

Minutes of the Safer Neighbourhoods and Active Communities Scrutiny Board

**30th January, 2020 at 5.45 pm
at Sandwell Council House, Oldbury**

Present: Councillor Moore (Chair);
Councillors Bostan, Edwards, M Gill, M Y Hussain,
S Jones and Padda;
Mr J Cash (Co-opted member).

Apologies: Councillors Akhter, Bawa, P M Hughes and
Sandars.

In attendance: Councillor Millar;
Adrian Spray (Associate Director, CFP);
Alison Knight (Executive Director –
Neighbourhoods);
Alan Caddick (Director – Housing and
Communities);
John Baker (Service Manager - Development
Planning and Building Consultancy);
Richard Hawkins (Team Manager, Citizen and
Consumer Protection - Accommodation Team);
Manny Sehmbi (Business Manager, Community
Partnerships);
Gary Wright (Operations Manager, Citizen and
Consumer Protection - Accommodation Team).

1/20 **Minutes**

Resolved that the minutes of the meeting held on 21st
November, 2019 be approved as a correct record.

2/20 **Tenant Engagement and Participation**

The Scrutiny Board received an update on the review of Tenant Engagement and Participation that was commencing in Sandwell. Currently, the Council had in place a number of ways to support tenant engagement and participation including the Tenant Complaints Panel, Tenant Review Panel and a grant funding

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agreement with Sandwell Community Information and Participation Service (better known as SCIPS) to support tenants and residents to be involved with and to influence decisions affecting their homes and neighbourhoods.

The “A New Deal for Social Housing” Green Paper 2018 and the Dame Hackitt report into the Grenfell Fire presented an opportunity to review the Council’s existing structures for tenant engagement to broaden representation and provide improved opportunities for tenants and residents to have their voice heard.

From the comments and questions raised by members of the Scrutiny Board, the following responses were made and issues highlighted:-

- the Tenant Review Panel was made up of 9 tenants and a leaseholder, however the Panel currently had a number of vacancies;
- it was important to seek the views that represented the diversity of Sandwell’s population, including older and younger people as well as disabled tenants;
- the Green Paper set out a new relationship with tenants, providing for greater accountability to tenants and more involvement at a local level.

Resolved:-

- (1) that Councillor Bostan be appointed to the Tenant Engagement and Participation Working Group, with Councillor M Y Hussain appointed as a substitute;
- (2) that the Director – Housing and Communities be requested:-
 - (a) to ensure that consultation carried out during the review of Tenant Engagement and Participation is accessible and seeks views that are representative of Sandwell’s population;
 - (b) to include timescales for a future review of Tenant Engagement and Participation;
 - (c) to report back to scrutiny on the outcomes of the review prior to any decisions being made.

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3/20

The Council's role, responsibilities, challenges and future plans in relation to Houses in Multiple Occupation in the borough

Further to a suggestion from a member of the public, the Scrutiny Board received a report on Houses in Multiple Occupation (HMOs) in Sandwell and what the Council's role, responsibilities, challenges and future plans were.

A property was an HMO if both of the following applied:-

- at least three tenants lived there, forming more than one household;
- toilet, bathroom or kitchen facilities were shared.

The Council's Citizen and Consumer Protection Team (Accommodation) enforced housing standards in the private rented sector, which included HMOs. There were three areas of enforcement by the local authority in relation to HMOs:-

- Part 1 of the Housing Act 2004 – relation to housing disrepair;
- Part 2 of the Housing Act 2004 – relating to HMO licensing conditions;
- The Management of Houses in Multiple Occupation (England) Regulations 2006.

Further to the enforcement outlined above, the Council engaged in multi-agency work with partners including the Police to tackle modern day slavery, exploitation and housing related crime.

Members were informed that consultation had begun on the introduction of a selective licensing scheme in West Bromwich. This covered private rented sector properties including HMOs and would allow the Council to more easily take action against landlords who provided a poor standard of accommodation and whose tenants caused a persistent level of anti-social behaviour. It was anticipated that the scheme would promote a professional approach to property management amongst private sector landlords in West Bromwich. If successful, the selective licensing scheme approach could be replicated in other areas of the borough that were experiencing issues with landlords not managing their properties effectively and professionally.

