

<u>HEADING</u>	Proposal for Selective Licensing
<u>Submitted by:</u>	Neale Clifton, Executive Director – Regeneration & Development
<u>Portfolio:</u>	Planning and Assets
<u>Ward(s) affected:</u>	Kidsgrove

Purpose of the Report

This is a progress report on the Council's proposal for Selective Licensing in the Galleys Bank area of Kidsgrove to address concerns about anti-social behaviour and general estate management.

Recommendations

- (a) To strengthen the evidence on anti-social behaviour by collating and analysing further information and assessing the scope for corrective actions.
- (b) To further understand residents' views on crime through a survey to be conducted jointly with the Police.
- (c) To authorise officers to work in parallel with the implementation of the above recommendations with relevant partner agencies to proceed with other projects particularly targeted at the privately rented properties on the estate and targeting anti-social behaviour as described in the report and appendix 1.

Reasons

The Galleys Bank area of Kidsgrove is reported to suffer from persistent and ongoing anti-social behaviour. It is appropriate the Council, along with relevant partner agencies, considers the extent of the problems and seeks to tackle the issues. This report provides an update on progress and next steps.

1. **Background**

- 1.1 In April 2014 Cabinet agreed a proposal to undertake the necessary research and development towards a selective licensing scheme in Kidsgrove. This is related to concern about anti-social behaviour and instability within a small number of neighbourhoods in the area which appears to arise from the transient nature of households occupying private rented accommodation.
- 1.2 Evidence gathering over the past few months has given a greater insight into the area, the people who live there, the housing conditions, and the extent of reported criminal and anti-social behaviour. Mapping of this information is providing a more robust understanding of the area which will allow the generation of a tool kit of options to be considered alongside the selective licensing proposal. Press reports have generated interest from landlords, residents and prospective purchasers as did the residents meeting on 5th June 2014.

2. **Issues**

- 2.1 Key findings so far show that 45% (or 210) of the properties in Galleys Bank are rented. There are 22 landlords who own more than one property on Galleys Bank and between them they own 138 houses. Of these landlords 17 have either had a connection to Galleys Bank or live within a reasonably close radius. The evidence indicates that repeat calls for crime, antisocial behaviour or nuisance is more likely in privately rented properties but does also occur in owner occupied dwellings. There is a good mix of tenure in the area with owner occupiers, privately and social rented housing and a mix of household size and age. There are strong indications that people like their homes, voiced at the residents meeting and

evidenced through records indicating that when tenants move they often remain in Galleys Bank or the immediate Kidsgrove area. A summary of key findings is attached at Appendix 1.

- 2.2 A gap analysis of the research to date identifies the need for residents to ensure they are reporting all of their concerns about anti-social behaviour and crime directly to the Council and Police. This will help to provide an accurate picture of the area and clarify the issues to be tackled.
- 2.3 Reporting was the key theme of a Kidsgrove Residents meeting on 5th June 2014 with everyone being asked to help build the evidence base. To support this, a survey is to be conducted jointly by the Council and Police to gain views from residents about crime and anti-social behaviour. This will be postal but backed up by officers on the ground to help complete the survey.
- 2.5 Time will be needed to assess the evidence gleaned from this survey however specific projects particularly relating to privately rented properties and targeting anti-social behaviour can commence in the meantime (in fact this has begun).
- 2.5 Suggested projects are;
 - to engage with the 22 landlords who have been identified as owning more than one property on Galleys Bank. Carrying out proactive work to inspect property condition and ensure all paperwork is up to date and that management practices are both appropriate and effective.
 - diversionary activities for younger people, youth activities, green space initiatives and working with local companies to align their corporate social responsibility approaches with local needs.

3. **Options Considered and Reasons for Preferred Solution**

- 3.1 The recommendations are consistent with Cabinet members wish to pursue selective licensing. Other complimentary projects have been identified and can form part of the case development and evidence.

4. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

- 4.1 Tackling antisocial behaviour contributes to the Corporate Priorities of a Clean Safe and Sustainable Borough and a Borough of Opportunity.

5. **Legal and Statutory Implications**

- 5.1 Prior to introducing any Selective Licensing scheme the Council will consult all persons likely to be affected and will need to produce a report with robust evidence of the problems and indicate other strategies which have been tried and failed. Failure to meet the requirements could result in local authority facing a threat of judicial review and an award of costs against the Council.

