

Motion 8(a) - Accepted Amendment

Motion to: Council

28 November 2023

Subject: Private rented housing

Proposer: Councillor Catt

Seconder: Councillor Haynes

An amendment has been received from **Councillor Jones**

Councillor Jones is amending the motion as follows:

Inserting the word “**again**” after the word “**declare**” in resolution 1)

Inserting the words “**as per the motion passed in June 2023**” at the end of resolution 1)

Inserting the words “**once legal provision allows**” at the end of resolution 7i)

Inserting the words “**continue to**” after the words “**endeavour to**” in resolution 9a)

Inserting the words “**and continue to invest and develop the service tasked to deliver this**” at the end of resolution 9a)

Inserting the words “**and within existing legislation**” after the words “**where appropriate**” in resolution 9b)

Inserting the words “**and develop further appropriate**” before the word “**advice**” in resolution 9c)

Inserting the words “**through ensuring the appropriate evidence base is developed and critical criteria met to legally and successfully deliver without challenge**” before the words “**a long-term ambition**” in resolution 9d)

Inserting the words “**inappropriately and without the appropriate safeguards**” after the words “**Norwich City Council**” in resolution 9e)

Inserting the words “**and other appropriate organisations**” after the words “**Acorn Union**” in resolution 9g)

Inserting the words “**and tackle the scourge of landlordism in our city**” at the end of resolution 9g)

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So that the revised motion becomes:-

We are experiencing a housing crisis as a city and as a country. The lack of social housing and huge barriers to home ownership have continued to push people into a poorly regulated and unbalanced private rental market which is defined by instability, skyrocketing rents and poor standards. Since 1980, things have only gotten worse for tenants in the private rented sector, and we are at a breaking point. This motion proposes actions that can be taken by this council to improve the local housing offer and recommends key changes that need to be made on a national level. While we have seen some encouraging things in the Renters Reform Bill, this piece of legislation needs significant improvement if we want it to make any difference at all and avoid making situations worse for some.

This council **RESOLVES** to:

- 1) Declare, again, a housing crisis in Norwich, as average rents have reached £1486 across the city, as per the motion passed in June 2023.
- 2) state its opposition to landlords refusing to let to renters in receipt of state support or who have children, which has been found to be in breach of the Equality Act 2010 following landmark cases fought by Shelter.
- 3) express concern about the government's plans to temporarily exempt from HMO licensing accommodation procured by home office contractors, creating a two-tier system with lower standards and enforcement, for asylum seeker accommodation. (Houses in Multiple Occupation (Asylum-Seeker Accommodation) (England) Regulations 2023
- 4) acknowledge that the long-awaited Renters Reform Bill currently progressing through Parliament will bring some much-needed changes to the private rented sector, while expressing concern about loopholes in the Bill which may lead to 'back door' evictions by eviction by rent hike, and could be undermined by a significant lack of resource in local authorities and in the court system
- 5) Express grave concern that changes to the Housing Act 1996 proposed by the Renters Reform Bill remove the automatic right of renters to access prevention of homelessness services through their local authority as soon as a possession notice has been served.
- 6) ask group leaders to write to Norfolk Constabulary to:
 - a) state the council's concerns about the number of unlawful evictions that occur without landlords being held legally accountable for them nationwide.
 - b) urge the constabulary to put in place guidance for all officers attending an illegal eviction following Safer Renting principles and eviction law:
 - c) encourage them to introduce training on the Prevention of Eviction Act for new and existing police officers.

