

Contents

| | |
|--|----|
| Introduction | 5 |
| Northumberland profile..... | 5 |
| Blyth Profile..... | 7 |
| Croft ward | 8 |
| Selective licensing | 9 |
| Selective licensing, a co-ordinated approach | 10 |
| Private Sector Housing Strategy for Northumberland 2021-2023 | 10 |
| Housing strategy for Northumberland | 11 |
| Empty homes | 12 |
| Accreditation..... | 13 |
| ICCQ (Improving Croft and Cowpen Quay) | 14 |
| Landlord steering group..... | 15 |
| Landlord Engagement..... | 15 |
| Action under Part 1 of Housing Act 2004 (the Act)..... | 15 |
| Dealing with Statutory Nuisance and Noise | 16 |
| Environmental Enforcement..... | 16 |
| Public safety..... | 17 |
| Police initiatives in the area..... | 17 |
| Blyth better together | 17 |
| Meeting council objectives. | 18 |
| Possible alternatives | 19 |
| Aims and outcomes of the scheme..... | 22 |
| Risks involved in the scheme. | 22 |
| Empty Homes..... | 22 |
| Rent increase | 23 |
| Homelessness | 23 |
| Landlords could move out of the area..... | 23 |
| Landlords could be reluctant | 23 |
| Increase in costs for “good” landlords | 24 |
| The Proposal | 25 |
| Identifying private rented properties. | 26 |
| High proportion of private rented | 27 |

| | |
|--|----|
| Evidence for criteria..... | 27 |
| Deprivation | 27 |
| Housing conditions..... | 29 |
| Unemployment | 30 |
| Average income | 30 |
| Qualifications and education | 30 |
| Child poverty..... | 30 |
| Health..... | 30 |
| Fuel poverty | 30 |
| Empty Properties | 30 |
| Antisocial behaviour | 32 |
| Illegal evictions/landlord harassment..... | 32 |
| Crime..... | 32 |
| Summary | 34 |
| Key delivery principles | 36 |
| How will landlord licensing help? | 37 |
| How would the scheme work? | 38 |
| Penalties..... | 40 |
| Cause for concern test. | 41 |
| Compliance and Enforcement Strategy | 41 |
| Consultation plans | 44 |
| Application Process..... | 46 |
| Appendices..... | 46 |
| Appendix 1 | 46 |
| What is a selective licensing scheme | 46 |
| Designation of selective licensing areas | 47 |
| Appendix 2 | 50 |
| Proposed street list..... | 50 |
| Appendix 3 | 51 |
| Fees and fee structure | 51 |
| Appendix 4 | 52 |
| Property Standards. | 52 |
| Fire safety and smoke detection..... | 52 |
| Carbon monoxide detection | 53 |
| Legionella | 53 |
| Refuse | 53 |

| | |
|--|----|
| Bedrooms..... | 53 |
| Kitchen and Bathroom Facilities | 54 |
| Space Heating | 54 |
| Energy Efficiency | 55 |
| Condensation and mould..... | 55 |
| Security | 55 |
| Gas Safety..... | 56 |
| Electrical Safety | 56 |
| Safety of Furniture and Furnishings | 56 |
| Appendix 5 – Tenancy management | 58 |
| Advertising and Viewing | 58 |
| Referencing | 58 |
| Tenancy Agreement..... | 59 |
| Tenancy Deposits | 59 |
| Protecting your Tenant’s Bond/Deposit | 59 |
| How to Rent Guide..... | 60 |
| Tenancy Sign Up..... | 60 |
| Inventories | 60 |
| Information given to tenants | 61 |
| Energy Efficiency Measures | 61 |
| Appendix 6 - During the Tenancy..... | 62 |
| Communication..... | 62 |
| Rent..... | 62 |
| Tenancy Disputes | 62 |
| Repairs, Maintenance and Property inspections..... | 63 |
| Priority 1 – Emergency Repairs | 63 |
| Priority 2 – Urgent Repairs..... | 64 |
| Priority 3 – Non-Urgent Repairs..... | 64 |
| Waste Management | 64 |
| Water, Electricity and | 64 |
| Fire Safety and Carbon Monoxide Safety | 65 |
| End of Tenancy..... | 65 |
| Viewings and Inspections for re-letting..... | 65 |
| Pre-end of Tenancy Visits..... | 66 |
| Utility Bills & Inventory | 66 |
| Returning Deposits..... | 66 |

