



WEST OXFORDSHIRE
DISTRICT COUNCIL

WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	Council: Wednesday 20 January 2021
Report Number	Agenda Item No. 12
Subject	Motion: Tenants Forum
Wards affected	All
Accountable member	Councillor Merylyn Davies, Cabinet Member for Communities and Housing, Email: merylyn.davies@westoxon.gov.uk
Accountable officer	Keith Butler Head of Democratic Services Tel: 01993 861521 Email: keith.butler@westoxon.gov.uk
Summary/Purpose	To consider the motion originally proposed and seconded at Council on 26 February 2020, in the context of the comments and recommendation of the Economic and Social Overview and Scrutiny Committee.
Annexes	Annex 1 : Minute from the meeting of the Economic and Social Overview and Scrutiny Committee held 17 September 2020 Annex 2 : Report to the Committee at its meeting on 19 November 2020 Annex 3 : Draft minute from the meeting of the Committee held 19 November 2020
Recommendation	That the Council considers and determines the motion in the light of the recommendations of the Economic and Social Overview and Scrutiny Committee.
Corporate priorities	Not applicable.
Key Decision	N/A
Exempt	No
Consultees/ Consultation	None

1. BACKGROUND

- 1.1. At the meeting of the Council held on 26 February 2020, the following Motion was proposed and seconded by Councillors Geoff Saul and Duncan Enright respectively:-

“The Council welcomes the private landlords forum. To better understand and support this sector, the Council resolves to establish a private tenants forum to hear the voice of residents and understand their concerns and perspective”.

- 1.2. The motion having been duly proposed and seconded stood referred without discussion to the Economic and Social Overview and Scrutiny Committee for comment and advice.

2. MAIN POINTS

- 2.1. Following the break in meetings of the Committee consequent on the pandemic, the motion was considered by the Committee at its meeting on 17 September, and the minute of that meeting is reproduced in [Annex 1](#).

- 2.2. The report subsequently considered at the next meeting of the Committee is reproduced at [Annex 2](#), and the draft minute from that meeting is included at [Annex 3](#).

- 2.3. After a full and detailed discussion, the Committee’s recommendations to Council are as set out in [Annex 3](#), i.e. to –

- Create a webpage specifically for the private rent sector. This would be an informative area for customers giving advice, guidance and signposting to other organisations, such as CAWO and Shelter. Through our Customer Satisfaction Web Survey, we could then establish what other needs these tenants have.
- Conduct a Needs Survey with Private Rented Sector tenants; directly where we have the contact details (e.g. Housing Benefit recipients) or on the Council’s Website front page. This survey could be conducted in parallel with the above data collection process.

- 2.4. Council is invited to consider the recommendations made by the Committee, and is of course free to decide the matter as it sees fit.

3. FINANCIAL IMPLICATIONS

- 3.1. The options put forward by the Economic and Social Overview and Scrutiny Committee do not have significant financial implications.

4. LEGAL IMPLICATIONS

- 4.1. None

5. RISK ASSESSMENT

- 5.1. Not applicable

6. ALTERNATIVES/OPTIONS

- 6.1. None applicable.

7. BACKGROUND PAPERS

- 7.1. None

**EXTRACT FROM THE MINUTES OF THE MEETING OF THE
ECONOMIC AND SOCIAL OVERVIEW AND SCRUTINY COMMITTEE
HELD ON 17 SEPTEMBER 2020**

9. MOTION: TENANTS FORUM

The Committee gave consideration to the following motion, which had been proposed by Councillor Geoff Saul and seconded by Councillor Duncan Enright at the meeting of the Council held 26 February 2020, and referred to this Committee for consideration and comment:-

“The Council welcomes the private landlords forum. To better understand and support this sector, the Council resolves to establish a private tenants forum to hear the voice of residents and understand their concerns and perspective.”


Councillor Saul attended Committee to speak to the Motion. Since it had been proposed in February 2020, due to the pandemic, private sector tenants were in a vulnerable position with rent arrears and evictions. District Councillors and staff had done a good job in reaching out to the community, although the District Council should be a hub at the centre of the Community, and a voice for under-represented tenants. A forum could share experiences and the Council could have a dedicated web-page with advice and awareness, and an individual local private renter’s charter. The District Council should be at the heart of the community.

The Business Manager Operational Services would report back to Committee on the resource and any legal implications.

