

**COMMITTEE:** ADMINISTRATION & REGULATION COMMITTEE

**DATE:** 25<sup>TH</sup> FEBRUARY 2020

**SUBJECT:** SELECTIVE LICENSING STAFFING

**REPORT BY:** STRATEGIC REGULATORY MANAGER

**CONTACT OFFICER:** DAVE STEVENSON

**IMPLICATIONS:**

**LEGAL**

**COMMUNITY SAFETY**

**EQUALITIES**

**ENVIRONMENT**

**FINANCIAL** X

**CONSULTATIONS** X

**STAFFING** X

**OTHER**

**WARDS AFFECTED:** Biscot, Dallow, Farley, High Town and South

---

**PURPOSE**

1. This report seeks the approval of the Committee to establish on a permanent basis additional posts in the Licensing Service and Private Sector Housing to implement and deliver the Selective Licensing Scheme.

**RECOMMENDATION(S)**

2. The Committee is recommended to approve:
  - i. The creation of new posts to deliver the Selective licensing regime as approved by Executive on 13<sup>th</sup> January 2020.

- ii. **To agree to the increase in the establishment in both the Licensing and Private Sector Housing team of up to 4 licensing administration posts and up to 4 Private Sector Housing Inspector posts**
- iii. **To agree to the creation of a pool of casual Private Sector Housing Inspectors who can be called upon to meet peaks in demand to ensure licence condition inspections are carried out in a timely fashion.**

## **BACKGROUND**

- 3. At its meeting of 13<sup>th</sup> January 2020, Executive authorised officers to proceed with the implementation of a Selective Licensing Scheme, requiring all privately rented accommodation, in the defined area (Biscot, Dallow, Farley, South and Hightown wards) to have a property licence, and concurrently, apply to the Secretary of State to approve a Selective Licensing Scheme across the whole of the local authority area.
- 4. The recent Building Research Establishment (BRE) Stock modelling report indicates that there are an estimated 10,196 private rented properties in the 5 target wards and 24,006 across the town as a whole.

## **REPORT**

- 5. The Council is able to set fees for that cover the costs of the Selective Licensing scheme to make it self-funding (but not to make a profit) and the level of fee and will be set, in conjunction with the Portfolio Holder, reported to Executive and reviewed through the Scale of Charges process.
- 6. Fee setting is of critical importance in assuring the effectiveness of the selective licensing scheme. The scheme would be operated on a full cost recovery basis for all of the administration, processing, inspection, compliance and enforcement functions. The costs for monitoring and enforcing against unlicensed operators can also be included in the fee setting calculations.
- 7. In setting fees, discounts for early adoption and other forms of discount are effective in encouraging timely licence applications, however the financial impacts of such discounts need to be carefully assessed to ensure that the scheme is adequately resourced and any offset in costs due to discounts would need to be covered from central funds.

8. Although self-funding, there is likely to be a revenue cost to the Council before any income is realised. The officers administering the scheme will need to be in post and operational in order to assess applications, set fees for each property and ensure properties reach the required standard before the licence is issued.

### **PROPOSAL/OPTION**

9. It is proposed to permanently increase the establishment by up to 4 licensing/processing posts and up to 4 Private Sector Housing Inspector posts. It is difficult to predict how many applications will be received and over what timescale and it is intended, therefore, to commence the project with 2 licensing/processing posts and 2 Private Sector Housing Inspector posts.
10. The Licensing Posts will be filled at the lower end of the Licensing Service career progression scheme at grade L4. The Private Sector Housing Inspector job description has not yet been evaluated but it is expected to equate to an L6/L7.
11. Additionally, to deal with any peaks, such as the discounted period, when a surge in applications is expected, it is proposed to recruit to a casual pool of suitably qualified officers in the Council's employment and paid an agreed rate per completed inspection.

### **RISK IMPLICATIONS**

12. Failure to appoint staff to deliver this scheme will significantly restrict the Council's ability to manage the licensing process and generate the improvements in the private rented sector that such a scheme can bring.

### **EQUALITIES IMPLICATIONS / INTEGRATED IMPACT ASSESSMENT**

13. The IIA for the scheme demonstrated that there would be positive impact on community cohesion; health & well-being; quality of the natural and built environment and on the low carbon agenda
14. This report has been cleared by Maureen Drummond Equality and Inclusion Manager on 11th January 2019.

### **STAFFING / HR IMPLICATIONS**

15. If the proposal is approved, implementation will commence immediately with a view to the scheme coming into effect on the 1<sup>st</sup> May 2020. A phased recruitment process will allow the relevant Service Managers to assess their resource needs and plan accordingly.

16. This report has been cleared by Angela Claridge, Service Director, Human Resources and Monitoring on 6th February 2020.

### **FINANCIAL IMPLICATIONS**

17. The Council is able to set fees for the scheme to make it self-funding. Fees will be set in conjunction with the Portfolio Holder and approved by Executive. In setting fees, discounts for early adoption and other forms of discount are effective in encouraging timely licence applications, however the financial impacts of such discounts need to be carefully assessed to ensure that the scheme is adequately resourced and any offset in costs due to discounts would need to be covered from central funds.
18. Although self-funding, there is likely to be a revenue cost to the Council before any income is realised. The officers administering the scheme will need to be in post and operational in order to assess applications, set fees for each property and ensure properties reach the required standard before the licence is issued.
19. Agreeing to the establishment of posts beyond the number initially required at start-up of the project allows the Service to peaks in demand and should minimise the risk of the need to appoint agency staff with all the added financial burden that they would bring. However appointment of officers beyond the 2 posts requested for each role will need to be done only with approval of the Place & Infrastructure DMT and Finance Business Partner.
20. This report has been cleared by Dev Gopal, Service Director Finance & Audit, on 10<sup>th</sup> February 2020.

### **LEGAL IMPLICATIONS**

21. There are no direct employment law implications arising from this report.
22. This report has been cleared by Samantha McKeeman Solicitor, on 10<sup>th</sup> February 2020.

### **APPENDIX**

None

### **LIST OF BACKGROUND PAPERS** **LOCAL GOVERNMENT ACT 1972, SECTION 100D**

- A. Executive Report – Selective Licensing 13/01/20  
B. Executive Minute 08/20