| | |
|---|----|
| Untenanted/Empty Properties | 66 |
| Appendix 7: Code of Conduct and Fit and Proper Person Test..... | 68 |
| Fit and Proper Person Test..... | 68 |
| Appendix 8 – Tackling ASB | 69 |
| Tackling Anti-Social Behaviour (ASB) | 69 |
| Appendix 9 – Statement of support from Northumbria Police. | 70 |

Introduction

Northumberland profile

Northumberland is England's northernmost county bordering Scotland to the north, it is home to 320,274 people and covers an area of 5,013km², 97% of it's area is classed as rural and it sparsely populated with 63 people per km². The most populated area being that of Blyth where 9% of the population is based.



The county of Northumberland is very diverse with areas of incredible natural beauty, including Kielder Forest Park and Northumberland National park to the West and North of the County, pristine beaches to the East and Ex mining villages and industrial towns around South East Northumberland.

Northumberland is an area of extremes, there are areas that are particularly affluent and pockets of areas that are in deprivation. By looking at the index of multiple deprivation rankings, Northumberland contains several wards that are some of the least deprived areas of the UK including Darras Hall and Ponteland countering this, it also contains some of the most deprived areas in the UK, the most deprived area in Northumberland is the Croft ward within Blyth.

The private rented housing sector in Northumberland, has, as with most other places seen a significant growth over the last few years. As with all places across the UK there has been a significant rise in people renting privately,

Of Northumberland households, 16.4% rented privately in 2021, up from 13.3% in 2011.

In 2021, just over one in six households (17.8%) lived in socially rented housing, compared with 18.7% in 2011. The percentage of Northumberland households that owned their home (outright or with a mortgage or loan) decreased from 65.8% to 65.2%.

The increase in the percentage of privately-rented homes was greater across the North East (3.6 percentage points, from 13.7% to 17.2%) than in Northumberland (3.1 percentage points). Across England, the percentage increased by 3.6 percentage points, from 16.8% to 20.5%.

Private renting in Northumberland increased by 3.1 percentage points 2021

| Classification | Percentage in Northumberland |
|---|------------------------------|
| Owens outright or with a mortgage or loan | 65.2% |
| Shared ownership | 0.4% |
| Social rented | 17.8% |
| Private rented | 16.4% |
| Lives rent free | 1.8% |

Source: Office for National Statistics – 2011 Census and Census 2021

Blyth Profile

Blyth is a town and civil parish in southeast Northumberland, England it had a population of 39,734 in the 2021 Census. It lies on the coast, to the south of the River Blyth.

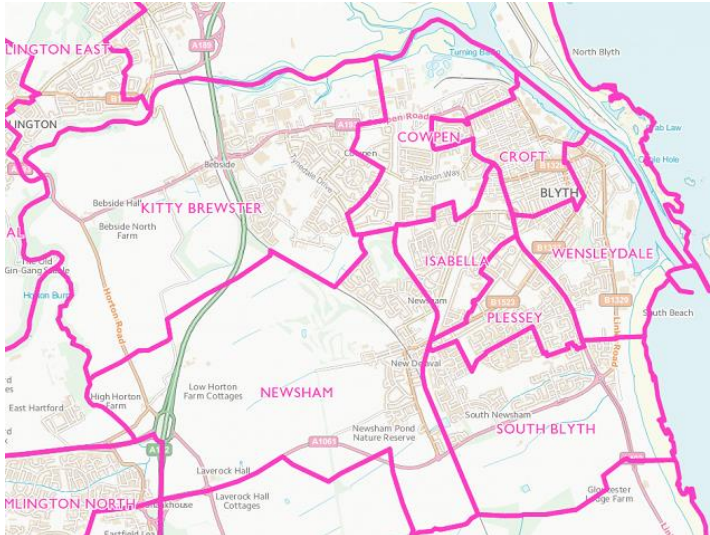
Modern Blyth was formed in the 18th century on the back of coal mining, ship building, fishing and the rail industries. It borders the river Blyth and features a deep water port, this port was once described as one of the busiest ports in England due to its shipping of millions of tons of coal, it was home to a large center for shipbuilding and featured six coal collieries.