During discussion the following points were made:

- It was considered that this would be setting up a separate body and the CAWO could achieve the results that the motion was proposing.
- Councillor Carter commented that she was often contacted by residents who were renting, whose landlords/landladies were intrusive, it was not easy to afford rent in the district. This was distinct work which would be something that the CAWO could be involved in.
- Councillor Ashbourne commented that private renting created huge issues for many residents and it would be a benefit to hear from these residents to effect change and promote better ways of working.
- Councillor Graham commented that the concept being proposed was laudable and would be effective for many tenants.
- The District Council had responsibility for standards, to ensure that landlords/landladies complied with private renting charters and should not give advice to tenants, this was a role for the CAWO.

RESOLVED: That a report on the implications of establishing a Tenants Forum be submitted for consideration by the Committee at its meeting on 19 November 2020, following which the Committee would submit comments for the Council to take into account.

 <p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>	<p>WEST OXFORDSHIRE DISTRICT COUNCIL</p>
<p>Name and date of Committee</p>	<p>Economic and Social Overview and Scrutiny Committee: Thursday 19 November 2020</p>
<p>Report Number</p>	<p>Agenda Item 10</p>
<p>Subject</p>	<p>Private Tenants Forum</p>
<p>Wards affected</p>	<p>ALL</p>
<p>Accountable member</p>	<p>Cllr Andrew Beaney Chairman Economic and Social Overview and Scrutiny Committee Email: andrew.beaney@westoxon.gov.uk</p>
<p>Accountable officer Author</p>	<p>Jon Dearing – Group Manager for Resident Services Tel: 01993 861221 Email: jon.dearing@publicagroup.uk Mandy Fathers – Business Manager for Operational Support and Enabling Tel: 01993 861232 Email: mandy.fathers@pubicagroup.uk</p>
<p>Summary/Purpose</p>	<p>To consider the purpose, benefits and outcomes of forming a Private Rented Sector Tenant’s Forum.</p>
<p>Annexes</p>	<p>None</p>
<p>Recommendation/s</p>	<p>That the Committee considers the data gathering options set out in section 2.</p>
<p>Corporate priorities</p>	<p>Delivering excellent modern services whilst ensuring the financial sustainability of the Council. Supporting and building prosperous and inclusive local communities. Facilitating healthy lifestyles and better wellbeing for everyone.</p>
<p>Key Decision</p>	<p>NO</p>
<p>Exempt</p>	<p>NO</p>
<p>Consultees/ Consultation</p>	

I. BACKGROUND

1.1. A motion was proposed during the Economic and Social Overview and Scrutiny Committee on 17 September 2020 for a paper to be submitted to the Environmental Overview and Scrutiny Committee to consider the benefits and implications of establishing a Private Tenant's Forum.

2. MAIN POINTS

2.1. The private rented sector has grown considerably over the last two decades. Nationally, it houses 19 per cent of households compared to 11 per cent in 2001. It has therefore become an integral part of the housing market.

2.2. West Oxfordshire currently has approximately 50,521 domestic properties; of which 17 per cent (8,588) are rented out by private individuals.

2.3. The Council has statutory duties under the Housing Act 2004, as amended to ensure:

- Properties are fit for human habitation;
- Houses of multiple occupation are licenced;
- Pest control is addressed;
- Neighbour complaints such as excessive noise, anti-social behaviour or illegal activity are dealt with;
- Rogue landlord concerns are addressed; and,
- Homelessness is prevented or addressed.

2.4. During the 2019/2020 financial year, and the first two quarters on 2020/2021, the Council, under its statutory duties have administered the following:

	April 2019 to March 2020	April 2020 to Sept 2020	Comment
How many complaints we have received in respect of landlords	112	34	It is not possible to distinguish between complaints about landlords and complaints about the property. Usually the complaint is about both – poor condition because the landlord has not acted. These figures relate to complaints about tenanted properties. They may not include complaints made about a property during the HMO licensing process – these would be dealt with under the HMO licence application.
How many complaints about the property (ie. Damp etc)			
How many neighbour/noise issues	116	192	These are all noise complaints about neighbours whether rental or owner occupied. They exclude complaints about/or from commercial premises.
How many illegal evictions	5	4	These figures may not include cases of landlord harassment - – it depends on how the complaint was originally recorded by customer services

- 2.5. The Council already commission services from Citizens Advice, West Oxfordshire (CAWO) to support its core service and help meet its statutory functions whilst contributing to the Councils priorities. Part of the commissioning contract is in respect of 'Housing Advice' of which private rented sector issues fall in to. During the first two quarters of 2020/2021, CAWO have supported the following clients in respect of private sector rental issues:

No:	Issue Type	No. of cases
1	Repairs/Maintenance	32
2	Rents and other charges	26
3	Tenancy Deposit Protection	24
4	Possession action (not arrears)	20
5	Fitness for human habitation	19
6	Problems with Letting Agents	13
7	Cost of deposits/rent in advance	11
8	Quality of Service	10
9	Letting Agent charges	4

- 2.6 It is therefore clear that there are already formal routes for Private Rented Sector tenants to receive advice and make complaints regarding their landlords; through the Council's existing regulatory services and (Council commissioned) CAWO service. This could be improved by adding a specific page/s to the Council's website, as in Option 1 (paragraph 3.1).
- 2.7 A Private Tenant Forum would not be an appropriate place to raise/discuss individual complaints. The purpose of such a forum therefore needs careful consideration, as suggested in Option 2 (paragraph 3.1).

