

## TASK AND FINISH GROUP REVIEW HOUSING STANDARDS. Notes

Appendix A

Meeting: 1000 hours 9 June 2022

### **Representation by:**

Housing and Environmental Enforcement Manager – West Lindsey District Council

Senior Housing Standards Officer – Boston Borough Council.

*(providing representation on Selective Licensing at Stoke on Trent City Council)*

### **Subject: Selective Licensing**

A presentation was provided which included the following key points of information / facts for consideration:

#### *Overview:*

Selective licensing was a mandatory licensing of all PRS properties in designated areas with above average number of PRS properties. (The national average being circa 19% as of March 2014). HMOs and Housing Associations were not included in the average.

The 'area' could be a street, a number of streets, a whole ward or the whole borough/town. For an area to be designated as being suitable for licensing it would need to meet on or more of the following conditions:

- low housing demand (or is likely to become such an area)
- a significant and persistent problem caused by anti-social behaviour
- poor property conditions
- high levels of migration
- high level of deprivation
- high levels of crime

any application would need to be underpinned by an up to date evidence base, be an approach consistent with the overall housing strategy and seek to adopt a co-ordinated approach in relation to dealing with homelessness, empty properties and ASB.

If granted then the licence would require all licence holders to pay a fee which would be determined by the overall cost of administering the scheme.

#### *Benefits of Selective Licensing:*

A proactive approach was required. The licence would improve standards of both properties and the management of them. It would ensure accountability and proven to reduce anti-social behaviour. It further enabled identification of both rogue and criminal landlords and targeted the most at risk properties which identified the most vulnerable people. Finally it allowed enforcement action / prosecution of non-compliant landlords and also gave power to officers of the council with intelligence on a property, to enter the site.

Benefits of the introduction of licencing supported communities by the following

*TENANTS:*

- Sets standards for the management and condition of homes
- Improves the health and safety of homes for tenants
- Gives councils the power to enforce against landlords that do not meet licence conditions
- Generates revenue through enforcement to improve PRS

*LANDLORDS:*

- Creates a level playing field, so decent landlords are not undercut
- Poorly performing landlords receive support and training
- Improves reputation of private landlords
- Support is given to landlords dealing with problem tenants

*RESIDENTS:*

- Connects communities
- Better tenancy management helps increase tenure length and reduces homelessness
- Anti-social behavior connected to private rented property can be more proactively managed

*Experience of West Lindsey District Council:*

A small scheme of circa 800 properties had been delivered between 2016 / 2021 in a small part of a ward with Gainsborough. It had been successful and viewed as a pilot to inform future schemes. In 2021 approval had been given for a further consultation to designate a border scheme covering 5 wards, 3 of which were larger rural wards to focus on improving property conditions. Consultation began in January 2022 but had been halted in March 2022 with concerns having been raised in regards to the overall process. A revised plan was being developed to consider the most appropriate way forward for the area.

*Outcomes learned from the process at West Lindsey District Council:*

The majority of landlords owned between one and two properties and the scheme had proved to be the only active engagement by a number of these landlords in relation to actually understanding their legal responsibilities. Tenants were in general unaware of the scheme in place and therefore not aware of their rights in relation to their tenancy.

The scheme could NOT manage problem tenants although it had been perceived to do so. Tackling ASB required further investigation being such a complex issue. Criminal landlords and the most vulnerable tenants were entwined. The PRS had been bigger than initially thought and continued to grow. Effective enforcement has been achieved using resources across the Council working alongside the Housing Standards Officers. A joint approach was required. Concerns in respect of the charge to the landlord being passed on to the tenant had not materialised, and had not deterred other persons wishing to invest in the rental market.

*Important Points for consideration:*

Selective licensing is the only tool that provides the broad access high numbers of the PRS properties. It is contentious and doubtful that there would be overall agreement from stakeholders on any introduction of the licence.

The consultation process is not a referendum but about understanding view of the stakeholders and dependant on the outcomes determining the implementation or not.

Any scheme needed to be evidenced based and its designations thoroughly justified, it should not be a paper exercise and must include enforcement and initiatives.

There was a financial risk to any initial proposal which was not approved nor recoverable.

*Representation in respect of Stoke on Trent City Council*

Reiterating and supporting a number of the comments and information relayed in respect of West Lindsey District Council's experience, the Officer advised that during his employment with Stoke on Trent City Council, licensing required private landlords to apply for a licence to let their properties. The selective licensing had been introduced to two of the most deprived areas of the city from 4 August 2014 with each scheme having been operative for five years. The schemes had focused on attracting investment to give residents the chance to live in a safe and warm home without risking homelessness. The findings had enabled proactive inspections of all properties in the two deprived areas culminating in improved private rented housing standards and management practices as well as successful operations which tackled occurrences of drug dealing and anti-social behaviour. Additionally it had been successful in encouraging residents to report issues of ASB by reassuring them their voice would be heard. Key proven outcomes from an evaluation of the two schemes included the substantial increases in inspections of privately let homes which in turn had identified unknown serious hazards, a vast improvement in housing conditions, a reduction in empty homes and an increase in property prices in each areas. Upon notification of the power of enforcement action the vast majority of the landlords and applied for a licence. Enforcement action had taken place against landlords who failed to be complicit in carrying out repairs and complying with the licence conditions. The risk of fire had been reduced with safe and well checks being performed by the Fire Service and the schemes had enabled the rebuilding of the community where residents wanted to improve their area.