Since the late 1960 with the closure of ship building and coal mining there was a rapid decline in heavy industries, this led to high levels of unemployment and poverty within the area.

Recently, there has been significant regeneration in the area and this has begun attracting some larger schemes and businesses to the area. Blyth plays a significant role in the UK's renewable energy industry, it's port has received over 100 wind farms which will then be transported to various sites within the country. It houses energy central and offshore renewable energy catapult, over the years there has been investment in shopping, including the shopping centre and market square. This, however is also in need of further investment and has recently been awarded funding from the department of levelling up to regenerate Blyth Town Centre. Blyth is currently in development of a new rail station that will further open links to Newcastle and other towns and was also awarded funding to tackle empty homes through Deep Dive Blyth.

Croft ward

Blyth itself is comprised of 8 wards: Kitty Brewster, Cowpen, Croft, Isabella, Wensleydale, Plessey, Newsham and South Blyth.



The Croft Ward specifically takes its name from the Croft, which was a large open space within the town that was used for various public events and gatherings. The Croft was also the site of the town's market, which was an important hub of commerce and trade.



For selective licensing, we have chosen the area of croft ward, shown in the above map.

Croft is one of the most socially deprived areas in Northumberland and in fact the country, it was ranked number 133 out of roughly 34,000 when looking at

the most deprived places in the UK. This puts it in the most deprived 1% across income, employment, education, health and crime.

It has high levels of private rented sector properties and a low housing demand, additionally, this area suffers from significant levels of anti-social behaviour and envirocrime, such as graffiti, flytipping etc. and crime, these will be explained further within the proposal.

Selective licensing

Selective licensing is a scheme whereby all landlords in the designated area must apply for a licence before they are able to rent out their property, it used by councils to address the impact of poor-quality private landlords and anti-social tenants. It has primarily been developed due to the need to tackle these problems in areas of low housing demand; that suffer from significant and persistent anti-social behaviour.

The key deliverables of selective licensing schemes are:

- an improvement in housing standards and
- a reduction in anti-social behavior.

Schemes that cover more than 20% of the Council's geographical area or include more than 20% of private dwellings in their area will require prior approval from the Secretary of State.

According to the 2021 census there are 24,128 privately rented properties across Northumberland; Croft ward has a population of 4,726 across 1km², there are roughly 1,372 tenures of these PRS makes up 524 of them and so the scheme will cover 2% of private dwellings in the local authority area and as such does not need approval from the secretary of state.

The scheme will be delivered by the private sector housing team within Northumberland County council.

Selective licensing, a co-ordinated approach

To improve standards, the council considers that the proposed scheme designation will be the most effective way to improve and regulate housing conditions, management, and occupation of the privately rented properties within the area, however, it is important that this is one of the many tools which the council uses to improve standards and works alongside these.

In making a selective licensing designation, the local authority must take into the following under section 81 of the 2004 Act:

- (a) ensure that it exercises its power to designate consistently with its housing strategy and
- (b) seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour, both as regards (i) combining Part 3 licensing with other available courses of action and (ii) combining Part 3 licensing with measures taken by other persons.

Further, it must not make a Part 3 designation unless:

- (a) it has considered whether there are any other courses of action available to them that might provide an effective method of achieving the objectives that the designation would be intended to achieve, and
- (b) it considers that making the designation will significantly assist it to achieve the objective or objectives

There are several measures already in place across Croft ward that look to raise standards of living, some of these are as follows:

Private Sector Housing Strategy for Northumberland 2021-2023

Most residents in Northumberland (83%¹) live in properties that are privately owned or privately rented. The council can support homeowners, private landlords and private tenants to understand and achieve the benefits of a warm and safe healthy home by:

- Providing advice and assistance to those most in need.