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The Board also received a presentation on the Planning aspects of HMOs, primarily that due to the amendments made by Government in 2010, permitted development rights were granted for changes of use from dwelling houses to small scale HMOs. This meant that HMOs for not more than 6 residents did not require landlords to seek planning permission.

‘Article 4’ directions had been made by some local authorities to remove permitted development rights for changes of use from a dwelling house to an HMO, however these had to be justified through evidence including mapping with statistics of HMOs, community consultation and multi-agency working. It was noted that an Article 4 direction did not mean that HMOs were not permitted; only that they would no longer be a permitted right but would be handled through the planning application process.

From the comments and questions raised by members of the Scrutiny Board, the following responses were made and issues highlighted:-

- the Council worked with good landlords, including through an active landlord accreditation group;
- the Housing Health and Safety Rating System assesses 29 housing hazards and the effect each may have on the health and safety of occupants at any residential property, including HMOs. If a hazard was a serious and immediate risk to a person’s health and safety, it was a Category 1 hazard and the Council had a duty to enforce. If a hazard was less serious or urgent it was Category 2 and the Council had the power to enforce, where there was public interest in doing so;
- currently in Sandwell HMOs were concentrated in West Bromwich and Smethwick;
- the Council did not currently have an HMO Policy. Members felt that this was needed to strengthen the Council’s approach to dealing with HMOs;
- even if an Article 4 direction were to be introduced, the Secretary of State could remove it at any time.

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Resolved:-

- (1) that the Director – Regeneration and Economy, as part of the review of Sandwell's Development Plan, undertake further work on a Policy and Supplementary Planning Document on Houses in Multiple Occupation.;
- (2) that further information on how to raise concerns about Houses in Multiple Occupation be circulated to all councillors.

4/20

Sandwell Green Space Strategy

The Scrutiny Board considered the proposals for a revised Green Space Strategy. The previous Strategy was approved in 2010 for the 10-year period ending 2020. There had been significant change since that time, including reductions to parks funding at national and local levels and new priorities such as climate change, biodiversity and the benefits green space has for health and wellbeing. The revised Green Space Strategy would also support all of the ambitions of Vision 2030.

It was reported that extensive consultation had been carried out including a residents survey, Go Play survey of children aged 9-10, survey of community groups, workshops with stakeholders and a public drop-in session.

In addition an audit of existing green space in Sandwell had been carried out on behalf of the Council by CFP. This indicated that Sandwell had less publicly accessible green space than its neighbouring Black Country authorities. While quantity of green space had reduced, the overall quality of sites had been sustained.

From the consultation and the audit a comprehensive set of recommendations had been developed across five themes:-

- A Strategic Approach;
- Environment;
- Place;
- Health and Wellbeing;
- Community.

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From the comments and questions raised by members of the Scrutiny Board, the following responses were made and issues highlighted:-

- Approximately one-quarter of Sandwell was green space, but this varied by town;
- it was not just the presence of Green Space that was important, it was the confidence of local communities to access and make use of the sites. Perception of anti-social behaviour, crime and safety could act as a barrier to people making use of their local sites;
- funding for parks and opens spaces across Sandwell was not felt by members to be equal;
- a detailed Action Plan would be prepared once the Green Space Strategy was approved;
- a festival was due to use Sandwell Valley as its venue, which would bring 20,000 people in to visit;
- there was an officer working group with the Canal and River Trust looking at the waterways in the borough and how to encourage their use and develop a Canals and Waterways Strategy. The Executive Director – Neighbourhoods confirmed that it was intended to bring the draft Strategy to scrutiny in due course;
- members felt it was important to encourage Friends groups for parks and green spaces to foster a sense of local ownership and pride in sites.

The Board thanked officers for the work undertaken on the Green Space Strategy.

Resolved that the Cabinet Member for Safer Communities, Executive Director – Neighbourhoods and Director – Housing and Communities be requested to consider the comments of the Safer Neighbourhoods and Active Communities Scrutiny Board in relation to the Green Space Strategy.

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5/20 Cabinet Forward Plan

The Scrutiny Board noted the current Cabinet Forward Plan.

(Meeting ended at 7.59 pm)

<p>Contact Officer: Alex Goddard Democratic Services Unit 0121 569 3178</p>
