

# Selective Licensing

## Evidence Report

August 2019



# Contents

1. Introduction .....	4
Background .....	5
2. Selective Licensing.....	5
South Tyneside Context .....	6
Aims and Objectives .....	7
3. Proposed Licensing Schemes .....	8
Maps of Potential Areas.....	9
4. South Tyneside Profile .....	10
Private Rented Profile .....	10
Mandatory HMO Licensing.....	11
5. Supporting Evidence .....	11
Privated Rented Levels.....	12
Housing Condition .....	13
Property Age.....	14
Energy Performance Data.....	15
English House Condition Survey .....	16
Housing Related Complaints .....	16
Low Income Households.....	18
Summary.....	18
Anti-Social Behaviour, Crime & Environmental Complaints .....	18
ASB.....	19
Crime .....	21
Environmental Complaints .....	21
Other Factors.....	24
Deprivation .....	25
Housing Market .....	26
6. The Scheme in Practice .....	27
Application Process .....	27

Licence Conditions .....	29
Fee Structure .....	30
7. Conclusion .....	31
8. Appendicies .....	32
Appendix 1 – PROPOSED List of all the Streets included in the scheme.....	32
Beach Road area .....	32
Long STreets area .....	33
Appendix 2 – PROPOSED Selective Licensing Conditions.....	35
Appendix 3 – Consultation Process .....	40

## 1. INTRODUCTION

South Tyneside Council is considering the introduction of a Selective Licensing Scheme for private rented sector properties in parts of the Beacon & Bents and Simonside & Rekendyke wards. The areas will include around 2,890 properties with an estimated 24% privately rented properties which is more than double the average in the whole of South Tyneside.

South Tyneside Council has a vision to make the borough the *'an outstanding place to live, invest and bring up families'* with one of ten focus areas in the South Tyneside Council Strategy (2017-2020) being, **'Better Housing and Neighbourhoods'**. Housing is a key priority for residents and the Council and it plays a significant role in everyone's life. The location, the type, and quality of homes in which we live has a major impact on the rest of our lives: including how our children perform at school, the jobs we can access and how long we live. At the extreme people without a home face the prospect of poor health and low life expectancy.

With that in mind, South Tyneside Council's Integrated Housing Strategy identifies **'improving the quality, choice and sustainability of Private Rented Sector'** as one of its priorities, and by 2031 South Tyneside will have 'high quality housing across all tenures and locations, and residents will be able to access homes to meet their needs throughout every stage of their lives'.

The private rented housing sector in South Tyneside, along with the rest of the country, has seen significant growth in recent years and it plays a vital role in the local housing market. However, poor management and low standards can lead to the failure of local housing markets and therefore tenancies. The private rented sector remains the greatest reason for homelessness in the borough.

With local authority budget cuts and the decreasing availability of resources, there are increasing challenges including ASB, and poor environmental and property conditions. Properties in poor condition increase costs to various stakeholders including the Council and also have a detrimental effect on the environment which can then lead to spiral of decline of an area. Many privately rented properties are over 70 years old and it is vital that this stock is maintained to prolong its lifespan and prevent housing disrepair. With this in mind, Local Authorities are permitted to apply for a Selective Licensing of privately rented properties in areas experiencing factors such as low housing demand, and ASB to ensure a minimum standard of management is undertaken by landlords.

## BACKGROUND

Many private landlords operating in South Tyneside are professional and already provide a good standard of accommodation. Unfortunately however there are a significant amount of privately rented properties in poor condition and that are not well managed. The negative impact of poor quality, badly managed accommodation can cause anti-social behaviour, crime and low demand which all can have a serious detrimental effect. Therefore by improving the quality of private rented accommodation, the surrounding community should also improve along with cross tenure relations, reduced antisocial behaviour and stabilisation of local neighbourhoods.

Our aims for the private rented sector are to;

- Engage with Landlords to reduce the number of failed tenancies and reduce homelessness wherever possible;
- Help private rented tenants to access, manage and sustain their tenancy;
- Develop an alternative Private Rented offer to provide higher quality rented accommodation;
- Bring long term empty properties back into use as affordable Housing where appropriate; and
- Improve neighbourhoods so that they are sustainable in the future.

We see that the introduction of selective licensing as a key tool to help tackle the problems associated with poorly quality, and poor managed properties in some of the most deprived parts of the Borough. Our hope is that the introduction of the schemes will ultimately improve areas and make them more attractive for investment in all sectors.

## 2. SELECTIVE LICENSING

Selective Licensing is a discretionary licensing scheme which was introduced within the Housing Act 2004 (part 3, section 80) and allows local housing authorities to designate '*areas suffering from either significant and persistent anti-social behaviour and / or low housing demand*'.

Selective Licensing requires the landlords of all privately rented properties operating within a designated area to operate under the terms of a licence awarded by the Local Authority. There are costs associated with administration of the scheme which is then recouped in the form of charges to the landlords. These charges vary across the country and discounts are often applied for early applications and multiple properties. All licences will have conditions which would typically include a range of requirements aimed at ensuring that properties are safe and managed correctly, this allowing the local authority a tool to better regulate privately rented accommodation.

For the Council to be able to declare a selective licensing designation they must be able to satisfy conditions set out by the Government. In consideration of whether to designate an area for selective licensing on the grounds of property condition, migration, deprivation and crime, the local authority may only make a designation if the area has a high proportion of properties in the private rented sector.

Local Authorities must seek confirmation from the Secretary of State for any selective licensing scheme that covers more than 20% of their geographical area or would affect more than 20% of privately rented homes in the local authority area. Neither of these apply to the proposed selective licensing schemes in South Tyneside.

## SOUTH TYNESIDE CONTEXT

The private rented sector has grown considerably within South Tyneside over the last 18 years. In 2001 there were 2,775 privately rented households across the whole Borough and by 2011, this has risen to 6,758 privately rented households, an increase of over 140%. The numbers of private rented sector have continued to increase as shown by the Subnational dwelling stock by tenure estimates released by the Government in 2019. This showed a further increase to 8,559 in 2017 which represents 10% of the total housing stock in the Borough.

While the Council is not reliant on the private rented sector to meet housing need in the Borough it is an important part of providing a diverse housing offer. Private rented housing is spread across the whole Borough and 10% of the housing in South Tyneside is made up of this tenure. The highest concentrations of private rented properties are in the urban areas of South Shields, West Park, Simonside & Rekendyke and Beacon & Bents having the highest concentrations and together represent over 35% of the Borough total.

South Tyneside Council has recently adopted an *Enforced Sale policy* with the aim of equipping the Council with an additional tool to use when addressing the issue of problematic, long-term empty homes. This policy should assist in bringing vacant properties back into use by changing the ownership and potentially stimulating new interest, investment and re-occupation.

South Tyneside Council and South Tyneside Homes both work closely with South Tyneside Housing Ventures Trust which is a locally based registered provider who, as well as building socially rented properties, also purchases long term empty properties with the help of Empty Homes funding from Homes England. This work has brought 50 homes back into use and continues to target regeneration of areas over profit.

A key within the Integrated Housing Strategy 2019: is preventing **“Homelessness wherever possible and address repeat homelessness.”** One of the key actions identified within this priority is **“Work more closely in the Private Rented Sector to reduce failed tenancies”**. With

this in mind selective licensing should help address property conditions which can contribute to increased homelessness.

Like all other local authorities, South Tyneside Council licenses House's in Multiple Occupation (HMOs) which are properties that are occupied by five or more people, forming two or more households, and with the occupants sharing amenities such as a kitchen or bathroom. The HMOs in the selective licensing area will be exempt as they will already be licensed HMOs.

## AIMS AND OBJECTIVES

As detailed throughout this proposal document, the Council considers that the proposed areas of designation are areas of low housing demand, high concentrations of private rented properties and are experiencing high levels of deprivation. There are also high levels of ASB and crime, and significantly higher cases of housing disrepair and environmental issues.

The main aims for both proposed schemes is to reduce low housing demand by raising standards within the private rented sector leading to improvements in the overall social and economic conditions in the area to create strong, healthy and vibrant neighbourhoods. It is also considered that the designation will assist in the reduction of anti-social behaviour in the areas.

In order to achieve these aims, a number of key outcomes over the period of designation have been identified;

- **Improve** PRS property conditions and the management of PRS properties
- **Stabilise** rental values in PRS and market values in surrounding areas
- **Support** well managed properties, tenancies and residents
- **Reduce** turnover, voids, ASB and deprivation creating stable communities

The Council believes that its positive impact of selective licensing will be seen beyond just housing and will help to achieve a number of wider objectives in the South Tyneside Council Strategy 2017-2020:



Figure 1 - South Tyneside Council Strategy 2017-2020

Throughout the period of the 5-year designation, the Council will adopt a robust monitoring and evaluation process of the scheme which will inform the evaluation (impact and effectiveness) of the Selective Licensing designation. Conversations are currently ongoing with a number of local authorities who already operate selective licensing to learn from their experiences and ensure a robust data set.

### 3. PROPOSED LICENSING SCHEMES

The proposal is to introduce selective licensing in two areas within the Beacon & Bents, Simonside & Rekendyke and Westoe wards, both in South Shields, on the principle grounds relating to housing condition, anti-social behaviour, deprivation and crime.

The proposed schemes will encompass an estimated 19% of the private rented market in South Tyneside and both areas have been selected following a review of the concentration of private rented properties and also the amount of issues needing to be addressed.

Council is confident it has a robust evidence base to justify the designation of a Selective Licensing scheme and can demonstrate the areas are (or are likely to become) areas of low housing demand, are experiencing a significant and persistent problem caused by anti-social behaviour, are areas with high concentrations of private rented housing and are areas with high levels of deprivation and high levels of crime. Those areas proposed for inclusion within the proposed Selective Licensing designation have been identified (and will be referred to throughout this document) as the **Long Streets** and **Beach Road area**.