¹ Figure taken from the National Census 2021

- Repairing or improving a property will have an overall positive impact on personal health and wellbeing.
- Provide advice and support and act where necessary for homeowners, landlords and tenants in the private sector
- Work with private landlords to bring their properties up to a decent standard and assist with renting out the property through Northumberland's Private Sector Accreditation scheme
- In order to support landlords in their management responsibilities as well as ensure that properties are of a good standard, we have a voluntary accreditation scheme called PLAN, here we carry out inspections of properties to ensure they meet the requirements needed in order to provide good quality, safe homes.

Awareness of rights and obligations is relatively poor across the private rented sector in Northumberland, One reason for this could be due to a section of small-scale landlords taking a passive approach to their role and remaining in relative ignorance of the legal framework they are operating in. As well as this, letting a property through a letting or managing agent is not always a guarantee that the property will be managed any better.

Many households in private rented properties are not aware of their rights and obligations as tenants which can lead to people living in substandard housing, for example, if they are not willing to make a complaint on property conditions to their landlord for fear of facing retaliatory eviction. This combination can lead to poorer property conditions, unchallenged inadequate management standards and illegal evictions.

[Housing strategy for Northumberland](#)

The Housing Strategy for Northumberland 2019-2022 outlines the Council's vision, priorities and ambitions for housing, including aspirations for housing growth, working with local communities to enable them to grow and thrive.

The housing strategy states: "Having a decent roof over your head is fundamental to this health and well being. None of you should be forced to live on the streets, or in a "home" that is a health hazard or physically impedes independence"

Property licensing will encourage a greater interaction with landlords and help meet the goals of the housing strategy, the conditions imposed as part of licensing will help to ensure that properties are effectively managed, preventing

long term problems associated with antisocial behaviour caused by private tenants.

The associated inspections of properties will ensure that poor property standards are identified and challenged, also that inadequate EPC standards are acted upon. It will also offer the opportunity for engagement with tenants, providing more of a chance for support to be offered outside of tenancy issues and being able to sign post to other services for help and guidance.

Part of the housing strategy for Northumberland incorporates amongst other priorities, the need to make better use of existing housing stock. By supporting landlords to bring their properties up to standard, decreasing the antisocial behaviours and supporting tenants we hope to increase the desirability of the area and in turn encourage landlords to invest in properties within the area and increase the numbers of liveable properties.

Empty homes

Northumberland has a relatively high proportion of vacant dwellings, with 12,180 out of the 159,000 dwellings in the area this was recorded as of the Census 2021 (including over 2,300 long-term empty homes), representing a 7.7% vacancy rate (compared to the England average of 2.6%). This has increased from 6.7% when the last national census was completed.

Empty and derelict properties are a wasted resource that could be better used to relieve homelessness and address housing needs. Empty homes can also have a negative impact on their surrounding communities. Consequences of long term empty properties can include attracting crime, thereby reducing the value of neighbouring properties, being an eyesore, costing time and money to local authorities and being costly for the owner to maintain.

There are clear economic and social benefits in overcoming these problems by returning empty homes to occupation. To address these issues in Northumberland a number of initiatives are currently being delivered by the Private Sector Housing team, these are:

- Empty Dwelling Management Order (EDMO) - Using EDMO powers 30 long term empty properties will be brought back into use. The Council will then manage the property for a period of up to seven years
- Purchase and Repair Scheme - Under this scheme 5 properties that have been empty for more than six months will be purchased, repaired and

managed by the Council. As part of our drive to meet housing demand, achieve sustainable communities across the county and secure lifetime homes we will work to ensure the best use of existing homes across all tenures in the county.

- When appropriate we will use statutory enforcement powers to enforce the legislation to improve housing standards and ensure the health, safety and welfare of all private sector tenants
- We have secured funding as part of Deep Dive Blyth, which is part of the energising Blyth scheme. Using this funding we are looking to employ a dedicated team looking at empty homes in Blyth.

