

FLINTSHIRE COUNTY COUNCIL

REPORT TO: **CABINET**

DATE: **TUESDAY 16 JUNE 2015**

REPORT BY: **CHIEF OFFICER (PLANNING AND ENVIRONMENT)**

SUBJECT: **REQUEST FOR DELEGATED AUTHORITY UNDER
PART 1 OF THE HOUSING (WALES) ACT 2014**

1.00 PURPOSE OF REPORT

1.01 For Members to agree the delegation of additional powers to the Chief Officer Planning and the Environment under Part 1 of the Housing (Wales) Act 2014.

2.00 BACKGROUND

2.01 The Housing (Wales) Bill (the Bill) was introduced to the National Assembly for Wales on 18 November 2013, taking forward proposals set out in the White Paper 'Better Lives and Communities' published for consultation in May 2012. On 8 July 2014, the National Assembly for Wales passed the Bill. The Bill received Royal Assent on 17 September 2014 and formally became the Housing (Wales) Act 2014.

2.02 Part 1 of the Act places a new duty on private rented sector landlords and managing/letting agents to register and to become licensed in respect of any property that is let in Wales. Final details of the administration of the scheme are still in development but a national register and single licensing authority is being proposed with Local Authorities taking an enforcement role against a non-compliant landlord or agent. This enforcement role may include the issuing of fixed penalty notices. This part of the Act is expected to come into force during the Autumn of 2015.

3.00 CONSIDERATIONS

3.01 The main elements of the Act include regulation of the private rented sector; reform of homelessness law; including placing a stronger duty on local authorities to prevent homelessness; a duty on local authorities to provide sites for Gypsies and Travellers where a need has been identified; introduction of standards for local authorities on rents, service charges and quality of accommodation and reform of the Housing Revenue Account Subsidy system.

3.02 This report seeks delegated powers for implementation of Part 1 of the Housing (Wales) Act 2014 only. Part 1 of the Act places a new

duty on landlords and managing/letting agents to register and to become licensed. To become licensed, landlord and agents will need to satisfy both a fit and proper person test and specified training requirements.

- 3.03 This report seeks to secure delegated authority to implement the new powers and subsequent regulations under Part 1 for the Chief Officer Planning and the Environment, including setting fees and charges in conjunction with the Cabinet Member.

4.00 RECOMMENDATIONS

- 4.01 That Members agree that the powers under Part 1 of the Housing (Wales) Act 2014 be delegated to the Chief Officer (Planning and Environment) in conjunction with the Cabinet Member.
- 4.02 That delegated authority be automatically delegated to the Chief Officer Planning and the Environment in respect of any subsequent Regulations made under Part 1 Housing (Wales) Act 2014.
- 4.03 That delegated authority to set fees and charges for Part 1 regulation and enforcement be provided to the Chief Officer Planning and the Environment.
- 4.04 That the Chief Officer Planning and the Environment be authorised to delegate the powers to other appropriately trained and competent Officers within the Council by providing them with relevant Authorisations.

5.00 FINANCIAL IMPLICATIONS

- 5.01 None.

6.00 ANTI POVERTY IMPACT

- 6.01 The Act and proposed regulation and enforcement of Part 1 will improve housing / living standards for all residents of Flintshire and will ensure a fair and consistent approach to the duties enacted.

7.00 ENVIRONMENTAL IMPACT

- 7.01 None.

8.00 EQUALITIES IMPACT

- 8.01 The Act and proposed regulation and enforcement of Part 1 will improve housing / living standards for all residents of Flintshire and will ensure a fair and consistent approach to the duties enacted

9.00 PERSONNEL IMPLICATIONS

9.01 Workload to be accommodated within existing staff complement. Welsh Government have issued indicative figures for Local Authority areas of a grant which will be given for the implementation of Part 1 duties.

10.00 CONSULTATION REQUIRED

10.01 Early engagement with Private Rented Sector Landlords and Agents will be undertaken to engage them in the Licensing regime.

11.00 CONSULTATION UNDERTAKEN

11.01 None.

12.00 APPENDICES

12.01 None.

**LOCAL GOVERNMENT (ACCESS TO INFORMATION ACT) 1985
BACKGROUND DOCUMENTS**

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