## MAPS OF POTENTIAL AREAS

The proposed licensed area boundaries are shown on the maps below and a full list of the affected streets and properties is included in the appendix 1 of this document.

### The Long Streets

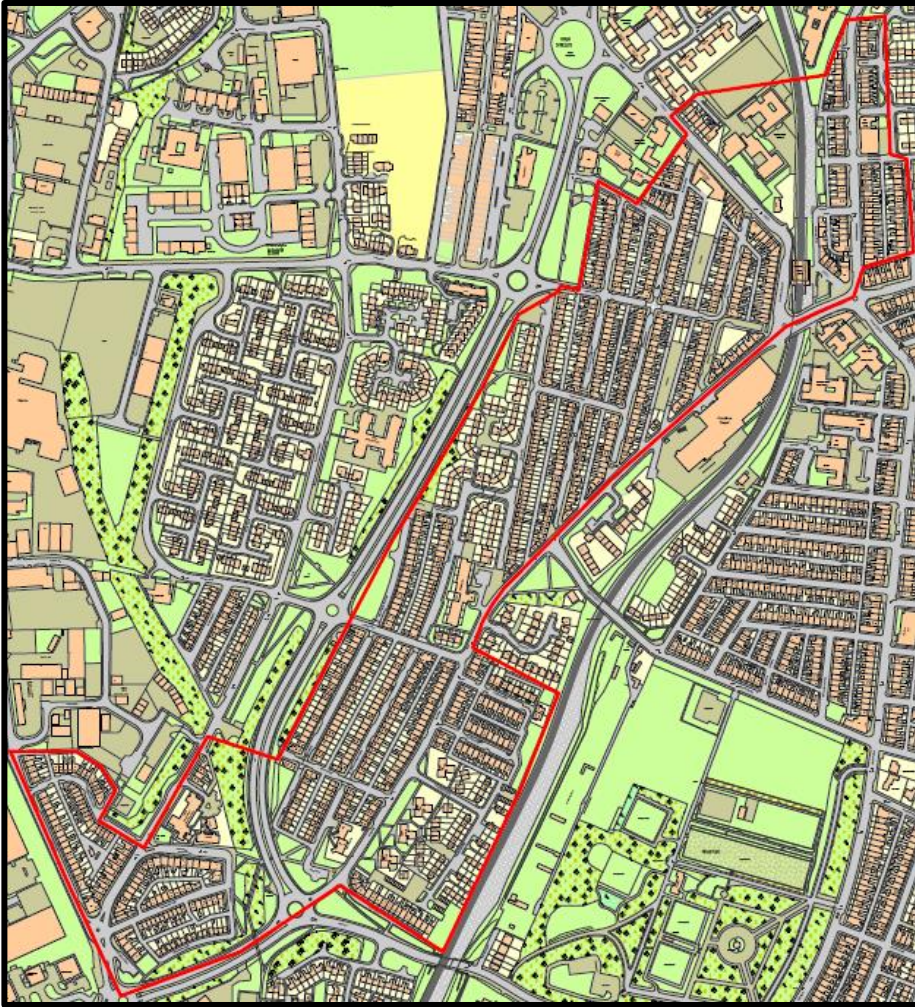


Figure 2 - The map identifies the proposed designation area at the Long Streets in Simsonide & Rekendyke ward

### Beach Road area

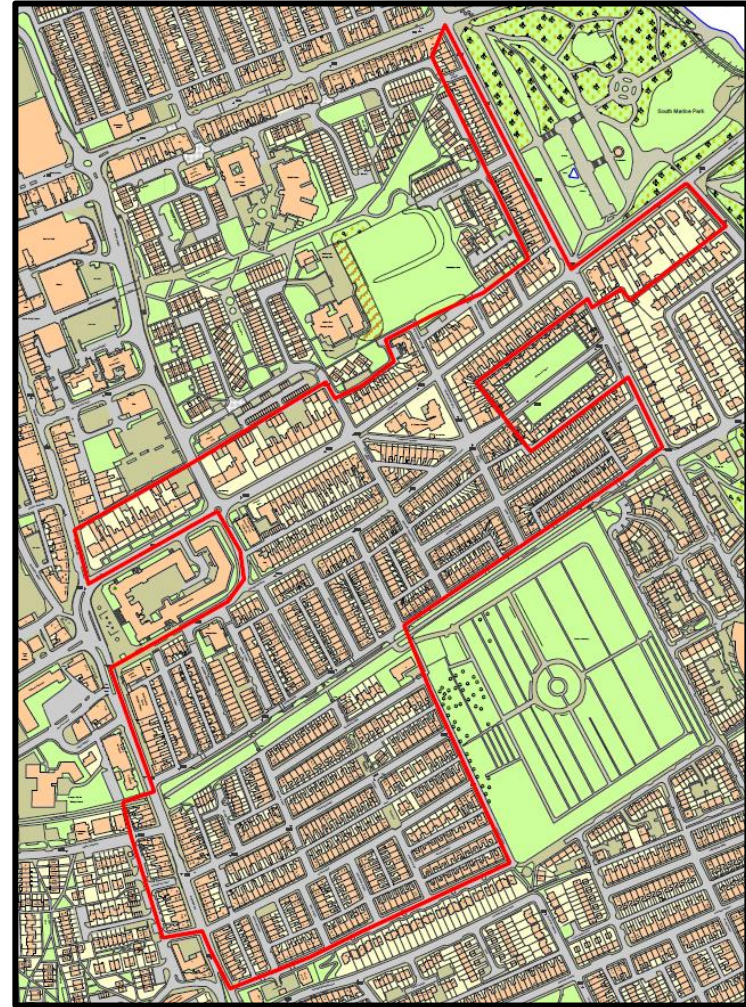


Figure 3 - The map identifies the proposed designation area at the Beach Road area in Beacon & Bents ward

## 4. SOUTH TYNESIDE PROFILE

South Tyneside is a metropolitan borough council within the North East of England, consisting of the coastal town of South Shields, and smaller towns of Hebburn and Jarrow, with the villages of Whitburn, Cleadon and Boldon on the outskirts of the borough. The Borough is part of a wider housing market area extending to Gateshead in the east and Sunderland in the south. The population of the borough is 149,500 and is expected to grow to 151,800 by 2041. Although there is predicted growth of 1.7% in population; this is lower than the local and regional averages (4.1% and 3.1%) and well below the national average of 12%.

In South Tyneside there are 67,203 properties and this number is expected to increase by 6,000 within 25 years. With regards to housing tenure 31.6% of properties are socially rented which is 13% higher than the national average.

Area	Total Dwellings	Private Rented Dwellings	% of Private Rented to All
England	23,366,044	3,900,178	16.7%
Tyne & Wear	1,129,935	154,426	13.6%
South Tyneside	67,203	6,682	10%

Figure 4 - Number of Properties, Census 2011

South Tyneside has lower levels of PRS (10%) when compared regionally and nationally but on a ward level there are 4 wards that are higher than the regional average, and 2 of those are higher than the national average. There is also correlation between high levels of PRS properties and the age of properties. All four wards with the highest PRS levels also have the highest numbers of older properties, West Park having the highest at 54.4%.

The Borough does have more affluent areas, mainly in the villages, but the housing market is different in other areas with significant pockets of deprivation. The median weekly wage of South Tyneside residents in full time employment is £475. In comparison the national median for the UK is £527, but for the North East is only £488. South Tyneside has lower numbers of residents working in managerial jobs than the regional average and more people unemployed.

### PRIVATE RENTED PROFILE

The national level increase in Private Landlords is replicated in South Tyneside with increases from 4% to 9% between 2001 and 2011, and levels are now estimated to be around 11% which is slower than the average in England of 20% (2016/17 English House Conditions Survey).

A large contributing factor in this is the growth in new build housing which has encouraged more home owners in lower value areas to look for quick sales or part exchange their properties via the developer. This can often lead to properties being auctioned at lower than market value and landlords taking the opportunity of a perceived bargain.

Unlike neighbouring authorities, South Tyneside does not have a University and therefore the demand for student accommodation is not high. South Tyneside does have two colleges, one of which, South Tyneside Marine College, has a purpose built block that it operates for its students.

West Park, Beacon & Bents, Westoe and Simonside & Rekendyke have the highest levels of PRS in their wards as well as making up a total of 45% of the Borough's stock. These areas also have the highest levels of pre-1919 stock in the Borough averaging 45% of properties that are over 100 years old. More specifically the areas that are proposed to be included in the selective licensed area have 88% and 89% of properties built pre-1919 and higher averages for properties built pre-1940. Older properties require more maintenance due to the natural deterioration over time, and therefore they require further investment to maintain a suitable liveable condition.

The private rented housing stock for many tenants outside the student market is in older properties that have been adapted to cater for private rented tenants. The option to improve tenant choice through new build and the introduction of large scale institution management to rise the quality and management is limited and will not impact wider private rented market in the short to medium term. Many tenants having limited options on the choice of quality of accommodation or influence on management standards.

## MANDATORY HMO LICENSING

Until recently mandatory HMO licensing applied to properties with 3 or more storeys and occupied by 5 or more tenants who form two or more households. From the 1st October 2018 mandatory licensing was extended, removing the three-storey requirement from the definition and introducing some additional mandatory conditions.

Prior to licensing being expanded, South Tyneside had approximately 20 licenced HMO's; the majority of which being in the Beach Road area. This will increase under the new guidance, however it is suggested from current evidence that this will not be a significant increase in properties will require an HMO licence. The government believes that HMO licensing helps to tackle overcrowding, poor property management and housing of illegal migrants.