Increase access to affordable homes in the private sector by bringing empty homes back into use We need to make the best use of Northumberland's existing housing and ensure that it is contributing effectively to meeting our communities' housing needs. This involves empty homes becoming re-occupied to provide additional affordable housing of all types and tenures and increasing the choice of housing available particularly in the private rented sector. Some degree of turnover in any housing market is normal but long-term empty homes can attract problems such as fly tipping, vandalism and arson. These properties can be a blight on our community as well as a wasted housing resource.

Our approach will be to work alongside owners of empty homes with a solution based approach, tailored to individual circumstances and property location, to support and encourage voluntary action.

Following changes made in 2021, the council tax rates are directly related to the length of time the property is empty and increase due to this.

In April 2020 the Council made significant changes to Council Tax rules which could make an impact on the number of empty properties in Northumberland. Where a property remains unoccupied and substantially unfurnished for more than two years an additional premium of 100% will be charged, meaning that the Council Tax bill will be 200%, this will rise to 300% after five years. From April 2021 any property that has been empty for more than ten years will be liable to pay 400% Council Tax. By working alongside empty homes

[Accreditation](#)

In 2022 Northumberland council launched the new accreditation scheme, Property and Landlords Accreditation Northumberland (PLAN). This is a free and

voluntary scheme for landlords, it requires that landlords achieve a certain property and management standard in order to reach accreditation status.

The aims of this scheme are as follows:

To recognise and encourage the landlords in the area who are prepared and able to provide decent quality accommodation.

To improve the standards of the private rented sector.

To improve liaison and communication between landlords and the council.

To give tenants the confidence that they are renting a property which is safe, secure and well managed.

Within the scheme properties are inspected and accreditation lasts for 3 years, the property must be available for reinspection every year. Part of this inspection is to ensure that they are safe, free from category 1 hazards, have an efficient heating system and suitable fire precaution systems. The landlord is also checked alongside the fit and proper person guidelines.

– Since the scheme was launched in December: there have been 97 properties accredited.

Since April 2022 37 Empty homes brought into use 18 Rent Deposit Guarantees offered

The RDGS is a scheme to support people on low income with the costs of moving, here we provide a virtual deposit to meet the costs of a deposit. As part of our accreditation scheme, landlords are offered a one year membership to NRLA.

[ICCQ \(Improving Croft and Cowpen Quay\)](#)

The ICCQ is a dedicated resident led charity that works within the neighbourhood of Croft and Cowpen Quay. It is a partnership involving residents and several other organisations aiming to improve the local area, this is chaired by the local councillor for the area and the local police force.

It includes representatives from the council including private sector housing, environmental health, waste management. Also present are the social housing providers in the area including Karbon homes, the national recovery partnership, horizons which provides housing to those in crisis and offers long term recovery focussed support to sustain tenancies and Silx which is a youth project situated within Blyth town centre.

This group meets bi monthly and the main function of this is to improve the area through co-ordinated action of the providers in the area and generate ideas on how to continue this improvement. Housing is a key issue, for the area, a housing sub group has been created to better deal with issues relating in housing In the area. The group are updated regularly about the proposal for the selective licensing scheme.

Landlord steering group

We currently run a landlord steering group, this gives landlords a chance to have their say in strategy and policy implemented by the council and in turn suggest any new interventions/schemes that they feel would be beneficial and air their concerns about ones in place or suggested. In this way we can engage with good landlords and receive honest and useful feedback of the wider community.

Landlord Engagement

The private sector housing team regularly interacts with local landlords, the team hosts frequent landlord forums and a yearly conference. The team also provides advice and support for landlords to assist them and whilst they have developed good relationships with landlords and agents in the local area, this is primarily used by those landlords who are able to manage their properties effectively, meaning those that do not are missed with this contact.

The support is on hand to help landlords in understanding their responsibilities and to aid compliance with the conditions of any licenses, with support available from the Environmental health Team to assist landlords to deal with problem tenants and anti-social behaviour.

