

**Coventry City Council**  
**Minutes of the Meeting of Communities and Neighbourhoods Scrutiny Board (4)**  
**held at 10.00 am on Thursday, 7 December 2023**

Present:

Members: Councillor M Ali (Chair)  
Councillor R Bailey  
Councillor J Gardiner  
Councillor A Hopkins  
Councillor R Lakha (Substitute for Councillor A Kaur)  
Councillor R Thay

Other Members: Councillor S Agboola (Deputy Cabinet Member for Housing and Communities)

Employees (by Service Area):

Law and Governance: G Holmes, E Jones, U Patel

Safer Housing and Communities: A Chowns

Housing and Homelessness: J Crawshaw

Revenue and Benefits: B Strain

Apologies: Councillors G Hayre, M Heaven, A Kaur, L Kelly and D Welsh (Cabinet Member for Housing and Communities)

## **Public Business**

### **18. Declarations of Interest**

There were no declarations of interest.

### **19. Minutes**

The minutes of the meeting held on 9 November 2023 were agreed and signed as a true record.

Further to resolution 3, of Minute 14 headed 'Homes for Ukraine', Members asked whether the letter had been sent to the Secretary of State. Officers undertook to look into and report back.

### **20. Review of Houses in Multiple Occupation (HMO) Additional Licensing Scheme 2023**

The Scrutiny Board considered a report of the Chief Legal Officer which provided information on the review of Houses in Multiple Occupation (HMO) Additional

Licensing Scheme 2023. The report was due to be considered by Cabinet on 12 December 2023.

Additional licensing of Houses in Multiple Occupation (HMOs) is a discretionary power that is available to Local Authorities under the Housing Act 2004 and if introduced, could be applied to those HMOs which were not required to be licensed under the mandatory licensing powers.

The duty to licence HMOs under the mandatory scheme was introduced in July 2006 and following changes to the definition in 2018, it required all HMOs occupied by 5 or more people to be licensed.

The provision of good quality housing for Coventry residents was a priority for the City Council and Additional Licensing of HMOs was therefore introduced on the 4 May 2020, requiring all smaller HMOs, including those properties converted into self contained flats without building regulations approval (Section 257 HMOs), to be licensed.

The Additional licensing scheme could only run for a period of 5 years, during which time the Council must carry out a review in accordance with the requirements set out in the Housing Act 2004.

Within the Act there is a legal requirement to review the scheme “from time to time”. To fulfil this requirement, a consultation exercise was undertaken between July and October 2023. The full set of results from the review and consultation were attached at Appendix 1 of the report. The review would help to build an evidence base going forward.

Members asked questions, made comments and received responses on a number of matters including:

- Responses to the consultation were not weighted at this point to distinguish between respondents living in Coventry, or tenants and landlords.
- The difference between 3 year and 5 year licences and the number of landlords issued with 5 year licences.
- Information shared with landlords to apply for a licence, and whether steps had been taken to streamline the process as far as possible.
- Training delivered to landlords, circulation of newsletters, attendance and success of monthly forums.
- Whether the licensing scheme discouraged good landlords and those leaving the market could be encouraged to convert to family homes.
- That tenants could be evicted from licensed properties as long as the correct legal process was followed. A landlord/tenant liaison officer could provide information on this.

The Board requested further information on what proportion of HMOs were purely student lets in the City.

**RESOLVED that:**

- 1. Cabinet be informed that the Scrutiny Board are supportive of the Additional Licensing Scheme.**
- 2. The Scrutiny Board requests the Cabinet Member for Housing and Communities to consider that work to renew the scheme, starts as soon as possible.**

## 21. **Supported Exempt Accommodation**

The Scrutiny Board considered a briefing note and received a comprehensive presentation which provided an update on Exempt Supported Accommodation. The item was considered by Scrutiny Co-ordination Committee at their meeting on 8 February 2023. The Committee requested a progress update on the Supported Housing Improvement Programme (SHIP) funding, as well as progress with changes to legislation.

Exempt accommodation is supported housing which was exempt from certain Housing Benefit provisions. It was a sector which often housed more marginalised groups with support needs such as prison leavers, care leavers, those fleeing domestic violence, and homeless people with substance dependence or mental health issues. The accommodation was provided alongside support, supervision or care to help people live as independently as possible in the community.

There is also a small element of care, support and supervision provided to clients, which means it is exempt from Local Housing Allowance (LHA) caps, hence the use of the term 'exempt'. These exemptions enable organisations providing this type of housing to charge higher rates, when compared with general LHA rates, to clients living in their properties. Where the accommodation was provided by an organisation other than a registered provider, Local Authorities bear the additional costs of the provision beyond the LHA rate. In 2022/23 the cost to the Council was approximately £3.4million resulting in a new subsidy loss of £2.7 million.