6. **Equality Impact Assessment**

- 6.1 There are no differential equality impacts arising from this progress report, a full equality impact assessment for Selective Licensing will be undertaken prior to a scheme progressing.

7. **Financial and Resource Implications**

7.1 Evidence gathering is being carried out within existing resources however consultation and the setting up of a licensing scheme will be resource intensive and a full business case will be presented alongside proposals in due course.

8. **Major Risks**

8.1 The Council needs to ensure that any scheme is thoroughly researched and supported by a robust evidence base and that proper consideration is given to the appropriate scheme prior to the necessary consultation being undertaken. Any such consultation exercise in itself will need to be undertaken both rigorously and robustly in order that the Council can demonstrate the views of all interested parties have been taken into account in the process.

8.2 A full risk assessment and legal opinion will accompany the project proposal to minimise the risk of legal challenge to the implementation of any scheme. For the sake of clarity the council's legal service will assist in ensuring that the statutory steps are complied with whilst housing specialists will advise members, based upon a review of any relevant case-law, on the soundness and sufficiency of the evidence to substantiate the introduction of a selective licensing scheme (this may require expert legal opinion).

9. **Key Decision Information**

9.1 This is not a key decision.

10. **Earlier Cabinet/Committee Resolutions**

10.1 None.

11. **List of Appendices**

11.1 Progress Report and Key Findings

11.2 Table of Evidence

Appendix 1

Progress report on Selective licensing proposals

Research

Work has been ongoing to gain a greater insight into the Galleys Bank area of Kidsgrove with a view to progressing Selective Licensing Proposals. The paperwork generated through this is attached as the evidence pack. This includes;

- the methodology used to collect and analyse information,
- key findings,
- the raw data,
- review of the selective licensing process and our progress towards it,
- a risk assessment,
- the project plan,
- information from other authorities, and
- a review of published information.

Key Findings

- ❖ Of the 465 properties in the research area, “Galleys Bank”, 210 are rented.
- ❖ 25 of the rented properties are managed by a Registered Provider (social housing).
- ❖ 138 of the rented properties are owned by a landlord with more than one property in Galleys Bank.
- ❖ 22 landlords own more than one property in Galleys Bank.
- ❖ Of these landlords 17 have contact addresses within a close radius of Galleys Bank.
- ❖ 8 have had a Galleys Bank address recorded for them with land registry at some point.
- ❖ 26 properties are highlighted as having repeat calls for crime, ASB or nuisance.
- ❖ The 26 repeat call properties are mainly in 4 areas.
- ❖ 9 of the 26 repeat call properties have had a tenancy change in the last 6 months so records may not be associated with the new tenant.
- ❖ Of the recent movers many have a previous Galleys Bank address.
- ❖ 15 of the repeat call properties are owned by landlords with more than one property.
- ❖ Focusing on landlords owning more than one property in Galleys Bank is likely to have the biggest impact.
- ❖ 5 of the repeat call properties are owner occupied.
- ❖ There is a clear correlation between properties that have not been upgraded and them being privately rented. This backs up anecdotal knowledge of the area.
- ❖ The number of properties available to the private rented market is likely to be limited by the number of non-upgraded houses
- ❖ There is a clear correlation between property value and history of upgrading – giving rise to their attractiveness to landlords.
- ❖ There are few properties either empty or for sale in the area with land registry information showing recent sales when the housing market has been in decline but also significant stability in ownership.
- ❖ Council Tax information shows stability in many tenancies with many tenants last move being within Kidsgrove or nearby areas of Newcastle.
- ❖ Police figures and borough comparison do not show this to be the highest area of crime and ASB in the borough.

- ❖ No particular links to ASB and open spaces but there are with the shops in Kings Street.
- ❖ One of the Registered Providers has few concerns reported to them about the area and considers that they have stable tenancies there.
- ❖ Many portfolio landlords accept residents on housing benefit providing a valuable housing resource.
- ❖ Land Registry information is often not updated by landlords when they move.
- ❖ There is a good mix of tenure, family size and benefit recipients in Galleys Bank.
- ❖ Portfolio landlords are a mix of Galleys Bank residents who have seen the investment potential, portfolio landlords and investment companies.
- ❖ There is a strong commitment to the area by investors.

Gap Analysis

This does identify a need for more information on anti-social behaviour prior to selective licensing. At the residents meeting on 5th June 2014 a call was made for residents to report all issues directly to the Police or Council so this information can be collated.