Action under Part 1 of Housing Act 2004 (the Act)

The Council's environmental health Team are able to take formal action under Part 1 of the Act when serious disrepair or Category 1 hazards assessed under the Housing Health and Safety Rating System (HHSRS) are identified.

The type of action that can be taken includes serving Improvement Notices, Hazard Awareness Notices, Prohibition Orders or taking emergency remedial action.

Whilst these actions can be effective in securing property improvements, the Council only become aware of such problems when the tenants make a complaint.

The introduction of selective licensing will enable the Council to carry out proactive inspections of all properties within the proposed area, ensuring that poorly managed or unsafe housing conditions are identified and remedied, this will then in turn increase the standards of properties.

Licensing will also ensure that the Council is made aware of the person responsible for managing the property, thereby reducing the time taken to track down the liable party. Presently, this can be problematic and costly in terms of both time and resources, especially in the case of landlords who live out of area.

[Dealing with Statutory Nuisance and Noise](#)

The Environmental Health Team currently investigates complaints of statutory nuisance under the Environmental Protection Act 1990 and allegation of anti-social behaviour, nuisance complaints most often relate to noisy or anti-social neighbours.

Whilst the Council has powers under the 1990 Act to prosecute offenders or, in some cases, to encourage parties to participate in mediation to resolve ongoing issues, the resolution of noise and anti-social behaviour problems are most effective when the Council and landlords work together.

Selective licensing will, by making licences subject to conditions, compel landlords to take greater responsibility for the management of their properties and the behaviour of their tenants. This can encourage landlords to work with the PSH Team to help to resolve problems in a timely manner.

[Environmental Enforcement](#)

The Environmental Enforcement team deal with any issues that affect the environment such as dog fouling, litter, fly tipping, abandoned vehicles and accumulations of waste. They have the authority to issue Fixed Penalty Notices and Community Protection Notices to offenders and follow up with prosecution if required.

Any issues noticed by our own Officers or incidents received from members of the public are passed on to the Environmental Enforcement Officer to be dealt with.

Public safety

Our public safety team liaise directly with police and the local community to promote safety within the community, they have excellent links with community groups and provide proactive assistance where necessary to manage antisocial behaviour and help develop initiatives alongside the police.

Police initiatives in the area

The Blyth Better Together (formerly named ICCQ) partnership meetings are an extension of Project Aurora which was launched by Blyth Neighbourhood Policing team to support the re-energising Blyth project and improvements to the Town centre of Blyth.

Aurora is solely a policing response designed to tackle crime and anti – social behaviour, including retail crime, begging, drug use through the use of Policing and ASB powers such as Criminal behaviour orders, dispersal orders, Community protection notices and premises closure orders. Aurora continues but relies on community reports and information which allow us to adapt the initiative to meet the concerns of the community.

Blyth better together

Blyth better together is a partnership approach to addressing some of the long running issues affecting quality of life for the community. Blyth better together seeks to map out, support and maximise existing services and provision within the town under the categories of Substance misuse, Housing, Anti Social behaviour and Retail crime. These categories were decided upon following consultation with residents and businesses within the area as the things that concern the community the most.

The aim of the partnership approach is to maximise services available to the community and to identify community assets and support them so that they too can contribute to the community.

Meeting council objectives.

To complement the existing schemes and initiatives the council already has, we believe that selective licensing, as will be evidenced later on in the report will help achieve the following outcomes:

- The licence conditions will improve the standards of poorly managed properties, this includes ensuring that ASB is treated appropriately resulting in an improvement in the area and a reduction of crime.
- It will assist in improving the visual aspect of the property and the area by putting greater emphasis on ensuring that properties remain clean, free from rubbish and that waste is dealt with quickly and appropriately.
- It will increase the presence of staff in the area, enabling people to feel more confident in speaking to our teams and reporting ASB and property disrepair. This will allow earlier intervention into problems.

Possible alternatives

Both the Housing Act 2004 and guidance issued by the Department for Communities and Local Government requires the Council to consider whether any alternative means would be effective, instead of licensing, to address the problems the Council has identified.

