

# ADULT SOCIAL CARE & HOUSING OVERVIEW & SCRUTINY COMMITTEE

## Agenda Item 58

Brighton & Hove City Council

**Subject:** Scrutiny Panel on Letting Agents  
**Date of Meeting:** 10 March 2011  
**Report of:** The Strategic Director of Resources  
**Contact Officer:** Name: Tom Hook Tel: 29-1110  
E-mail: Tom.hook@brighton-hove.gov.uk  
**Wards Affected:** All

### FOR GENERAL RELEASE

#### 1. SUMMARY AND POLICY CONTEXT:

- 1.1 This report details the findings of the Scrutiny Panel established to examine issues relating to local Letting Agents.
- 1.2 The Scrutiny Panel's report is re-printed as **Appendix 1** to this report.

#### 2. RECOMMENDATIONS:

- 2.1 That members:

Endorse the Letting Agents Panel report and agree to refer the report recommendations to the council's executive.

#### 3. BACKGROUND INFORMATION

- 3.1 A Notice of Motion regarding the fees charged by letting agents was considered by Full Council on 18 March 2010, where it was decided that a cross-party members' working group should be formed to examine the issue in detail. This group agreed to refer the matter to scrutiny. The Adult Social Care and Housing Overview & Scrutiny Committee (ASCHOSC) subsequently decided to establish a scrutiny panel to investigate the matter in depth.
- 3.2 The scrutiny panel focused on the issue of letting agents' fees, and more specifically on the 'additional' fees many agents charge tenants for

checking credit history or references, for renewing tenancies, taking inventories etc.

- 3.3 In the course of its investigations, the panel talked to city letting agents; to council housing and trading standards officers; to Brighton Housing Trust and the local Citizens Advice Bureau; to the Southern Landlords' Association and to private sector tenants. The full panel report is included as **Appendix 1** to this report.

#### **4. CONSULTATION**

- 4.1 No formal consultation was undertaken in preparing this report, although some of the witnesses who gave evidence to the panel were asked for their comments on drafts of the report, and these comments have been used to inform the final version.

#### **5. FINANCIAL & OTHER IMPLICATIONS:**

##### Financial Implications:

- 5.1 ASCHOSC's decisions in relation to this report (i.e. whether to endorse the Scrutiny Panel report and refer its recommendations to the council's Executive for consideration) have no direct financial implications.

However, members should bear in mind that the implementation of some of the Scrutiny Panel's recommendations might have significant financial implications for the council, and that any Executive decision in relation to these matters will need to be made with reference to these costs.

##### Legal Implications:

- 5.2 If ASCHOSC endorses the Panel's report and accepts its recommendations, it is required to prepare a formal report and submit it to the Chief Executive for consideration by Cabinet or the relevant Cabinet Member.

If ASCHOSC cannot agree on one single final report, up to one minority report may be prepared and submitted, alongside the majority report, for consideration by the Cabinet or Cabinet Member.

*Lawyer consulted: Oliver Dixon*

*Date: 2 March 2011*

##### Equalities Implications:

- 5.3 None identified

Sustainability Implications:

5.4 None identified.

Crime & Disorder Implications:

5.5 None identified.

Risk and Opportunity Management Implications:

5.6 None identified.

Corporate / Citywide Implications:

5.7 None identified.

**SUPPORTING DOCUMENTATION**

**Appendices:**

1. Scrutiny Panel report

**Documents in Members' Rooms:**

None

**Background Documents:**

1. None (other than those listed in the Scrutiny Panel report itself)