## 5. SUPPORTING EVIDENCE

The Housing Act 2004 sets out the conditions that the area must meet for Selective and Additional licensing to be implemented. The proposal to implement both Selective Licensing based on the principle grounds relating to housing condition and anti-social behaviour. This part of the report outlines the evidence to support this proposal, and also considers the other conditions as supporting evidence.

It is advised that a Selective Licensing designation may be made if the area to which it relates satisfies one or more of the following conditions:

1. low housing demand (or is likely to become such an area)
2. significant and persistent problems caused by ASB
3. poor property conditions
4. high levels of migration
5. high level of deprivation
6. high levels of crime

This proposal is made on the grounds of poor property condition and a significant and persistent problems caused by anti-social behaviour / crime, although we do believe it will also contribute to other factors listed above.

As this proposal is made on the grounds of poor property condition we are also required to satisfy the requirement that the area has a high proportion of property in the private rented sector (20% or more). This Section of the report aims to evidence how the above factors have been satisfied.

## PRIVATED RENTED LEVELS

National guidance for Selective Licensing published in March 2015 states that –

*“The actual number of privately rented properties in a given area may be more or less than this, and if it is more than 19%, the area can be considered as having a high proportion of privately rented properties.....This figure will vary from time to time, so local authorities are strongly advised to consult the latest available English Housing Survey when considering whether an area has a high proportion of privately rented properties”.*

The English Housing Survey 2017-18, Headline Report, still has the private rented sector accounting for 19% and this figure has not changed in the last 5 years.

As South Tyneside Council has not had any stock condition surveys in recent years, the Census 2011 data is the most reliable source of information that gives a good baseline for the various tenures in the Borough. This census data is out of date however, and anecdotally the levels of

private rented properties have increased from 10% in 2011 to an estimated 14% in 2019. At this level, the Borough would not be classified as having a high proportion of privately rented properties and therefore a selective licensing scheme would not be considered a viable option.

This figure, however, is a Borough average and therefore is not representative of all wards / areas. Beacon & Bents, Westoe and Simonside & Rekendyke all have above 15% private rented properties with West Park having 25% which represents 14% of the Borough total.

WARD	Socially Rented	Owned	Private Rented (ward)	Private Rented (borough)
West Park	10%	64%	25%	14%
Beacon & Bents	29%	51%	18%	11%
Westoe	13%	68%	18%	10%
Simonside & Rekendyke	44%	40%	15%	10%
Hebburn North	37%	50%	12%	7%
Biddick & All Saints	46%	41%	11%	7%
Primrose	46%	43%	10%	5%
Monkton	29%	61%	9%	5%
Boldon Colliery	27%	63%	9%	5%
Horsley Hill	29%	61%	7%	4%
Hebburn South	32%	61%	6%	3%
Whiteleas	39%	54%	6%	3%
Harton	32%	60%	6%	3%
Whitburn & Marsden	26%	67%	5%	3%
Fellgate & Hedworth	36%	58%	5%	3%
Bede	46%	48%	5%	3%
Cleadon Park	46%	48%	5%	2%
Cleadon & East Boldon	3%	91%	5%	2%

Figure 5 - Tenure by Ward (Census, 2011)

By using output areas instead of wards, it is easier to get a more precise data for the areas that are under consideration. 11 areas make up the Beach Road area and the Long Streets are made up of 13 output areas. Analysis of these output areas shows that the private rented properties in both areas are 24% which is well above the Borough average and also the 19% threshold outlined in the selective license guidance.

## HOUSING CONDITION

The DCLG (now Homes England) guidance on selective licensing sets out the circumstances where selective licensing can be used as part of a wider strategy to tackle housing conditions

i.e. a significant number of properties in the private rented sector are in poor condition and are adversely affecting the character of the area and/ or the health and safety of their occupants.

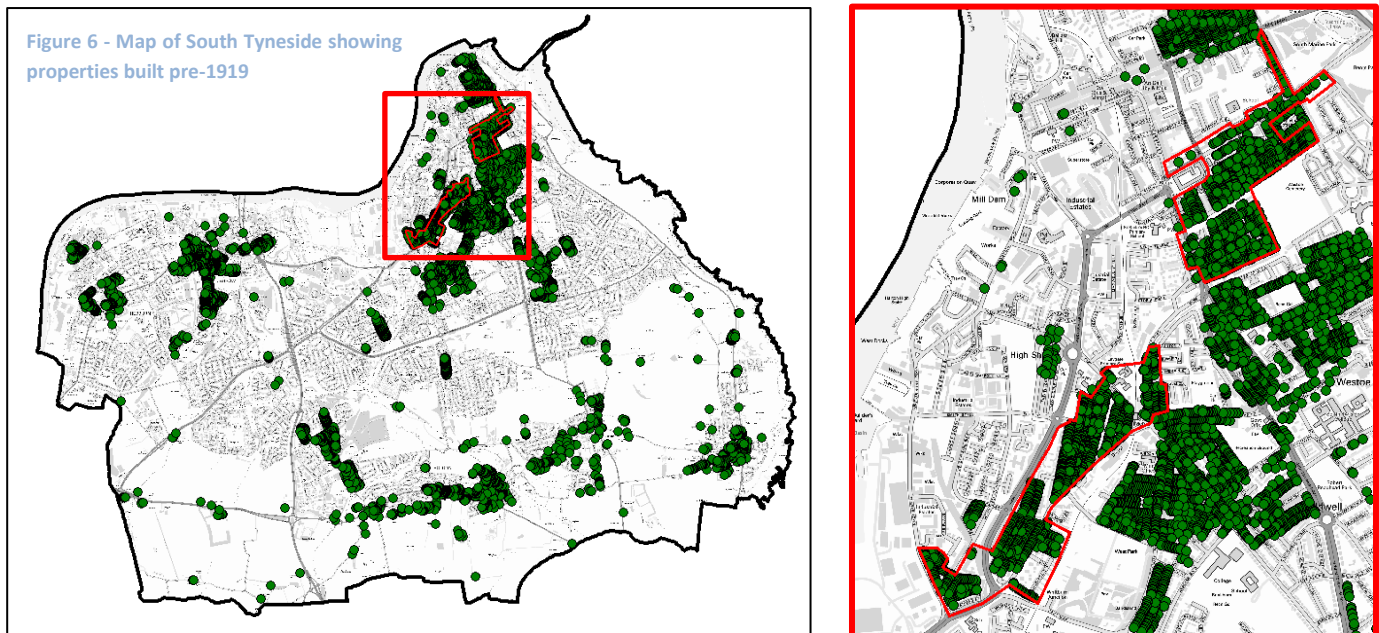
The guidance recommends that local authorities consider the age and visual appearance of properties in the proposed area and also that a high proportion of those properties are in the PRS, when determining poor property conditions. Evidence demonstrating a high proportion of PRS has been addressed above.

National and local survey data shows that private rented property conditions are not as good as social and owner occupiers tenures. These issues could have been prevented by better maintenance of the property by the landlords, regular scheduled property inspections and improved communication between landlord and tenant.

A number of different sources help to confirm that the housing which falls within the selective licensing area is in poor condition.

## PROPERTY AGE

South Tyneside's industrial heritage of ship building and mining has left a legacy of a high number of older type accommodation including Tyneside Flats.



Within South Tyneside 16.7% of properties were build pre-1919 which is lower than the national average of 20.8% (English Housing Survey, 2017). South Tyneside is, however, higher than the national average when comparing properties built pre-1945. Within the Beach Road area, 89% of the stock was built pre-1919 and the Long Streets has a similar figure (88%).

WARD	Socially Rented	Owned	Private Rented (ward)	Pre-1919 Stock
Beacon & Bents	29%	51%	18%	45%
<b>Beach Road area</b>	<b>13%</b>	<b>63%</b>	<b>24%</b>	<b>89%</b>
Westoe	13%	68%	18%	44%
Simonside & Rekendyke	44%	40%	15%	30%
<b>Long Streets area</b>	<b>41%</b>	<b>33%</b>	<b>24%</b>	<b>88%</b>

Figure 7 - Tenure & Stock Age in Proposed Areas (Wards and combined Output areas)

In addition to the PRS properties there are also the mandatory licensed HMOs. The highest concentration of these can be found in the Beach Road and built pre-1945. These properties are aging, and the majority were constructed for single family use. As such the age, design, size and layouts are not suitable for shared living resulting in increased noise, litter and poor housing conditions.

#### ENERGY PERFORMANCE DATA

The energy efficiency rating of a property can be an indication of poor living conditions and lack of investment in the property to modernise. Properties with Energy Performance Certificate ratings of E and below will fail on thermal comfort grounds. They will have higher fuel bills, increasing the likelihood that the tenant could be in fuel poverty.

As of May 2019, EPCs were available for 34,735 properties in the Borough. Of these, 11,597 had been carried out on socially rented properties, and the remaining 23,138 are private properties. There are more properties whose EPC rating is E, F or G in the private sector than the social rented sector.

ENERGY RATING	A	B	C	D	E	F	G
SOCIAL RENTED	0.3%	7.0%	43.6%	40.7%	7.7%	0.7%	0.1%
PRIVATE	0.0%	9.0%	24.8%	46.9%	16.3%	2.6%	0.5%
HIGHER PRS (more than 15% PRS)	0.0%	4.3%	21.2%	49.2%	20.6%	3.8%	0.8%
LOWER PRS (less than 15% PRS)	0.0%	10.3%	27.2%	45.5%	14.5%	2.1%	0.3%

Figure 8 - EPC Ratings

South Tyneside Council does not hold exact data on the number of privately rented properties in the Borough. However, based on the percentage estimates of PRS properties by ward in the 2011 census, assumptions can be made as to the difference between energy ratings of wards with higher and lower PRS levels. Table 4 shows that the wards with higher PRS properties have

a greater number with energy ratings of E, F and G, whereas the wards with lower levels of PRS have more properties rated B and C.