The guidance -Selective licensing in the private rented sector: “A guide for local authorities (March 2015)” states: The local housing authority must show:

- it has considered whether there are any other courses of action available to them that might provide an effective method of achieving the objectives that the designation is intended to achieve, and;
- how the making of the designation will significantly assist the local housing authority in achieving its’ objectives (whether in conjunction with those other measures or otherwise).

Above we have discussed a number of measures which are already in place, we do not believe that these alone or collectively are able to tackle the problem of ASB and deprivation in the Croft area. The following section shows the strengths and weaknesses of the different options.

| Initiative | Strength | Weaknesses |
|--|--|--|
| Accreditation | It helps to improve property standards and management practices | It is a voluntary scheme and so landlords must actively seek out the support. There are a relatively low number of landlords involved in the scheme and only one is within the Croft area. |
| Use of Part 1 Housing Act 2004 enforcement powers [HHSRS] and Public Health powers | Formal notices can require improvements to be carried out. Non-compliance with a notice can result in | Landlords do not have to be proactive in fixing issues, meaning the scheme is reactive and issues have to be reported before they |

| | | |
|---|---|--|
| | <p>Councils carrying out work in default or prosecution.</p> <p>Most effective when used alongside licensing</p> | <p>can be improved. Tenants are often hesitant to complain, especially vulnerable tenants.</p> <p>Part 1 powers do not enable regulation of how the property is managed.</p> |
| Use of prosecutions and civil penalties | <p>Prosecutions generally only taken when landlord fails to engage.</p> <p>Landlords are criminalised for offences</p> <p>Ensures financial benefit gained from offence is reduced.</p> | <p>Process can be slow and complex</p> <p>Fines awarded vary greatly. Majority are under £5000</p> <p>Successful prosecutions do not themselves secure improvements in housing conditions and the Council's prosecution costs are often not met in full.</p> <p>Does not drive behaviour change. Some rogue landlords who have been prosecuted commit further offences</p> |
| Use of ASB powers under Crime and Policing Act 2014 | <p>Effective for dealing with a range of anti-social behaviours.</p> <p>Can be used to deal with tenant and landlord behaviour</p> <p>Can be used to specify positive requirements to mitigate future ASB</p> | <p>Used to respond and deal with existing ASB. Do not require proactive management or action or drive behaviour change</p> |

| | | |
|--|---|--|
| <p>ICCQ</p> | <p>Effective for bringing together different housing providers and agencies involved in supporting the wider community.</p> <p>Provides a good opportunity to discuss wider concerns in the area and develop a group strategy to tackle issues</p> | <p>Opportunities for managing specific issues is limited.</p> <p>Issues arising rely on tenants proactively raising concerns.</p> |
| <p>Landlord steering group</p> | <p>It provides a platform for landlords to raise concerns and provide input into matters affecting the wider community.</p> <p>Supports individual landlords in managing their tenancies correctly.</p> | <p>It is not mandatory and therefore unlikely to provide the opportunity to engage with landlords who manage their tenancies poorly.</p> |
| <p>Joint working with Community involvement groups Heart of Blyth Energising Blyth</p> | <p>These allow a direct link with members of the community to raise any concerns they have around housing and crime in the area.</p> <p>Supports tenants in being heard and allows for them to report concerns and get advice around their rights and responsibilities as a tenant.</p> | <p>It relies on tenants actively seeking out support and raising concerns.</p> |

Aims and outcomes of the scheme

The aims of licensing are two part, firstly to see a reduction in antisocial behaviour in the area. Secondly, we aim to reduce the level of deprivation.

This will be accomplished by increasing the standards of living in the area within the private rented sector, this will in turn have a positive effect on the health and well-being of residents. The aims of this scheme will help lead toward a more stable and cohesive community, improving the quality of life for residents in the area.

In order to achieve these aims, there are a number of objectives being proposed:

- Reduce the levels of antisocial behaviour in private rented sector,
- Improve property conditions,
- Prevent overcrowding in private rented properties,
- Improve the management of properties in the area,
- Support tenants to be able to manage their tenancy,
- Reduce problems leading to deprivation in the Croft area within PRS,
- Reduce the turnover of properties.

