the triennial valuation and once the employment decision has been made the individual's entitlement to receive pension benefits is guaranteed by statute.

2.7 Early Retirement under Regulation 30 (active & deferred)

2.8 Under Regulation 30 of the Local Government Pension Scheme (Benefits, Membership and Contributions) Regulations 2007 an active or deferred member of the LGPS may, once s/he has attained age of 55, make a written request to the employer requesting that their pension benefits are placed into payment.

2.9 A scheme member who has been contributing to the pension scheme on or before 31st March 2008, and who makes an election before 1st April 2010 may do so from age 50.

2.10 A request made by a member, before the member reaches age 60 years, is ineffective without the consent of the employing authority, or in the case of a deferred member, the former employing authority.

2.11 The early payment of pension benefits will attract an actuarial reduction if the member has not satisfied the '85 year rule'. Where there is an actuarial reduction this would not necessarily cover the full financial strain on the pension fund.

2.12 Employing Authorities are required to formulate and keep under a review the following discretions in relation to Regulation 30:

- i. Whether to grant application for early payment of benefits on or after age 50/55 and before age 60.
- ii. Whether to waive, on compassionate grounds, the actuarial reduction applied to benefits paid early

2.13 Under Harrow's current policy the following conditions apply: -

- i. All requests for early retirement under Regulation 30 will be considered;
- ii. Approval will only be granted if it is in Harrow Council's best interest to do so and where the service area can demonstrate operational efficiencies;
- iii. Where an actuarial reduction applies and this does not fully cover the cost of placing the pension into payment the financial strain on the pension fund will be picked up as part of the triennial valuation.

- iv. The waiving of any early retirement actuarial reduction on compassionate grounds, (either in part or in full) will not be considered;
- v. Early retirements must be approved by a Director, the Officer Sub-Group and agreed by the Early Retirement Sub-Committee.
- vi. In the case of a deferred member the early release of pension benefits will only be passed to the Early Retirement sub-Committee where there is no financial strain to the pension fund.

2.14 It is recommended that where there is no financial strain on the pension fund, Harrow's current policy conditions are met and subject to the employing department providing a robust business case, that the discretion to agree the early release of pension benefits (either from active or deferred) is delegated to the Divisional Director Shared Services. This is in line with the current delegation under Flexible Retirement, where there is no strain on the pension fund.

2.15 In circumstances where a request for payment carries a strain on the pension fund, such cases will continue to be referred to the Early Retirement Sub-Committee.

2.16 Reporting to Elected members

2.17 This Committee currently receives an annual report on all Flexible Retirement cases which includes details of lump sums paid and strain on the pension fund. It is suggested that this report is expanded to included early retirement cases relating to Redundancy, Efficiency of the Service and Regulation 30.

SECTION 3 - STATUTORY OFFICER CLEARANCE

Name: Myfanwy Barrett.	<input checked="" type="checkbox"/>	* Chief Financial Officer
Date: 22 May 2009.		
Name: Hugh Peart	<input checked="" type="checkbox"/>	* Monitoring Officer
Date: 22 May 2009		

SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

Contact: Greg Foley, Divisional Director Shared Services, 0208 424 7673

Background Papers

Minutes of Licensing & General Purposes Committee (Special), 19 February 2007

Minutes of Early retirement Sub-Committee, 26 March 2009 and 28 April 2009

IF APPROPRIATE, does the report include the following considerations?

1.	Consultation	YES/ NO
2.	Corporate Priorities	YES / NO
3.	Manifesto Pledge Reference Number	

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Meeting:	Licensing and General Purposes Committee
Date:	8 June 2009
Subject:	Voluntary Severance Scheme progress Update
Responsible Officer:	Myfanwy Barrett – Corporate Director of Finance David Ashton – Leader of the Council and Portfolio holder for Strategy, Partnership and Finance
Portfolio Holder:	
Exempt:	No
Enclosures:	Appendix A

SECTION 1 – SUMMARY AND RECOMMENDATIONS

Report provides background on Voluntary Severance Scheme (VSS) and update on savings and cost to pension fund.

FOR INFORMATION

SECTION 2 - REPORT

2.1. Background

The global economic downturn and poor Local Government settlement have provided the Council with additional financial challenges. The Council has made significant progress over the past two years in reducing spend, but it needed to find other mechanisms to further reduce revenue expenditure. The Voluntary Severance Scheme (VSS) was developed to assist in reducing staffing revenue cost.

Maximising savings through the VSS would be dependent on timely action and taking of decisions. It was anticipated that regular assessment of business cases will be required over the period February through to April 2009 and quite possibly beyond. The current arrangement of calling ad hoc meetings of the Early Retirement Sub-Committee would have both detracted from expediting decisions and resulted in additional administrative expense.

