



Briefing note

Private Sector Housing Strategy

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Purpose – Discussion paper on proposed Private Sector Housing Strategy

Background

Good quality housing is important to individual health and wellbeing and is also an essential component of a safe and vibrant community. It is widely reported that the quality of the homes we live in can have a significant impact on every aspect of our lives. Poor housing conditions, overcrowding and affordability will all have an adverse effect on public health and wellbeing and can exacerbate health inequalities.

The proposed strategy will set out the key priorities to monitor and improve housing conditions in private sector housing in Milton Keynes and outlines current practice in respect of reviewing housing conditions, undertaking enforcement activity and licensing of HMOs under the Housing Act 2004. It sets out the current challenges facing the Private Sector Housing Service and the strategy for the period 2019 – 2024.

The strategy will support the wider strategic housing role of the Council, as set out in Housing Strategy 2018 - 2023. This Strategy, as a component of the wider strategic housing role, reflects and helps to deliver the Councils' key objectives in the Council Plan and a number of the broader strategic aims of the Council as set down in the Health and Wellbeing Strategy 2018 – 2028, principally by seeking to improve health and wellbeing of residents.

Key Considerations

The Housing Act 2004 is the principle legislation under which Private Sector Housing is given the majority of its powers and duties. The Act governs housing standards and the enforcement of the standards through the Housing Health and Safety Rating System (HHSRS). It also provides for the licensing of Houses in Multiple Occupation (HMOs) and ensures for the proper management of substandard dwellings and empty dwellings.

Local authorities' statutory duties include:

- Assess and keep housing conditions under review;
- Take enforcement action to address the most serious health and safety hazards; and
- Licence Houses in Multiple Occupation (HMO) which fall under the mandatory licensing regime.

They also have powers to:

- Provide financial and other assistance to tackle poor housing conditions;
- Deal with empty homes; and
- Deal with poor management in HMOs.

In addition, the Housing and Planning Act 2016 introduced a range of measures to crack down on rogue landlords that included the introduction of civil penalties for specified offences up to £30,000 as an alternative to prosecution, the extension of rent repayment orders to cover illegal eviction and the introduction of a national database of rogue landlords and property agents against whom a banning order has been made, which may also include persons convicted of a banning order offence or who have received two or more financial penalties.

Vision and Key Priorities

The vision for Private Sector Housing in Milton Keynes is:

To ensure Milton Keynes has affordable, good quality private sector housing to meet the needs of our residents, ensuring the city is a thriving place to live and work.

The strategic priorities for private sector housing are:

1. Raising Standards in the Private Sector

We will do this by:

- Continuing to prioritise fire safety in HMOs and ensure the safety of the occupants of HMOs which, nationally and locally, exhibit some of the poorest conditions in the private sector.
- Prioritising service requests in respect of excess cold, including complaints relating to damp, mould and condensation from September to March so that residents will continue to have a safe, healthy and warm home throughout the year.
- Increasing public awareness of the range of services available by keeping council communication channels, such as the website, regularly updated and look to use other social media platforms and Council partners to inform the public.

- Working with internal and external partners and stakeholders, including parish and ward councillors, to ensure that information and advice in relation to landlord and tenant law is freely available to residents.

2. Encourage, support and regulate private landlords

We will do this by:

- Hosting landlord forums which enable landlords to hear first-hand from officers about changes or initiatives affecting the sector.
- Working closely with the National Landlords Association and agree to closer cooperation and partnership with a proposal to host joint forums moving forward.
- Working and supporting private landlords who provide both temporary and permanent accommodation to the Council including giving advice on acceptable amenity standards for different types of housing. The service will also advise landlords on the statutory overcrowding provisions in the Housing Act 1985.
- Taking robust action against landlords who fail to comply with legislative requirements including the management of Houses in Multiple Occupation and consider the use of Civil Penalties in cases where legislation allows. This will increase income and speed up the judicial process which can be subject to significant court scheduling delay.

3. Helping older and vulnerable people remain in their own homes

We will do this by:

- Working closely with the Tenancy Protection Service when dealing with the no fault eviction process.
- Assisting with limited costs for works required in a property following an Improvement Notice being served on an owner; this could also protect the tenant from retaliatory eviction for a period of six months.
- Continuing to promote and operate the Flexible Home Improvement Loan scheme in Milton Keynes in partnership with Flexible Home Improvement Loan Ltd. The scheme is intended for owner occupiers over the age of 60 and is to cover essential repairs and maintenance as well as improvements and upgrades to homes to make the home safer, warmer, more comfortable and more energy efficient for the occupants.

4. Maximise use of the existing private sector housing stock

We will do this by:

- Working as one council to work towards bringing long term empty properties back into use each year through a mixture of encouragement, advice, empty homes loan assistance and enforcement measures.

- Opening dialogue with the Law Society specifically in relation to homes that remain empty to due to probate.
- Creating and fostering closer working relationships with Council Tax and Planning teams to coordinate action to bring empty homes back into use quickly.

Planning for the future – Challenges

The new university in Milton Keynes is an exciting opportunity but does present challenges for the Council with the predicted influx of students starting from 2023. Whilst the university is planning to house most first year students in purpose built halls of residence, there may be a shortfall of external accommodation for second and third year students from 2025. Annual student admissions will reach peak levels of approximately 10,000 but this level will be phased in over a number of years.

In addition, the University Campus Milton Keynes (UCMK) in Central Milton Keynes estimates that after 5 years there will be a requirement for around 300 residential places which they will meet by contracting with specialist providers. UCMK has no plans to develop any accommodation of its own.

Traditionally students occupy bedsit type accommodation in HMOs and most HMOs in Milton Keynes are found in the central neighbourhoods of Conniburrow and Fishermead. Milton Keynes Council Planning considers that Central Milton Keynes is now saturated with HMOs and there is unlikely to be consent for any additional HMOs to provide for the influx of students from the new university in that area. This will pose a significant challenge as students will not want to be on the periphery of the city.

Delivery

For successful private sector housing management across the city the Council will continue to balance partnership working with enabling and regulation. We will look to develop a one council approach with Trading Standards, Environmental Health, Home Improvement Service, Housing and Council Tax Benefits, Corporate Anti-Fraud Service, Housing Access, Planning Compliance and Building Control. The focus of closer working will be areas such as:

- HMO enforcement (standards);
- Proactive activity to identify HMOs than now require licensing under new legislation;
- Inputting to and utilising more widely the national Rogue Landlords Database.

Our objectives to improve housing for residents and to manage future demand will be:

- Closer working relationship with the planning department assisting in formulation of policy to enable a sustainable supply of good quality, low

cost housing suitable to meet demand when the university grows in size to such an extent that additional off-campus properties are in demand.
Improvements in cross-working between Council departments.

- Proactive activity in the private rented sector to identify licensable HMOs operating outside the legislative parameters. This could become a greater issue if demand for HMOs suddenly increases. Robust enforcement will be taken in line with the legislation with the default outcome being Civil Penalty.
- Training and development of existing Private Sector Housing officers to ensure that the necessary skill set and experience is maintained in-house with the associated cost savings, rather than trying to recruit externally.