As securing permanent accommodation had become more difficult, the Supported Exempt Sector had grown significantly both locally and nationally. This type of accommodation was often the only option for groups of people who did not meet the statutory priority need threshold, particularly if their homelessness was planned.

Case law states that there only needed to be a "more than minimal" level of care and support to qualify as 'exempt', which meant that some providers secured high rental levels while providing a small amount of support.

Exempt accommodation clients were usually housed in houses in multiple occupation (HMOs), which were often large properties that had been converted.

Due to the complicated nature of defining a building as an HMO, not all accommodation could be classified as such and therefore, would not fall under the provision of the citywide HMO licensing scheme. Furthermore, in some cases if they were operated by, or under the umbrella of a registered social landlord (RSL) then they would be afforded an exemption from licensing under the Housing Act 2004.

While there are many good examples of exempt accommodation providers, there had been instances where the quality of accommodation had not been up to standard, and the support being provided was found to be inadequate.

The three main types of providers in Coventry are:

- Registered Providers who provide supported housing e.g. Citizen, St Basils
- Non-Registered Providers which are well established organisations e.g. Salvation Army, Coventry Cyrenians, Mind
- Community Interest Companies who often had limited expertise/experience of accommodating vulnerable groups

Coventry had seen an increase in provision over the last few years, from 2829 units in 2019/20 to 3570 units as of January 2023.

Increases in this type of accommodation was not something that was impacting Coventry, but research by the charity Crisis in 2021 estimated that there could be more than 150,000 households living in this type of housing. This had increased by 58% from the 95,149 people living in exempt accommodation in 2016.

Exempt accommodation not commissioned by the City Council currently had no specific regulatory framework. Therefore, whereas the Housing and Homelessness Team monitored the provision of commissioned supported housing in the city for people who were homeless, this was not in place for the non-commissioned providers.

There had been a number of concerns raised by residents of Supported Exempt Accommodation, partner agencies, local residents impacted by these properties and elected members in the city regarding the quality of support provided to residents and the disruption this type of accommodation could cause in neighbourhoods.

Approximately 18 months ago, a number of issues were raised regarding specific properties/providers in the city. The council collectively, across all key departments developed a joined-up approach to deal with issues working alongside the police. This had resulted in some provision no longer being available in the city and a small number of providers improving their service. This work has been enhanced significantly during 2023/24 following the successful bid for funding through the Government's Supported Housing Improvement Programme (SHIP).

The issue of poor quality exempt accommodation was also an issue of national interest. The Supported Housing (Regulatory Oversight) private members Bill was currently going through the House of Commons. Additionally, a cross-party Levelling Up, Housing and Communities (LUHC) Committee in a report published on 27 October 2022 stated that '*exempt housing and support services are a complete mess*'.

It should be noted that there were a range of good quality supported housing providers who fund their provision through the Exempt Accommodation provisions in the city.

Additionally, there continued to be the requirements for this type of provision if it was quality accommodation with appropriate levels of support being provided to residents.

Members asked questions, made comments, and sought assurances on a number of issues including: -

- Associated subsidy loss – where providers are registered, the Council could get the funding back from government, so providers are encouraged to register.
- With regard to comments, concerns and compliments, consideration be given to introducing a reward scheme to encourage providers to improve standards
- Success/uptake of monthly forums and how these are communicated

Members requested that the Coventry City Council guide to “Standards for Supported Exempt Accommodation” be emailed to members of the Board, together with information on the success and uptake of monthly forums.

Members thanked officers for a comprehensive presentation.

**RESOLVED that the Scrutiny Board:**

- 1. Notes the current position and funding.**
- 2. Supports the co-ordinated response to managing Exempt Accommodation in the city.**
- 3. Requests the Cabinet Member for Housing and Communities to explore introducing a quality charter to encourage providers to improve provision.**
- 4. Requests that Exempt Supported Accommodation be added to the Board’s Work Programme for next year.**

## **22. Work Programme 2023/2024**

The Scrutiny Board considered their Work Programme for the Municipal Year 2023/24.

**RESOLVED that:**

- 1. The work programme be updated with the addition of ‘Supported Exempt Accommodation’.**
- 2. An update be provided at the next meeting in relation to an item on ‘Water quality’ and whether Severn Trent had been contacted/invited to attend.**

## **23. Any other items of public business which the Chair decides to take as matters of urgency because of the special circumstances involved**

There were no other items of urgent public business.

(Meeting closed at 11.40 am)