On 3 February 2009 an Urgent Action was signed by Councillor Champagne and Councillor O'Dell. The urgent action provided for the following delegation and reporting instructions, for VSS cases instigated between 2 February – 30 April 2009:-

1. Delegate authority to the Corporate Director of Finance, in consultation with the Officer Review Board, solely for the duration of the Voluntary Severance scheme, to determine requests from employees leaving in accordance with that scheme to receive their pension benefits under Regulation 30 of the Local Government Pension Scheme Regulations 2007.
2. Instruct the Divisional Director Shared Services to report, monthly, to Councillors Champagne and O'Dell, detailing number of VSS cases and savings.
3. Instruct the Divisional Director Shared Services to report all costs incurred to the Pension Fund and savings achieved from the Scheme to the Licensing and General Purposes Committee.

2.2 Current Position

Councillors Champagne and O'Dell received update reports on 8 April 2009 and 22 May 2009.

Appendix A provides the current position.

Members will wish to note that VSS cases are still being processed and that the figures provided in Appendix A do not reflect the final position.

SECTION 3 - STATUTORY OFFICER CLEARANCE

Name: Myfanwy Barrett	<input checked="" type="checkbox"/>	Chief Financial Officer
Date: 22 May 2009.		
Name: Hugh Peart	<input checked="" type="checkbox"/>	Monitoring Officer
Date: 22 May 2009		

SECTION 4 - CONTACT DETAILS AND BACKGROUND PAPERS

Contact: Greg Foley, Divisional Director Shared Services, 0208 424 7673

Background Papers

Urgent Action February 2009

IF APPROPRIATE, does the report include the following considerations?

1.	Consultation	YES/ NO
2.	Corporate Priorities	YES / NO

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Voluntary Severance Scheme										appendix a
Directorate	Agreed by HoS/Director at Stage 1	Submitted to Review Board	Approved by review Board	Severance Payment	On cost Salary Saving (GENERAL FUND) 2009/10	On cost Salary Saving (CAPITAL) 2009/10	On cost Salary Saving (GENERAL) 2010/11	On cost Salary Saving (CAPITAL) 2010/11	Strain on Pension Fund	
Adult and Housing	22	10	10	142,139.28	50,512.36	97,804.62			18,737.96	
Childrens Services	7	6	6	34,661.42	24,612.84		50,020.00		Nil	
Chief Exec	7	6	6	92,609.00	11,000.00		58,173.00		172,312.94	
Community and Env	15	13	13	151,602.69	84,357.42	34,478.61	187,326.57	37,716.30	Nil	
HITS	14	1	1	18,792.00	-		-		43,287.65	
Corporate Finance	9	6	6	117,358.98	107,067.83		258,419.46		304,161.31	
Place Shaping	2	2	2	31,356.00	17,801.50		31,503.11		22,014.26	
Legal and Governance	3	3	3	50,058.00	-		22,058.00		1,604.88	
TOTALS	79	47	47	638,577.37	295,351.95		705,304.76		562,119.00	

	2009/10	2010/11
Average saving / req	6,284.08	15,006.48
Forecast @ 80%	397,154.11	948,409.80

Directorate	Submitted to Review Board	Approved by review Board	Severance Payment	On-cost Salary Saving 2009/10	On-cost Salary Saving 2010/11	Declined by Review Board	Strain on Pension fund
Housing (HARP)	2	2	26,400.00	39,664.52	66,248.55	0	
Housing (HRA)	3	3	37,978.50	52,440.66	90,671.02	0	60,149.20

APPENDIX A

Directorate	Requests Received	Declined by HoS/Director at Stage 1	Agreed by HoS/Director at Stage 1	Pending Review Board	Approved by review Board	Declined progressing with figures by employee	Declined progressing with figures by Director	Returned Signed Comromise Agreement	Awaiting Signed Comromise Agreement
Adult and Housing	64	43	22	1	15	6	0	11	4
Childrens Services	21	14	7	0	6	0	1	6	0
Chief Exec	11	4	7	0	6	1	0	6	0
Community and Env	41	26	15	0	13	2	0	12	1
HITS	14	0	14	0	1	9	4	1	0
Corporate Finance	15	6	9	0	6	3	0	5	1
Place Shaping	5	3	2	0	2	0	0	2	0
Legal and Governance	3	0	3	0	3	0	0	1	2
TOTALS	174	96	79	1	52	21	5	44	8

N.B These figures INCLUDE HaRP and HRA

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