



Committee Report

PURPOSE: Policy Options Report

KEY OR NON-KEY DECISION: Non-key decision

COMMITTEE: Homes and Housing Delivery Committee

DATE: 20 September 2024

TITLE: Private Rented Sector Strategy options paper

Ward(s): None

Officer presenting the report: Nikki Knowles **Job title:** Deputy Head of Policy, Strategy and Public Affairs

Committee Chair: Cllr Barry Parsons

Executive Director lead: John Smith: Executive Director for Growth & Regeneration

Proposal origin: Committee Chair

Purpose of Report

1. To update the Committee on the Private Rented Sector (PRS) Strategy and outline the options going forward.

Evidence Base:

1. The City Office established a Living Rent Commission (LRC) in 2022 to explore how a “living rent city” could be achieved. The commission was co-chaired by Cllr Tom Renhard, former Cabinet Lead for Housing Delivery and Homes, and Professor Alex Marsh from the University of Bristol and was made up of stakeholders from across the city.
2. The [final report](#) outlined 29 recommendations in total, with 23 of these aimed at BCC. The report’s recommendations were approved by [Cabinet on 3 October, 2023](#) and went to [Full Council on 12 March, 2024](#) (for noting). This is reflected in the council’s annual Business Plan 2024/25.
3. Some of the recommendations have already been implemented and others are in development. This includes the implementation of new licensing schemes which were introduced on August 6. Attached as appendix A to this paper is a recommendation tracker outlining the council’s progress.
4. Under the previous administration the Policy, Strategy and Public Affairs team were commissioned by the Private Housing and Accessible Homes team to begin developing a strategy.

The previously agreed purpose of the Strategy was to capture the scale of the challenge in Bristol, priority areas for action, and the city's approach. A data review was conducted and engagement with stakeholders took place to discuss its objectives.

5. Engagement included establishing a One City Bristol Living Rent Commission task and finish group sitting under the One City Homes and Communities Board. The group first met in November 2023 and was established to support the delivery of the LRC recommendations and will continue to meet outside of pre-election period.
6. A draft strategy was written under the previous political administration which articulated a strategic vision, standards, and approach to intervening in the sector and better support and information for residents and landlords on their rights and responsibilities. This draft structure largely aligns with the format used by other comparable local authorities (LAs) with similar strategies – although some authorities choose to use their strategy to include information on enforcement case studies. Example strategies can be found under Background Documents.
7. Currently, the Council's Private Housing Team work with landlords, agents, tenants, and other sector stakeholders to make sure standards in the private rented sector are met – this includes using regulatory powers. Where these standards are not met, action is taken in line with the Council's enforcement policy. This includes requiring properties to meet licence conditions and/or to meet the requirements of the Enforcement Policy for the Housing Health and Safety Hazard Rating System.
8. When informal enforcement action has not been followed, formal legal action can be taken. In the most serious cases, formal action may be taken straight away. For example, where the landlord or agent has a history of non-compliance or the risks to the occupiers are serious. To raise standards, the Council uses the wide range of regulatory and enforcement tools available. Since 2022, the service has successfully undertaken 10 prosecutions, served 34 Civil Penalties amounting to £171K, issued two banning orders and supported tenants apply for Rent Repayment Orders.
9. Following the national change in government there is a shifting legislative landscape and commitment to deliver rental reform through the Renters' Rights Bill. It is likely that this bill will go further than the Renters Reform Bill proposed under the previous government. The new bill will include the immediate ending of Section 21 'no fault' evictions and the extension of 'Awaab's Law' into the private rented sector - meaning all private landlords would have to comply with a new set of requirements.
10. Given the legislative objectives of the government, and their focus on increased devolution, it is likely that there will be significant change in the legislative framework affecting the private rented sector over the coming 12 months. Continuing the development of this strategy during a period of national reform will likely mean the strategy will have to be revised as legislative changes are implemented.
11. Following the Regulator of Social Housing (RSH) Judgement and the failings that have been highlighted the priority for the Council is focusing on improving our own practices as a landlord.
12. Due to the RSH judgement, changing legislative landscape nationally, and council resource pressures, the officer recommendation is that the Committee temporarily pause the

development of a PRS Strategy.

Corporate Strategy alignment:

1. The Corporate Strategy sets out the aim of pursuing a “living rent” in the city.
2. The Corporate Strategy commits to ensuring fair access to a decent home for people in Bristol.
3. The Corporate Strategy commits to ensuring people in Bristol can live where they choose and are able to access jobs and amenities close to where they live.