### **ENGLISH HOUSE CONDITION SURVEY**

---

The English House Condition Survey 2017-18 found that the private rented sector had the highest proportion of non-decent homes. In 2017, 25% (1.2 million) of privately rented homes were non-decent compared with 19% of owner occupied, 15% of local authority and 11% of housing association homes.

The prevalence of damp is also highlighted in the survey that across the country the PRS had higher dampness (7%) than all other tenures. 1.9million private renters reported an issue with condensation, damp and/or mould which equates to 42% of the PRS.

In terms of housing disrepair, privately rented homes had higher levels of disrepair, costing £9/m<sup>2</sup> more than owner occupiers and socially rented homes, based on standardised basic repair costs. Almost 20% of private rented dwellings had serious disrepair (over £35/m<sup>2</sup>), which is 5% higher than local authority homes.

This is in line with the age profile, house condition survey data, and EPC data which show the private rented housing in the Borough is of a lower standard than other housing.

### **HOUSING RELATED COMPLAINTS**

---

Between 2016 and 2018 the amount of complaints relating to housing totalled 1,590. These complaints related to, but not limited to, disrepair, dilapidation, empty homes and unsecure properties.

Both Beacon & Bents and Simonside & Rekendyke have the highest level of complaints compared to all other wards and also the highest percentage of complaints compared to the number of properties in the ward. The Beach Road and Long Street's areas have higher rates than their respective wards (see table 5) and 13% of total complaints originated in within the boundaries of the proposed areas.

The number of PRS properties in an area corresponds with number of aging properties and the number of properties of a poorer standard. This is evidenced by West Park ward having the highest percentage of PRS properties in the Borough but having half the amount of pre-1919 stock and therefore significantly less housing related complaints.

<b>As a % of all properties in the area</b>
---



WARD	PRS (ward)	% of Pre-1919 Stock	All Housing Complaints	Housing Disrepair
West Park	25%	54%	4.4%	3.9%
<b>Beach Road</b>	24%	89%	6.0%	3.6%
<b>Long Streets</b>	24%	88%	7.8%	7.2%
Beacon & Bents	18%	45%	4.3%	2.7%
Westoe	18%	45%	1.9%	1.9%
Simonside & Rekendyke	15%	30%	5.1%	4.1%
Hebburn North	12%	7%	1.9%	1.4%
Biddick & All Saints	11%	12%	3.6%	2.4%
Primrose	10%	12%	1.8%	1.2%

It is however an alarming statistic that both Beacon & Bents and Simonside & Rekendyke have lower levels of pre-1919 stock than West Park but higher housing related complaints. This difference is likely due to the income levels and housing prices in West Park being higher than other wards and potentially meaning a better quality, better managed housing offer.

Figure 9 - Housing Related Complaints

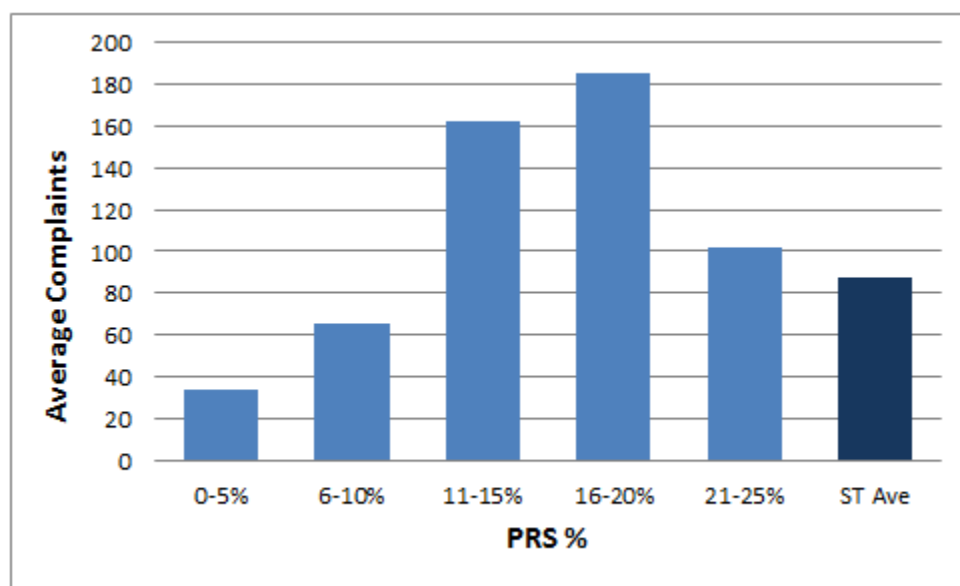


Figure 10 - Housing Complaints related to level of Private Rented

Figure 9 also shows a correlation between an increase in the number of housing complaints and a rise in the level of private rented accommodation above 20%. For every 1 complaint received in a low concentration private rented area (less than 18%) the Council received 4.7 complaints within a higher concentration private rented area (more than 18%).

## LOW INCOME HOUSEHOLDS

---

Still awaiting evidence from Housing Benefit in order to map this effectively.

## SUMMARY

---

There is sufficient evidence to indicate that there are a substantial number of PRS properties in Westoe, Simonside & Rekendyke and Beacon & Bents that could potentially be in disrepair and will not meet the minimum housing standards required by a selective licensing scheme;

- 85.5% of properties built before 1919
- Estimated 25.2% of PRS properties have energy rating of E and below
- 13% of all housing complaints
- 4.7 complaints for every 1 in low private rented areas

## ANTI-SOCIAL BEHAVIOUR, CRIME & ENVIRONMENTAL COMPLAINTS

All landlords have a responsibility to ensure that the behaviour of tenants in their property meets the terms of their tenancy agreement. This section evidences issues with crime and anti-social behaviour within the Westoe, Simonside & Rekendyke and Beacon & Bents wards in the context of South Tyneside.

The Crime and Disorder Act (1998) defines ASB as activities or behaviours which “cause or is likely to cause harassment, alarm or distress to one or more persons not of the same household”. Not all ASB directly constitutes criminal offences but may still be unpleasant and affect quality of life within an area.

The following activities and offences are typically described as ASB:

- Arson
- Criminal Damage
- Noise nuisance
- Harassment and intimidation
- Alcohol/drug related offences
- Graffiti and fly posting
- Fly tipping / litter
- Verbal abuse

As ASB and crime are separate, the rationales for implementation of selective licensing ASB are examined first. Crime is then examined to provide a holistic overview of crime in South Tyneside and the area proposed for selective licensing to demonstrate associated issues in the area.

In examining Ward statistics on crime and ASB for Beacon & Bents the effect of the proximity to South Shields Town Centre must be recognised. The bars, restaurants & takeaways and transport links all contribute to the crime and ASB figures in the area. These are then exacerbated by the seafront economy (beaches, theme park, etc) which attract visitors who can often be perpetrators too. Similarly as this ward contains South Tyneside's main concentration of traditional retail (although this area is not within the proposals for selective licensing) town centre related crime such as shoplifting, vagrancy and hawking will be represented among the crime and ASB statistics for this ward.

While Westoe and Simonside & Rekendyke do not suffer from most of the issues highlighted above it does have Chichester Metro and bus interchange which attracts substantial ASB to the area.

Within both of the ASB and Crime sections below, Stanhope Road North, Stanhope Road South and Mowbray Road, have all been used as comparable areas. These areas are good to use for this purpose as they are predominantly the same property type, same age of property, high number of PRS and overall a similar number of properties.

## **ASB**

---

Using the recorded ASB figures from Northumbria Police the proposed selective licensing areas are higher than the average. Between June 2016 and May 2019, there were 14,912 cases of anti-social behaviour in South Tyneside and just under half occurred in the Riverside CAF area which includes both the Beacon & Bents and Simonside & Rekendyke wards. These two wards make up 12.6% of the Borough's total properties and the origin of 28% of reported ASB (17% in Beacon & Bents and 11% in Simonside & Rekendyke) is within their boundaries.

The combined monthly average for the Long Streets and Beach Road areas is 27 reported incidents, this equates to 6.5% of the Borough average. The Long Streets has double (18) the average reported incidents per month in comparison to Beach Road (9).

While Beach Road does have less ASB than the Long Streets, it does have 400 less properties. Further analysis shows that the Long Streets is still scoring as worse for number of properties per crime. For every 1 crime in the Long Streets there are 2.6 properties, whereas in Beach Road the ratio is higher (1 to 3.7). The Borough average is 1 to 5, and the comparable areas (Stanhope Road North, Stanhope Road South and Mowbray Road) all score better suggesting that while the traits of the proposed areas are the same as the comparable areas, they consistently perform worse with regards to ASB suggesting clear evidence of problems in these areas.

Figure 11 - ASB data

	<b>Total ASB Reports</b>	<b>Monthly Average</b>	<b>No. of Props</b>	<b>No. of Props (for every 1 crime)</b>
Long Streets area	632	18	1,672	2.6
Beach Road area	330	9	1,227	3.7
Stanhope Road (North)	247	7	1,523	6.1
Stanhope Road (South)	201	6	1,411	7.0
Mowbray Road	183	5	1,535	8.3
Beacon & Bents	2,532	70	4,562	1.8
Simonside & Rekendyke	1,610	45	4,867	3.0
Riverside	7,294	203	9,429	1.2
Borough	14,912	414	74,998	5.0

Figure 12 –

Crime Data

	<b>Total Crime Reports</b>	<b>Monthly Average</b>	<b>No. of Props</b>	<b>No. of Props (for every 1 crime)</b>
Long Streets area	2,414	67	1,672	0.69
Beach Road area	1,579	44	1,227	0.77
Stanhope Road (North)	1,101	31	1,523	1.38
Stanhope Road (South)	1,156	32	1,411	1.22
Mowbray Road	736	20	1,535	2.08
Beacon & Bents	10,098	281	4,562	0.45
Simonside & Rekendyke	6,652	185	4,867	0.73
Riverside	29,511	820	9,429	0.31
Borough	60,525	1,681	74,998	1.23

To some

give

national context to the level of ASB in the proposed areas, the majority of the Long Streets is in post code area NE33 5, and similarly the majority of the Beach Road area is in NE33 2. Within

Tyne & Wear both of these areas are within the top 20 post code sectors with the highest national crime rates.