3. OPTIONS

- 3.1. There is potentially three options to consider:

- 1) Create a webpage specifically for the private rent sector. This would be an informative area for customers giving advice, guidance and signposting to other organisations, such as CAWO and Shelter. Through our Customer Satisfaction Web Survey, we could then establish what other needs these tenants have.
- 2) Conduct a Needs Survey with Private Rented Sector tenants; directly where we have the contact details (e.g. Housing Benefit recipients) or on the Council's Website front page. This survey could be conducted in parallel with the above data collection process.

4. FINANCIAL IMPLICATIONS

- 4.1. Neither of the above options have any significant financial implications.

5. LEGAL IMPLICATIONS

- 5.1. There are no known legal implications in respect of this report

6. RISK ASSESSMENT

- 6.1. There is a risk that such a forum would become an opportunity for individuals to raise complaints, which they should do through existing processes, rather than improving the private rental experience more widely.
- 6.2. Members would need to consider what the main aim of a Forum is and what its 'core objectives' would be to ensure its purpose.

7. ALTERNATIVE OPTIONS

- 7.1. Members may consider other options that have not been listed.

8. BACKGROUND PAPERS

- 8.1. None

**EXTRACT FROM THE DRAFT MINUTES OF THE MEETING OF THE
ECONOMIC AND SOCIAL OVERVIEW AND SCRUTINY COMMITTEE
HELD ON 19 NOVEMBER 2020**

18 PRIVATE TENANTS FORUM

The Committee received and considered the report of the Group Manager, Resident Services, which asked Members to consider the purpose, benefits and outcomes of forming a Private Rented Sector Tenant's Forum, further to the consideration of the matter at the meeting of the Committee held 17 September relating to the motion proposed at the Council meeting on 26 February 2020.

The report outlined the current level of properties privately rented in West Oxfordshire and clarified the statutory duties for which the Council was responsible. A table at section 2.4 of the report highlighted the number and type of complaints that the Council had administered during 2019 and 2020. The report recognised that there were already formal routes for Private Rented Sector tenants to receive advice and make complaints regarding their landlords; through the Council's existing regulatory services and (Council commissioned) CAWO service.

Officers also felt that a Private Tenant Forum would not be an appropriate place to raise/discuss individual complaints, however two options were proposed for Councillors to consider:

- 1) Create a webpage specifically for the private rent sector. This would be an informative area for customers giving advice, guidance and signposting to other organisations, such as CAWO and Shelter. Through our Customer Satisfaction Web Survey, we could then establish what other needs these tenants have.
- 2) Conduct a Needs Survey with Private Rented Sector tenants; directly where we have the contact details (e.g. Housing Benefit recipients) or on the Council's Website front page. This survey could be conducted in parallel with the above data collection process.

The proposer of the motion, Councillor Saul addressed Members and he thanked officers for the report. He felt that it was important to make it clear that the forum would not be the place to put forward individual complaints but that it should be used to ensure that residents were aware of their rights.

He felt that the two options in the report were viable and it was worth considering a dedicated web page similar to Redbridge London Borough Council.

Councillor Leverton agreed with the comments made and hoped a forum would help to maintain a good relationship between renter, tenants and letting agents. He suggested that the Council could provide information for individuals and link with the Citizens Advice Bureau to offer further assistance if needed.

The Cabinet Member for Communities and Housing, Councillor Davies assured the meeting that this was something that Cabinet felt passionate about and wanted to protect private renters. It was noted that engaging with landlords was key but Members needed to be mindful of how much influence the Council had in private matters.

Members were supportive of both options in general and requested that these be put back to Council for consideration as a good starting point.

RESOLVED: That Council be recommended to agree to:

- 1) Create a webpage specifically for the private rent sector. This would be an informative area for customers giving advice, guidance and signposting to other organisations, such as CAWO and Shelter. Through our Customer Satisfaction Web Survey, we could then establish what other needs these tenants have.
- 2) Conduct a Needs Survey with Private Rented Sector tenants; directly where we have the contact details (e.g. Housing Benefit recipients) or on the Council's Website front page. This survey could be conducted in parallel with the above data collection process.