Options to Consider:

1. Temporarily pause the development of a Private Rented Sector Strategy until the new national policy agenda has been implemented – including the Renters’ Rights Bill which promises significant rental reform. **(Officer recommendation)**
2. Continue the development of the Private Rented Sector Strategy and review as appropriate when national policy changes are made.
3. Discontinue this work and stop the development of a Private Rented Sector Strategy.

Officer Recommendations:

1. That the Committee for Homes and Housing Delivery temporarily pause the development of a Private Rented Sector Strategy until the new national policy agenda has been implemented.

Ongoing work:

1. Licensing proposals - The council introduced new licensing schemes on 6 August 2024. These include:
 - i. A citywide Additional licensing scheme for Houses in Multiple Occupation (HMOs).
 - ii. A Selective licensing scheme covering most other privately rented properties in the Bishopston and Ashley Down, Cotham and Easton wards.
2. Continuation of the One City Bristol Living Rent Commission task and finish group.
3. Further ongoing and completed work is outlined in the Living Rent Commission Recommendation appendix A.

City Benefits:

1. Waiting until the national policy agenda has been implemented means a strategy can be produced that provides strategic clarity, including aims and objectives considering any new powers that are granted.
2. Once clear on the new reforms and legislative changes, the strategy will be able to articulate the Council’s approach to addressing access and quality issues associated with the private rented sector in Bristol.
3. Following the passing of the Renters’ Rights Bill the strategy will be able to outline updated support and information for tenants and landlords on their rights and responsibilities.

Consultation Details:

The Leader and Policy Committee Chair would like a draft PRS strategy to be consulted on once the time is appropriate. Under the previous administration public engagement in relation to this work took place:

1. Bristol Living Rent Commission.

- i. The commission brought together analytical data, expertise, input and lived experience testimony from several key city partners and representative groups, through multiple evidence sessions held over six months. In addition to this, commissioners attended two preparatory meetings, five evidence sessions and two further wrap up discussions. Two public surveys received 2,500 responses in total.

2. Meetings took place with landlords, agents, tenants, campaigning organisations, neighbouring LAs and through the One City Bristol Living Rent Commission Task and Finish group.

Background Documents:

- Bristol Living Rent Commission [report](#)
- Bristol Living Rent Commission report recommendations [Cabinet Paper](#) (Oct 2023)
 - [Appendix A](#)- Further background information
 - [Appendix B](#) – Consultation
 - [Appendix E](#) – Equality Impact Assessment
 - [Appendix F](#) – Environmental Impact Assessment
- Bristol Living Rent Commission report recommendations [Full Council](#) (March 2024)

Revenue Cost	N/A	Source of Revenue Funding	N/A
Capital Cost	N/A	Source of Capital Funding	N/A
One off cost <input type="checkbox"/>	Ongoing cost <input type="checkbox"/>	Saving Proposal <input type="checkbox"/> If yes - existing or new saving? N/A OR Income generation proposal <input type="checkbox"/>	

Professional comments section:

1. Finance Advice:

Finance implications will only become relevant once/if any such strategy progresses and we know what the desired impact is.

Finance Business Partner: Martin Johnson, Finance Manager, 18 July 2024

2. Legal Advice:

There is no legal obligation to have a strategy such as this so postponing this action is a matter for those bringing the proposal to determine.

However, any strategy must be compliant and take into account the (currently proposed) Renters Rights Bill.

Legal Team Leader: Kate Burnham-Davies Team Leader (acting) Litigation, Regulatory and Community Team, 18 July 2024

3. Implications on IT: At this point I can see no impact on IT.

IT Team Leader: Gavin Arbuckle, Head of IT Operations, 23 July 2024

4. HR Advice: The report is seeking a temporary pause in the development of the Private Rented Sector Strategy until the new national policy agenda has been implemented – including the newly announced Renters’ Rights Bill which promises significant rental reform. There are no significant HR implications arising from this proposal for Bristol City Council employees.

HR Partner: Lorna Laing, HR Business Partner, Children and Education, 23 July 2024

APPENDICES

Appendix A – Further essential background / detail on the proposal	YES
Appendix B – Equality Impact Assessment (EqIA)	NO
Appendix C – Environmental Impact Assessment (Environmental Impact Assessment	NO
Appendix D – Decision Risk Assessment	NO
Appendix E – Exempt Information	NO
Appendix F – Details of consultation carried out - internal and external	NO
Appendix G – Options appraisal matrix	YES
Appendix H – Business case / financial analysis	NO