The Long Streets are 158% higher than the national average crime rate and the Beach Road area is 86% higher. NE33 5 is also in the top 10 post code sectors in Tyne & Wear for anti-social behaviour related crime.

## **CRIME**

---

Using the recorded crime figures from Northumbria Police the proposed selective licensing areas are higher than the average. Between June 2016 and May 2019, there were 60,525 reported cases of crime in South Tyneside, 49% of which occurred in the Riverside CAF area which encompasses both the Beacon & Bents and Simonside & Rekendyke wards. These two wards make up 12.6% of the Borough's total properties and the origin of 28% of reported crime (17% in Beacon & Bents and 11% in Simonside & Rekendyke) is within their boundaries.

The combined monthly average for the Long Streets and Beach Road areas is 111 reported incidents, this equates to 7% of the Borough average. The Long Streets has almost 1,000 more incidents (150%) than Beach Road.

While Beach Road does have less crime than the Long Streets, it does have 400 less properties. Further analysis shows that the Long Streets is still scoring as worse for number of properties per crime. For every 1 crime in the Long Streets there are 0.69 properties, whereas in Beach Road the ratio is higher (1 to 0.77). The Borough average is 1 to 1.23, and the comparable areas (Stanhope Road North, Stanhope Road South and Mowbray Road) all score better.

## **ENVIRONMENTAL COMPLAINTS**

---

In addition to the Anti-Social Behaviour and Crime figures, further information on environmental complaints is available in the M3PP system that is used by South Tyneside Council's Development Services department. The system performs a number of functions including visits, complaints, queries and enforcement action.

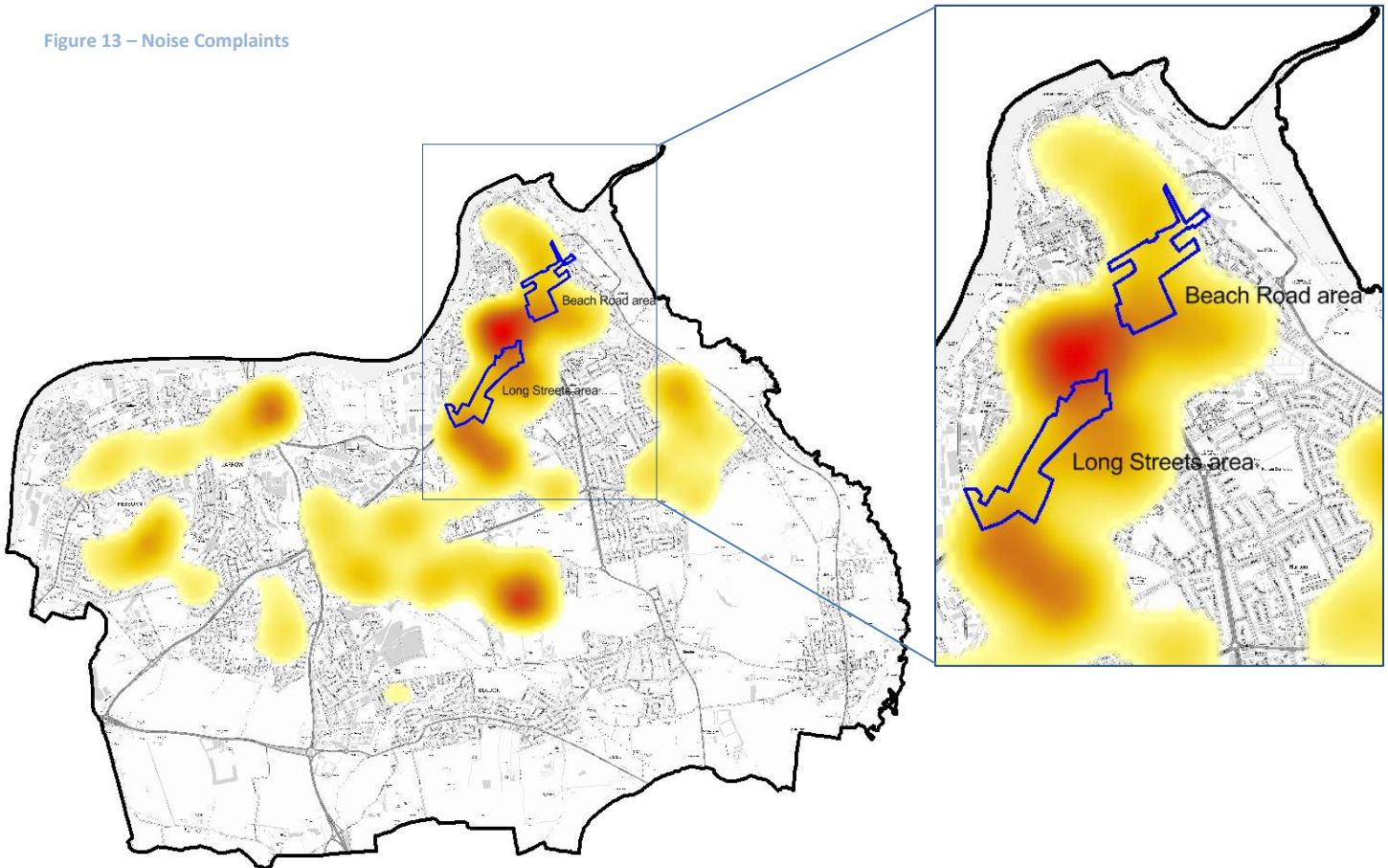
## **NOISE**

---

Noise complaints are the biggest category of complaints that the Environmental Health team receive while they are on call. Between 2014 and 2018 the team has dealt with 6,971 noise related complaints, which included barking dogs, loud music and all other nuisance noise. Both Simonside & Rekendyke and Beacon & Bents have the highest concentration of complaints (20% of the total Borough's complaints) with the Long Streets accounting for 31% of the ward total and the Beach Road area.

Table 7 shows the areas of noise complaints heat mapped within South Tyneside with the orange and red areas showing the highest levels. The Long Streets and Beach Road areas are both within areas of high noise complaints. Further interrogation of the data for the borough on the whole suggests that there is clear correlation between the higher levels of noise complaints correspond with high concentration of flats.

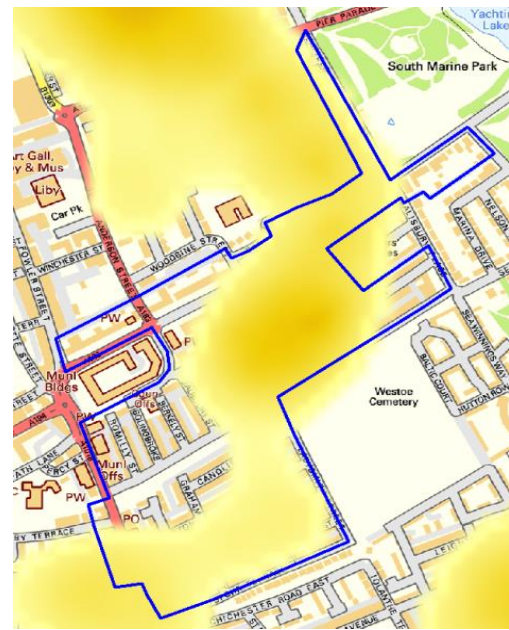
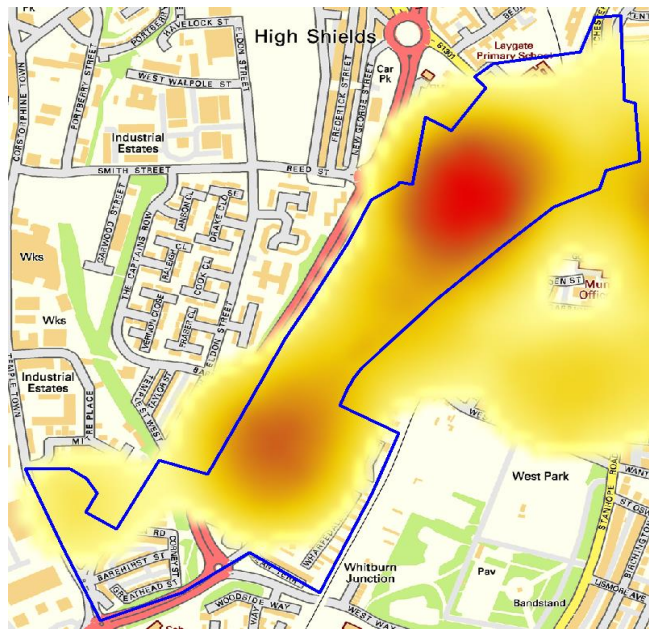
Figure 13 – Noise Complaints



## WASTE

In the 5 years between 2014 and 2018 there were 2,658 reports of waste. This includes rubbish, litter, fly tipping and general waste and 11% of the Borough wide waste complaints were within the two proposed selective licensed areas. While only making up 34% of properties in the ward, the Long Streets area is the origin of an alarming 80% of all of the waste complaints in Simonside and Rekendyke.