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- 7) ask group leaders to write to the Secretary of State for Levelling Up, Housing and Communities encouraging him to:
 - a) enshrine a right to shelter and a right of access to adequate housing in UK law as is the case in many other countries.
 - b) investigate and introduce rent controls with regulations around rent increases, as in the UK before the 1988 Housing Act.
 - c) end the practice of section 21 evictions and investigate the establishment of life tenancies as seen across Europe.
 - d) extend the decent homes standard to the private rented sector and increase funding to local authorities for enforcement.
 - e) take urgent action to provide legal aid to tenants in the private rented sector to take a rogue landlord to court.
 - f) work with sector experts to develop a skills and capacity building strategy to tackle workforce challenges in regulatory and enforcement teams.
 - g) follow the recommendations of the Institute for Public Policy Research (IPPR) by introducing a proportional property tax.
 - h) introduce a scheme for landlords to pay national insurance in line with people in self-employment.
 - i) introduce licensing systems and a requirement for planning permission for AirBnB's and short-term rental properties once legal provision allows.
 - j) Introduce a MOT-style licence system for all private rented properties, mandating all landlords to have met a minimum set of standards as assessed by an independent inspection with reviews required on a yearly basis, as proposed by Julian Rugg in his major review of the sector for the University of York
 - k) urgently reduce housing insecurity by increasing the Local Housing Allowance in line with average rents
 - l) establish a right for private tenants to have pets in their properties by ending the use of blanket bans against pets in private rental properties.
 - m) establish a compulsory and publicly accessible landlord register for landlords and letting agents, with the introduction of rent repayment orders if any fail to comply.
 - n) increase police funding for teams dealing with criminal landlord behaviour especially in the shadow private rented sector.

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- o) make Prevention of Eviction Act training mandatory for all new and existing police officers in England and Wales.
- 8) ask group leaders to write to the leaders of all political groups in the UK Parliament encouraging them to submit amendments to the Renters Reform Bill which:
 - a) increase notice periods for eviction from two months to four months, giving renters more time to find a new home.
 - b) tackle the unfair practices which present affordability barriers for renters trying to find a home such as asking for two or more months' rent in advance
 - c) Follow the recommendations of the Levelling Up, Housing and Communities Committee, which calls for the increase of the period at the start of a tenancy at which landlords can take possession of a property to sell or move close family members into from 3 months to 6 months, and the period at which they are prohibited from marketing or re-letting the property following taking possession using these grounds from 3 month to 6 months. This would prevent these new grounds for eviction from becoming a loophole to carry out no-fault evictions.
 - d) introduce a specialist housing court to ensure that new tenancy reforms are not undermined by a lack of capacity in the court system.
 - e) ensure that the right of renters to access prevention of homelessness services following a possession notice being served is upheld.
 - f) ensure the government consults local authorities on what amendments are needed to the civil penalties regime and includes any necessary legislative changes in the proposed Renters Reform Bill; and
 - g) takes action to ensure courts require offenders to pay costs to local authorities that reflect the actual cost of the enforcement action when local authorities choose to prosecute.
- 9) ask cabinet to:
 - a) endeavour to continue to inspect and investigate potential category 1 and category 2 hazards under the Housing Health and Safety Rating System (HHSRS) in all privately rented properties where they have been reported and continue to invest and develop the service tasked to deliver this.
 - b) add names of landlords to the rogue landlord register that was introduced in 2018 under the Housing and Planning Act 2016 where appropriate and within existing legislation, publish an online form on the Norwich City Council website where tenants can report rogue landlords quickly and easily.
 - c) Publish and develop further appropriate advice on the Norwich City Council website about the rights of renters under UK eviction law, including for those

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in the shadow private rented sector with no recourse to public funds, who are typically immigrants who do not hold settled status and are often subjected to illegal evictions by rogue landlords.

- d) Fulfil, through ensuring the appropriate evidence base is developed and critical criteria met to legally and successfully deliver without challenge a long-term ambition to licence all private rented properties in Norwich, including those that fall outside of mandatory HMO licensing, requiring landlords to sign-up to a code of conduct.
- e) agree that guardianships – where residents are licensees with fewer rights than tenants – will not be used or supported by Norwich City Council inappropriately or without appropriate safeguards and write to Norfolk County Council to urge them to do the same.
- f) support the introduction of a registration scheme and separate use class for short-term lets, as was consulted on by the Department of Culture, Media and Sport in 2023.
- g) arrange meetings of the Cabinet Member, Shadow Cabinet Member(s) for Housing and Safer Communities and relevant officers with Shelter and Acorn Union and other appropriate organisations to discuss how the council can better work with these organisations to improve conditions for renters in Norwich and tackle the scourge of landlordism in our city.
- h) Commit to consulting on increasing council tax on second homes using powers due to come to local authorities in April 2025 as party of the Levelling Up and Regeneration Bill.
- i) Consider initiating the process to end the use of HMO's as AirBnB's or other short-term lets through HMO licensing.