To support this, a survey is to be conducted jointly with the Police to gain views from residents about crime and anti-social behaviour. This will be postal but backed up by officers on the ground to help complete the survey.

Next Steps

- Continue building a case based on the anticipated anti-social behaviour information.
- Obtain further information on Galleys Bank via Credit Call on segmentation and lifestyle to further understand the community – cost approx. – £1K.
- Seek legal opinion and seek peer review from other Local Authority.
- Move to consultation when this case has been built.
- Commence a project in the meantime focusing on the landlords in Galleys Bank with more than one property, which have been identified as more likely to have ASB, crime or nuisance in their properties. Requiring them to supply all documentation and safety checks for the properties, inspecting the properties on a worst first basis or targeting those who fail to provide paperwork. Linking this to improved information and support on dealing with tenant anti-social behaviour and incentivising joining the landlord's accreditation scheme.
- Commence anti-social behaviour projects including diversionary activities for younger people, youth activities, green space initiatives and working with local companies e.g. Tesco.

**Appendix 2
Table of Evidence**

Please note much of this data is highly confidential

Number	Item	Confidential
1	Evidence gathering methodology	
	Analysis	
2	Map showing privately rented and owner occupation distribution	
3	Map showing properties where repeat crime, ASB or nuisance has been recorded	√
4	Map showing correlation between privately rented and properties which have not been upgraded.	√
5	Analysis of properties highlighted as having repeat crime, ASB or nuisance	√
6	Landlords with more than one property in Galleys Bank	
7	Newcastle evidence compared to the Stoke on Trent process flow	√
8	Risk assessment **Legal Services view **	√
	Data	
9	Police Information on ASB and Crime	√
10	Comparison of ASB and Crime figures relative to the rest of the borough **information awaited from the police**	√
11	Nuisance service requests made to the council over the last 3 years	√
12	Comparison of nuisance service requests relative to the rest of the borough	
13	Housing Condition service requests made to the council over the last 3 years	√
14	Comparison of housing condition service requests relative to the rest of the borough	√
15	Environmental service requests made to the council over the last 3 years	√
16	Impact of the request for reporting at the residents meeting **to be added when information received**	√
17	Land Registry details – some including last sale date and price – examples included – rest in a separate file separated by road **Land Registry is not always up to date and changes may not always be recorded**	
18	Energy Performance Certificates – examples included – rest held in a separate file separated by road	
19	Road profile – Whitehall Avenue	√
	Road profile – Gloucester Road	√
	Road profile – Victoria Avenue	√
	Road profile – Lincoln Road	√
	Road profile – Norfolk Road	√
	Road profile – Bourne Road	√
	Road profile – King Street	√
	Road profile – Essex Drive	√
	Road profile – Somerset Avenue	√
	Road profile – Sussex Drive	√

	Road profile – Bedford Road	√
20	Housing Benefit information – **may not always be up to date**	√
21	Zoopla information on house sales	
	Right Move information on houses for sale / for rent – Sept 13	
22	1992 – 93 plan of properties involved in the non-traditional upgrade	√
23	Health Profile data at Kidsgrove super output area level	
	Office of National Statistics Data at Kidsgrove super output area level	
	Census 2011 Ward data	
24	Properties on the public rent register – Sept 13	
	Additional Criteria	
25	Housing projects which can be commenced while data collection is ongoing	
	Antisocial behaviour projects which can be commenced while data collection is ongoing	√
26	Project Plan	
27	Review of published information on other Councils considerations / legal challenges	
28	Outcomes of previous housing condition estate intervention in 2008/09	
	Prosecution of Galleys Bank landlord	
29	Fee generation **to be inserted**	
30	Information from other Authorities	
	Stoke on Trent – methods of consultation	
	Examples of separate landlords / tenants / residents and businesses consultation questionnaire published by Sheffield City Council	
	Stoke-on-Trent evidence pack and consultation feedback	√
	Published Articles	
	Article on Milton Keynes decision to drop selective licensing following consultation	
	Article on Selective Licensing round up	
	Article on Licensing in Newham and the issues it is designed to tackle	
	Residential Landlords Association response to selective licensing consultation at Waltham Forest	
	Residential Landlords Association view of selective licensing	
	Judicial Review of selective licensing at Accrington	
	Legal advice on selective licencing	