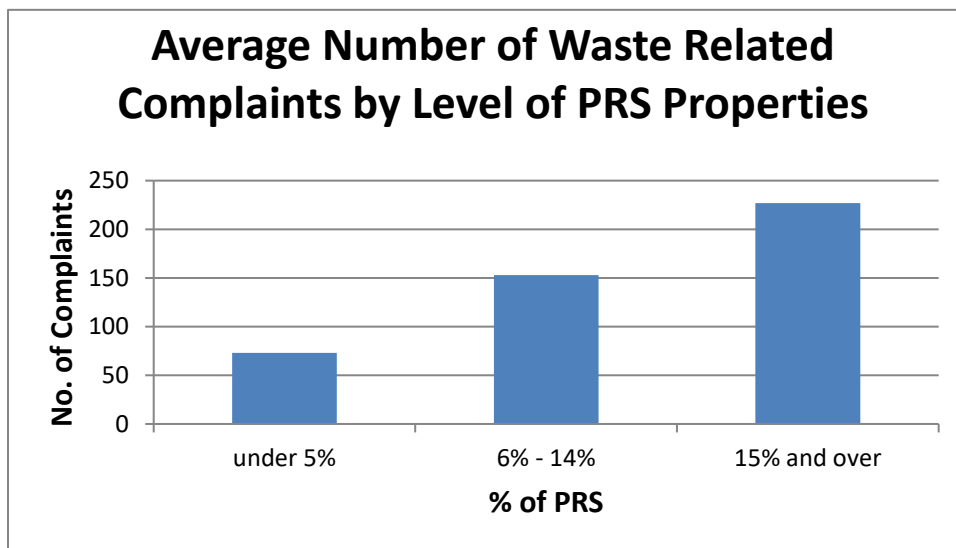
Figure 14 – Waste Complaints



The heat maps show the intensity of waste related complaints within the two areas. It is plain to see that there are higher rates in the Long Streets with particular focus on Eglesfield Road and Temple Street. On the whole the Beach Road area has a lot more visibility with regards to the proximity to South Shields Town Hall and it also provides free on-street parking for people accessing the seafront and therefore might act as a deterrent for any potential fly-tipping incidents due to increased footfall.

Over 50% of all fly tipping in Simonside & Rekendyke occur in the Long Streets area, whereas in Beacon & Bents, 12 (28%) of 43 happened in the Beach Road area. In the Long Streets there is also noticeably more reports of refuse in the outdoor space of properties, 202 (83%) in total. Figure # shows that there is also correlation between increased number of complaints and

higher levels of PRS properties. Areas with 15% and over PRS had an average of over 219 complaints whereas areas with under 5% PRS properties averaged 3 times less than that (73).



#### DOG FOULING

Another factor to consider is dog fouling which can often be seen as a blight on a streetscape especially in areas where there are very little green areas such as those being considered as part of this selective licensing proposal. There were 1,822 complaints relating to dog fouling between 2014 and 2018, and 30% of these are in areas that have over 15% PRS properties. Both the Beach Road and Long Streets areas have the highest reported incidents in relation to the total number of properties.

Much like problems with waste, littering and fly tipping, the visual impact of dog fouling is often a blot on residential areas. On housing estates that have houses that often have rear gardens facing each other this is not such an issue. However, in the likes of Westoe, Beacon & Bents, Simonside & Rekendyke and West Park, there are a high level of Tyneside flats whose backyards face onto back lanes. These back lanes attract ASB, dog fouling, and fly tipping with their lack of visibility that usually would come with properties front facing on to street scene.

#### OTHER FACTORS

As already mentioned above this proposal is made on the grounds of poor property condition and a significant and persistent problems caused by anti-social behaviour. However, we do believe that Selective Licensing will also contribute to other factors impacting on the private rented sector.



## DEPRIVATION

---

The proposed licensing scheme does not intend to designate on the ground of deprivation but the high levels of deprivation within the Selective Licensing area has a significant effect on tenant and licence holder's attitudes and actions.

When considering deprivation, it is recommended that the local housing authority consider the following factors:

- the employment status of adults;
- the average income of households;
- the health of households;
- the availability and ease of access to education, training and other services for households;
- housing conditions;
- the physical environment; and
- levels of crime

South Tyneside is ranked the 113<sup>th</sup> most deprived local authority (of 326) in England and is covered by 102 Super Output Areas. Of these areas, 22 are in the top 10% most deprived in the country, and 48 in the top 20%.

The Beach Road area is made up of 70 post codes and is split across 5 LSOAs. It is therefore difficult to get a clear picture of deprivation in the proposed scheme area. In terms of overall level of deprivation the area is not in the top 20% most deprived. By using a pro-rata system, 4.5% of properties within the area are in the top 10% of the most deprived LSOAs, however this is likely due to two of the LSOAs including the relatively newly built Westoe Crown Village.

All 5 LSOAs feature in the top 20% of most deprived areas for the Health and Disability indicator

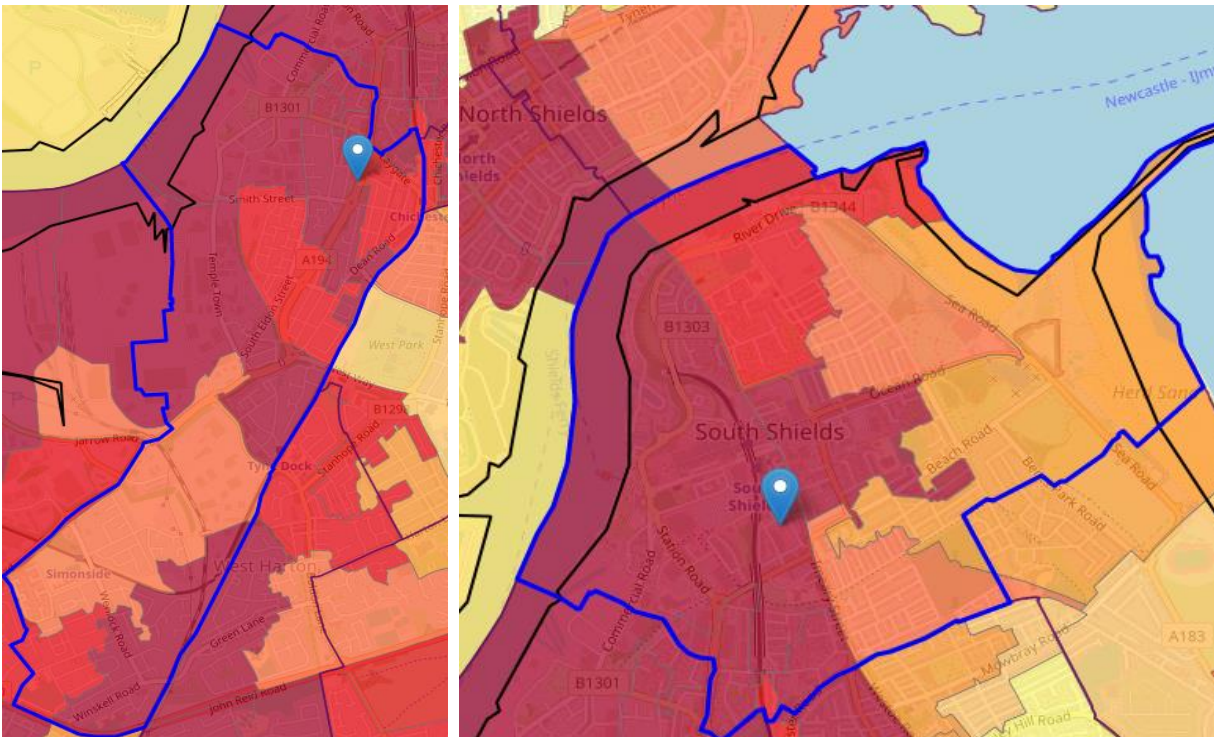


Figure 16 - IMD2015 Overall (darker coloured areas are more deprived) showing Simonside & Rekendyke and Beacon & Bents

which identifies areas with relatively high rates of people who die prematurely or whose quality of life is impaired by poor health or who are disabled, across the whole population. This exacerbated by the ethnic profile in the area, of which 16.6% is black, Asian and minority ethnic, who traditionally have cultural issues with accessing healthcare and often have more health problems especially in later life.

## HOUSING MARKET

The proposed licensing scheme does not intend to designate on the ground of current (or future) low demand, high levels of properties for sale or to let within the Selective Licensing area have a significant effect on tenant and licence holder's attitudes and actions.

Over the past 10 years the sales of flats in the Borough has stagnated with the average sale price in 2009 being between £75,000 and £100,000. In 2019 this average had dropped to between £50,000 and £75,000. As the majority of properties in both areas (40% in Beach Road area and 55% in the Long Streets) are flats it is clear to see that both areas are greatly affected by lower market values. The Beach Road area has slightly different offer with regards to flats and terraced properties meaning more variation and value in the market. The Long Streets, however, suffers greatly from a street upon street of Tyneside flats (or 2 flats converted into terraced houses) that struggle to sell for anywhere near the average of flats across the Borough or in neighbouring wards.

Both areas also suffer from properties that have been used in part exchange deals on nearby new housing schemes. These will drive down property values as developers, or agents acting on their behalfs, struggle to sell properties and therefore end up selling at auction. This then causes its own problems with landlords 'buying blind' at auction with the hope of making cheap rental profits. This again can add to a spiral of decline with regards to the property market as for sale / to let boards go up which can turn people away.

Other factors that affect the local market in Beach Road are the prevalence of HMOs in the area which are licenced separately but can, when coupled with ASB / crime, cause pockets of hard to sell / let properties. With the Long Streets the housing tenures in the area, while providing a diverse property landlord offer, can and do cause issues with liability / responsibility for tenants, and associated problems in the area.

## 6. THE SCHEME IN PRACTICE

The Council is very much committed to ensuring that the introduction of Selective Licensing delivers meaningful improvements to both the way homes are managed and housing conditions within the area. Once the designation is in force, every privately rented property (house, flat or room) unless already licenced as a House in Multiple Occupation (HMO) will require a licence to operate in the area and landlords will be responsible for making an application to the Council for a licence in the usual way.

