

Overview and Scrutiny Committee

Held at:	Remote meeting
Date	Tuesday, 8 September 2020
Present	Councillors Miss Susan Carey, Laura Davison (In place of Connor McConville), Gary Fuller, Peter Gane, Michelle Keutenius (Vice-Chair), Terence Mullard, Patricia Rolfe, Rebecca Shoob (Chairman) and John Wing
Apologies for Absence	Councillor Connor McConville
Officers Present:	Andy Blaszkowicz (Director of Housing and Operations), Kate Clark (Case Officer - Committee Services), Adrian Hammond (Housing Lead Specialist), Kerry Petts (Private Sector Housing Team Leader), Susan Priest (Chief Executive), Charlotte Spendley (Director of Corporate Services), Lee Walker (Capital and Treasury Senior Specialist) and Jemma West (Committee Service Specialist)
Others Present:	Councillors David Monk and David Godfrey

17. **Declarations of Interest**

Councillor Rolfe declared a disclosable pecuniary interest with regard to Agenda item 4 as she is Chairman of Oportunitas Ltd. A dispensation has been granted and in this regard Councillor Rolfe presented and took part in discussions on this item.

Councillors Gane and Mullard declared a disclosable pecuniary interest for the Oportunitas Ltd item as they are directors of this company. Both councillors remained in the meeting and took part in discussions on this item. Dispensations have been granted for both councillors.

Councillors Rolfe, Gane and Mullard made voluntary announcements in respect of Agenda item 5 (Private Sector Housing Enforcement and Civil Penalties Policy) as they are chairman and directors respectively of Oportunitas Ltd. All councillors remained in the meeting and took part in discussions on this item.

18. **Minutes**

The minutes of the meeting held on 14 July 2020 were agreed and approved. The Chairman requested that her electronic signature could be added to the minutes.

19. **Oportunitas Limited - Progress Report and Business Plan 2020 - 2022**

Report C/20/32 proposed a Business Plan from the Board of Oportunitas Ltd (“the company”) covering its activities through to 31 March 2022. The report also provided a summary of the company’s provisional financial outturn position for 2019/20 as well as a trading update for 2020/21. The report is in-line with the requirement contained in the Shareholder’s agreement between the company and the Council.

As Chairman of Oportunitas Ltd, Councillor Patricia Rolfe, presented this item.

Members noted the following:

- Rent arrears – legal advice is being taken.
- Two managing agents are appointed to manage the Oportunitas properties.
- The company provides rental properties at market value in order to generate an income stream and remain financially secure.
- Separate to Oportunitas, an ambitious housing programme will develop over the next few years delivering new affordable houses for the HRA.
- Oportunitas is a commercial enterprise and although members comments with regard to the need for affordable housing were noted, this would be addressed through the HRA programme.
- It is anticipated that the debt to equity ratio will improve and create comfort to shareholders and directors, showing sustainability.
- The business plan is for consideration by Cabinet and aims to create a robust portfolio, encouraging diversification and other opportunities.

Members discussed the acquisition of off plan units at the Royal Victoria Hospital site, looking at the timeline, developer negotiations, acquisition costs, income and yield. It was noted that a developer contribution will be made from this scheme to provide community aimed development.

The Committee thanked the Chairman of Oportunitas, Councillor Rolfe, for her presentation and also officers for the detailed report.

Proposed by Councillor Rebecca Shoob
Seconded by Councillor Mrs Susan Carey and

RESOLVED:

That the Committee receive and note report C/20/32.

The Committee Chairman, Councillor Shoob, sought and received affirmation from all members.

20. **Private Sector Housing Enforcement and Civil Penalties Policy**

Report OS/20/07 set out details of the Private Sector Housing Enforcement Policy and methodology and principles for determining the level of penalty charge for housing offences. It is proposed that the policy will be made available for an eight week consultation period before being presented to Cabinet.

Councillor David Godfrey, Cabinet Member for Housing, Transport and Special Projects, presented this report.

It was noted that Private Sector Housing (PSH) team develop good relationships with Landlords which often means enforcement is ultimately not necessary as issues can be rectified in a timely manner.

Members were reminded that the Private Sector Housing team consist of enforcement officers who enforce housing legislation and are fully trained professionals.

Members were advised that the team receive approximately 300 to 400 enquiries from private tenants per year. The majority of these enquiries are dealt with by the landlords directly. In 2019/20 some 200 properties were improved with landlord co-operation.

It was noted that since 2016 only one prosecution has been made with a further two pending at this time. PSH officers are always keen to solve problems through advice to landlords and tenants, however the policy is an important tool in carrying out enforcement where necessary.

Members mentioned comparisons to other district councils in Kent, it was noted that Folkestone & Hythe District Council has a large PSH sector compared to other local councils. In this respect developers have taken advantage of the 'No Use Empty' loan scheme enabling empty properties to be brought back into use.

Officers confirmed they share good practice and this Council has led the way for other councils in bringing derelict properties back into use.

Proposed by Councillor Rebecca Shoob
Seconded by Councillor Patricia Rolfe and

RESOLVED:
To receive and note report C/20/07.

Affirmation from members sought and received from the Committee Chairman.