As such it is our intention to ensure that all licensable properties are inspected as a matter of routine as part of the application process. The purpose of these inspections is both to ensure that properties meet required standards and provide a good opportunity to provide advice and assistance to landlords.

### APPLICATION PROCESS

#### *Applications*

All aspects of the administration of the licensing application process, including the undertaking of inspections and the provision of general advice to support landlords through the whole

process will be undertaken by a dedicated Licensing Officer. Fee income from licence fees shall be used to cover the additional costs incurred by the Council in employing this officer.

Currently the Licencing Team use the M3PP system to register licences for a variety of services, including taxi's, HMOs and gambling establishments. It is our intention that the same system, with modifications, will be used to process licences for this scheme. Applications will be made using the on-line application system and that the only supporting documentation that will be required at the application stage is a copy of the Gas Safety Certificate, if there is a gas supply to the property. This will speed up the application process and reduce the likelihood of incomplete applications being submitted and having to be returned.

If landlords are unable to make an on-line application, then the Council will provide support to those applicants to enable them to make the application. When speaking to neighbouring local authorities, the vast majority of landlords were able to successfully make their application on-line. For those landlords who are unable to do the application on-line and they will receive support from a dedicated Licencing Officer and, to deal with the initial anticipated increased Technical Support Officers in South Tyneside Council's Resilience Team to complete their application.

### ***Compliance***

The Licencing Officer will undertake scheduled property inspections and desk-based audits of licence holder's management standards, prioritising inspections for higher risk licenced landlords, problem neighbourhoods and intelligence lead inspections.

There will be flexibility with this however, and additional resource could be utilised from Environmental Health and Resilience within Development Services to undertake more compliance checks.

### ***Enforcement***

It is anticipated that the introduction of Selective Licensing is likely in the short term to increase the level of housing related enforcement activity within the area. Enforcement may be needed where landlords either fail to licence their properties or fail to comply with licence conditions. With this in mind wider issues regarding poor housing conditions or wider issues with antisocial behaviour are likely to be brought to the attention of the Council as an outcome of the licensing regime. The Council sees the proactive identification and tackling of these problems as a much needed and positive outcome of the process. Where such enforcement action is needed (for example in relation to identified category one hazards within a dwelling) then this shall be taken forward by Environmental Health via the existing housing enforcement policy. It shall not be the role of the Licencing Officer to enforce such issues.

## *Support*

National evaluations undertaken on the merits of Selective Licensing highlight that the key to the delivery of successful schemes is the need for close and integrated partnership working between key agencies, particularly the Council and the Police and the Fire and Rescue Service. In addition, successful schemes tend to be those supported by a wide range of organisations (including health, social care and voluntary sector support providers) who can feed into 'problem solving' relating to vulnerable or chaotic individuals within the area.

At the local level the infrastructure and arrangements to support this strong partnership approach are already in place through the work of the Area Management Team in South Tyneside Homes. Their strong links with the Neighbourhood Policing Team in the area should enable better joint responses to identified issues.

The Council also recognises that a tenant's behaviour is equally as important as a landlords in securing improvements within our local communities. We therefore intend to work closely with occupiers to ensure they understand their responsibilities as a tenant and as local residents. As already highlighted, Licensing Officer will provide an increased local presence within the designated areas, which will allow them the opportunity to get to know and build up relationships with residents, with the aim of increased information sharing and the identification of issues/concerns. The property inspection visit will also provide an opportunity to discuss tenant responsibilities as detailed in their tenancy agreement (i.e. expected behaviour, reporting of repairs, refuse storage and disposal etc.) as well as offering any general and specific support required to ensure the tenant can successfully sustain their tenancy.

A key focus of that team is to shift resources away from responding to problems as they arise to dealing with issues in a planned and proactive way, using a joint problem solving approach. One of the key aims of the team is to improve the physical appearance of the area and the quality of the housing in the area, in particular to encourage effective management of properties in recognition of the correlation between poor quality housing and wider issues such as deprivation and crime. The introduction of Selective Licensing supports this approach.

## LICENCE CONDITIONS

A licence is valid for up to 5 years or the length of the period of designation. Every licence will have a set of conditions which the licence holder will be required to comply with. There are certain mandatory conditions which the Council must include in the licence. For example, if gas is supplied to the property, a licence holder would have to produce an annual gas safety certificate obtained within the last 12 months. The Council has discretion to add other

conditions. A copy of the licensing conditions proposed for South Tyneside selective licensing area is given in appendix 2.

## FEE STRUCTURE

The Council will need to charge a fee to cover the running costs of the scheme which will allow for the full delivery of the scheme while balancing with reasonable costs for landlords. The fee has been calculated on the principles set out in the toolkit created by the Local Government Association in 2006.

At the initial application stage a fee will be taken for the processing of the application. On granting of the licence a further payment would then be taken. A set of draft licence conditions has been drawn up (see appendix 2). These conditions include both mandatory and discretionary elements that support the Council's aspirations for the area. Conditions shall be finalised following feedback from the consultation process. A copy of the proposed consultation process has been attached in appendix 3).

All aspects of the administration of the licensing application process, including the undertaking of inspections and the provision of general advice to support landlords through the whole process will be undertaken by a dedicated Licensing Officer. Fee income from licence fees shall be used to cover the additional costs incurred by the Council in employing this officer.

The exact licence fee cannot be determined until consultation has been completed and the details of the scheme are confirmed. However, it is estimated that Selective Licence will cost £550 per property. The fee will be split into 2 parts. The first part payable at the time of application (£150), and the second part to be paid once the licence has been granted (£400).

The Council is also proposing to offer a range of discounts to landlords where certain circumstances apply. These include:

- Discounts for Accredited Landlords (applied where a landlord is a Member of the National Landlord Association's accreditation scheme;
- Payments spread evenly over the 5 years, allowing a reduced financial burden;
- Early Bird Discounts (applied to all applications received with all completed documentation received within 3 months of the date of commencement of the scheme); and
- Multiple Property Discount (applied to all second and subsequent licence applications).

Levels of discount to be offered will be finalised following the consultation process and shall depend on the scale and scope of the overall scheme.

The Council is also proposing the following range of additional charges. These include:

- Late Application Fee (applied to any application which is received after 6 months from the date of commencement of the scheme); and
- Incomplete Application Fee (applied where a landlord has failed to provide certificates, and/or any requested documentation).

Landlords who fail to apply or have a history of non-compliance will be issued a 1-year licence. This will ensure non-complaint landlords are more closely regulated. A full fee will be required each year when a licence renewal is required. If the property changes hands and the new owner intends the property to be rented out a fee of £80 will be charged to the new licence holder.

## 7. CONCLUSION

The evidence in this report demonstrates that the legislative criteria have been met to implement the proposed Selective Licensing Schemes. The introduction of the scheme will help to secure the future of the PRS as being a key element of housing choice in South Tyneside. The scheme should increase regulation of privately rented properties meaning that minimum standard of property has been achieved. This will therefore mean that where a landlord/property fails to meet licenced standards, strong and appropriate action will be taken to resolve issues. Overall the housing market in the areas will improve and, more importantly through the licencing, the reputation of the PRS will also increase. As a result of this more people will trust in the quality of these properties and have faith in proper enforcement where appropriate.

It is intended that Licensing will also;

- Establish clear minimum management and property standards;
- Make Landlords and Agents more accountable;
- Improve communication with landlords/agents;
- Make it easier to identify poor landlords;
- Empowers tenant to act where landlord/agents are failing to meet the required standards;
- Reduce levels of complaints which draw on Council services;
- Reduce ASB and crime by landlords taking greater responsibility how they manage their properties, including the behaviour of their tenants;
- Raise the standard of tenant's behaviour as unacceptable behaviour is dealt with consistently and appropriately; and
- Strengthen the Borough's reputation for good quality housing attracting new people to the city.

## 8. APPENDICIES

### APPENDIX 1 – PROPOSED LIST OF ALL THE STREETS INCLUDED IN THE SCHEME

#### BEACH ROAD AREA

---

Anderson Street (Church House only)  
Beach Road  
Beethoven Street  
Belgrave Terrace  
Bents Park Road (No. 2 & 8)  
Berkely Street  
Bolingbroke Street  
Bright Street  
Broughton Road  
Burleigh Street  
Candlish Street  
Dale Street (No. 157 (Flats 1 to 3))  
Derby Terrace (No. 1 to 2)  
Dunelm Street  
Eastbourne Grove  
Eleanor Street (No. 61 to 72)  
Elizabeth Street (No. 1 to 2)  
Erskine Road  
Graham Street  
Handel Street  
Hyde Street  
Ladysmith Street  
Lyndhurst Street  
Marine Approach  
Mozart Street  
Robinson Street (No. 2 & 4)  
Romilly Street  
Rosa Street  
Salisbury Place (No. 1, 2 to 16 even)  
Salisbury Street  
Seafeld Terrace  
Seaview Terrace  
Selbourne Street  
South Woodbine Street



Spohr Terrace (odd only)  
Sydenham Terrace  
Tennyson Street  
Westoe Road (No. 12 to 34 even, 35 to 80, 81 to 109 odd)  
Wharton Street  
Wouldhave Street

## **LONG STREETS AREA**

---

Alice Street  
Barehirst Street  
Barnes Road  
Beaufront Terrace  
Bertram Street  
Chichester Road (No. 1 to 109 odd, 2 to 90 even)  
Corney Street  
Coverdale Walk  
Dacre Street  
Dean Road (No. 212 to 450 even, 207 to 379 odd)  
Dean Terrace  
Derwentwater Terrace  
Devonshire Street  
Eglesfield Road  
Gilbert Street  
Greathead Street  
John Williamson Street  
Johnson Street  
Laygate (No. 158 to 178 even, 277 to 339 odd)  
Malvern Street  
Marshall Wallis Road  
Milton Street  
Reed Street (No. 30 to 61)  
St Judes Terrace  
St Marys Terrace  
Shakespeare Street (No. 2 & 4)  
South Eldon Street (No. 255 to 311 odd, 376 to 418 even)  
South Frederick Street  
Temple Street  
Thornton Avenue

West George Potts Street  
West Stevenson Street (No. 1 to 3)  
Wharfdale Drive  
Whitehead Street (No. 1 to 19)

### **Selective Licensing Conditions under the Housing Act 2004**

The licence holder and the manager together with any person who has agreed to be bound by the licence conditions must comply with these conditions:

1. If gas is supplied to the house, produce to the local housing authority annually a gas safety certificate obtained in respect of the house within the last 12 months.
2. Keep electrical appliances and furniture made available in the house in a safe condition.
  - a. Supply to the authority, on demand, with a declaration as to the safety of such appliances and furniture.
3. Ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation, (including a bathroom or a lavatory).
  - a. keep each such alarm(s) in proper working order.
  - b. supply the authority, on demand, with a declaration as to the condition and positioning of such alarms.
4. Ensure that a carbon monoxide alarm is installed in any room in the house (including a hall or landing) which is used wholly or partly as living accommodation (including a bathroom or a lavatory) and contains a solid fuel burning combustion appliance.
  - a. Keep any such alarm in proper working order.
  - b. supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm
5. Supply all occupants of the property with a written statement of the terms under which they occupy it.
6. Demand references from persons who wish to occupy the house before entering into any tenancy, licence or other agreement. The reference must be kept for the duration of the licence.

#### **Property management**

7. Ensure that inspections of the property are carried at least every 6 months to identify any problems relating to the condition and management of the property. The records of such inspections should include details of who did the inspection, the date, and any issues raised and then kept for the duration of the licence. In the event a payment of rent is missed, a visit must be made to the property no later than one month from the date the payment was due, to ensure that the property is secure and has not been abandoned.

8. Ensure that any complaint made in writing about disrepair or pest infestation is actioned and any necessary works carried out. As far as is reasonably practical, emergency works required to protect the security of the property should be carried out within 24 hours. Ensure that all repairs to the house or any installations, facilities or equipment within it are to be carried out by competent and reputable persons and that they are completed to a reasonable standard.

9. If the Authority has reasonable grounds for believing the electrical installation may need repair or upgrading it may demand a Periodic Electrical Report carried out by a suitably qualified electrical contractor who must be registered/member of an approved body such as NICEIC, NAPIT, etc. or registered to undertake electrical works in accordance with Part P of the Building Regulations. This report must be no more than 5 years old and deem the electrical installation to be in at least a satisfactory condition.

10. Ensure the fire detection system is tested and maintained in accordance with manufacturer's instructions and BS 5839-6:2013

11. Ensure, as far as is reasonably practical:

a. the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.

b. all outbuildings, yards, forecourts and gardens surrounding the house are maintained, in repair and kept in a clean, tidy and safe condition and free from infestations.

12. Ensure that the Authority is informed in writing, within 14 days, the following changes:

a. Any change in ownership or management of the property

b. Any change in the licence holder or management contact details

13. Ensure that all monies in respect of the licence fee are paid to the Council within 28 days of a licence being issued.

#### Tenancy Management

14. Ensure tenants are provided with:

a. A copy of the licence and conditions

b. Written information about arrangements in place to deal with repair issues and emergencies should they arise, including name of the licence holder or managing agent with contact details (include an emergency contact telephone number) and the expected timescales for a response.

- c. Written information on arrangements for the storage and disposal of waste to include specific detail about bins, collection days and information about the disposal of bulky items such as furniture.
- d. Copies of manuals/instructions for installations and equipment provided including any burglar alarm.
- e. Copies of the gas and electrical safety certificates and the EPC

15. Ensure that the tenants right to quiet enjoyment of the property is respected. If entry is required to the property, the tenant should receive at least 24 hours' notice in writing explaining why the entry is required.

16. The licence holder shall protect any deposit taken under an assured short hold tenancy by placing it in a statutory tenancy deposit scheme. The tenant must be given prescribed information about the scheme being used at a time when the deposit is taken.

#### Managing anti-social behaviour (ASB)

17. Take all reasonable and practicable steps for preventing and dealing effectively with anti-social behaviour, including ensuring that any future written statement of the terms and conditions on which the house is occupied contains a clause holding the occupants responsible for any anti-social behaviour by themselves and/or their visitors. The Licence Holder must ensure that all occupants are aware of the existence of this clause.

18. The Licence Holder and/or his manager are required to undertake an incremental process of investigation of any complaints which have been made either directly to them, or via the Local Authority, regarding their occupiers. For the purposes of these conditions, anti-social behaviour is taken to comprise behaviour by the occupants of the house and/or their visitors, which causes or is likely to cause harassment, alarm, distress, nuisance or annoyance to other occupants of the house, to anyone who visits the house, including communal areas, or to persons residing in, visiting or working in the locality of the house.

19. Copies of warning letters sent / notices of seeking possession served on the tenants of the property for breaching tenancy agreements and causing antisocial behaviour should be kept for the duration of the licence.

20. The Licence Holder must have written, detailed, tenancy management arrangements in place to prevent or reduce anti-social behaviour by persons occupying or visiting the property.

#### Fit and proper persons – licence holders and managing agents

21. The Licence Holder and his managing agent must inform the licensing team of the authority within 7 days of any changes in their circumstances as follows:

- a. Details of any unspent convictions not previously disclosed to the Local Authority that may be relevant to the Licence Holder and/or the property manager and their fit and proper person status and in particular any such conviction in respect of any offence involving fraud or dishonesty, violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003;
- b. Details of any finding by a court or tribunal against the Licence Holder and /or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business;
- c. Details of any contravention on the part of the Licence Holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her;
- d. Information about any property the Licence Holder or manager owns or manages or has owned or managed which has been the subject of a control order under section 379 of the Housing Act 1985 in the five years preceding the date of the application; or any appropriate enforcement action described in section 5(2) of the Act;
- e. Information about any property the Licence Holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the Licence Holder breaching the conditions of his/her licence;

22. Information about any property the Licence Holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004;

23. The licence holder must improve and maintain their knowledge and competency by keeping up to date with current housing issues and regulation to enable the effective management of their property and tenants. It is expected that licence holders will complete at least five hours training per year. Evidence of this must be available to the Authority upon request and could include attendance at:

- a. Training courses in relation to housing related matters
- b. Landlord Forums
- c. Presentations in relation to housing related matters
- d. Landlord Association meetings
- e. On-line training courses

**Notes**

“Authority” refers to the local housing authority, namely South Tyneside Council. All records referred to in the conditions must be provided to the Authority on demand within 28 days

## APPENDIX 3 – CONSULTATION PROCESS

The consultation programme will provide interested parties with detailed, accessible information on the proposal and provide a choice of methods for providing their views on the proposed scheme.

Concerns raised by all stakeholders through this consultation process will be accurately reported to the Council's Cabinet in order that due regard can be given and informed decisions can be taken in relation to the selective licensing proposal.

### *Requirements*

Section 80 (9) of the Housing Act 2004 states that before considering making a designation for Selective Licensing the local housing authority must:

- Take reasonable steps to consult persons who are likely to be affected by the designation; and
- Consider any representations made in accordance with the consultation.

In accordance with the legislation the Council will not consider representations which are withdrawn. Local housing authorities are therefore required to conduct a full consultation. This should include consultation with local residents, tenants and landlords and where appropriate their managing agents and other members of the community and local businesses who live or provide services in the proposed designated areas and surrounding areas.

### *Communications Process*

Consultation should be to the scale, scope and nature of the project that is being completed. The communication process proposed by the Council will be informative, clear and concise so that the selective licensing proposal is easily understood. As this is a consultation, it may result in changes to the Council's Selective Licensing proposal.

In order to ensure meaningful consultation the Council will:

- Publish a detailed paper outlining the reasons for the proposal, this will include by way of an example; the method used to identify the proposed licensing areas, the components of the fee structure, the proposed license conditions and any potential impacts;
- Ensure there is ongoing dialogue with consultees throughout the consultation process;
- Make sure that each interested party has the opportunity to respond to the consultation;



- Ensure the method of consultation suits the various interested parties, for example we will use formal written consultation and facilitate briefings and face to face meeting opportunities; and
- Make sure that the information provided and the perspectives, concerns and issues raised during the consultation process are analysed and duly considered in the final design and implementation of any selective licensing scheme taken forward.

Consultation will take place using the following methods:

- South Tyneside Council website <https://www.southtyneside.gov.uk/selectivelicensing> and other social media (Facebook, Twitter);
- South Tyneside quarterly newsletter which is delivered to all households in the Borough;
- Mail drop to all residents, businesses and other stakeholders within the proposed selective licensing areas and/or in the surrounding areas outside of the proposed designation who may be affected or who are likely to consider that they live in the same locality as the proposed scheme;
- Direct mail-out to landlords, managing/letting agents who have properties in the proposed selective licensing areas and/or in the surrounding areas outside of the proposed designation who may be affected or who are likely to consider that they live in the same locality as the proposed scheme;
- Engagement sessions: with landlord and managing/letting agents;
- Drop-in's / briefing sessions for stakeholders and residents in the proposed selective licensing areas;
- Direct mail-outs to partner agencies (including for example, Northumbria Police, Tyne & Wear Fire and Rescue Service, Registered Providers and other potential stakeholders);
- Press releases (and the use of social media) as a means to engage with the wider community, businesses both inside and outside of the borough;
- Information sharing with local ward councillors and Members of Parliament (including 1-1 briefing sessions); and
- South Tyneside Council Intranet to inform employees.

All documents including the proposal paper, the proposed fee structure and the draft licence conditions, details of the consultation process will be published on the Council's website and promoted to key groups utilising the methods outlined above.