Risks involved in the scheme.

There are a number of risks associated with implementing a selective licencing scheme, these are discussed below.

Empty Homes

As Northumberland has a higher proportion of empty homes, there is a possibility that this will increase when licensing is implemented. The properties in the area already have a significantly reduced price and have a higher proportion of properties that do not meet HHSRS or EPC requirements.

It is likely that some properties will not meet the standard expected by licensing and so will be unable to be let out without improvement works carried out, due to the value of these properties being so low then it is possible that these will be left void in order to avoid the cost of licensing. This is further compounded by the number of landlords who own the properties that live outside of Northumberland.

In order to mitigate this, Northumberland council has a highly effective empty homes team, Northumberland council have already utilised empty homes management orders successfully and have brought back into use 15 properties

through this, the housing delivery team have also worked to purchase properties for sale in the area, these have been added to council stock and offered to people on the housing register. NCC also run an accreditation scheme, through these joint efforts 540 properties have been brought back into use. Northumberland council has received a package of funding through Deep Dive Blyth, the funding has been secured to develop a team targeting Empty homes in Blyth.

Rent increase

Properties in Croft area are in general advertised and let below market rent, they are predominantly occupied by people who are on either a low income or unemployed and claiming benefits. A significant rent increase would have a detrimental effect on those in the area, we will provide support and advice to landlords in the area throughout the scheme and generally have positive relationships with these to try and mitigate concerns, fears that may lead landlord to increase rents. We will try and manage this by keeping the fees associated with licensing as low as possible.

Homelessness

Homelessness is not as much of an issue in Northumberland than it is across other counties, the rate of homelessness across Northumberland was 1 in 9,705 – this place it rank 298th out of 350 local authorities, however, there is a possibility that homelessness will increase, we have robust support in place for those at risk of homelessness and offer a rent deposit scheme in order to support people to move into alternative accommodation.

Landlords could move out of the area

There is a chance that both good and bad landlords could move areas in order avoid licencing obligations, this could influence the housing market in the area. As part of the scheme, officers working within licensing will proactively engage with landlords both during and after the consultation in order to hear and address any concerns, it is important to work closely with landlords in the area especially with those landlords who provide good quality, well managed tenancies to ensure the negative impact on these is lessened.

Landlords could be reluctant

Landlords could be reluctant to continue letting their properties in the area. Landlords will have the chance to voice their opinions, we will be fully transparent with regards to the scheme including the planning behind it and

costs associated. We will be supportive of landlords within the area and open about the benefits of licensing.

Increase in costs for “good” landlords

Landlords could be concerned about a rising costs associated with renting properties within a selective licensing area, we would expect that landlords already renting properties within the area should have properties that meet the standards of accreditation as these are in line with safe homes standards with regards to property standards. This would ensure that no necessary extra costs are accrued to meet the property standards, we have ensured that the licensing fees are in line with local councils and are as affordable as possible, this is to ensure that costs are kept down for landlords. We are also offering a discount to landlords who are accredited and a bulk discount for landlords who own multiple properties in the area.

The Proposal



The proposed area for a selective licensing scheme in Croft ward Blyth is shown above. This has been delineated based on several key issues, including a high level of problematic private rented properties together with relatively high levels of anti-social behaviour. This area is part of the wider ICCQ area initiative.

The Housing Act 2004 introduced selective landlord licensing, it requires that councils meet a certain legal criteria when designating a scheme.

Part 3 of the 2004 Act allows for the licensing of residential accommodation falling outside Part 2 of the Act. The definition of “dwelling” under this part means a building or part of a building occupied or intended to be occupied as a separate dwelling; “house” means a building or part of a building consisting of one or more dwellings;

Part 3 applies to a house if:

it is in an area that is for the time being designated under section 80 as subject to selective licensing, and

(a) The whole of it is occupied either: i. Under a single tenancy or licence that is not an exempt tenancy or licence under subsection (3) or (4), or ii. Under two or more tenancies or licences in respect of different dwellings contained in it, none of which is an exempt tenancy or licence under subsection (3) or (4). iii.

It is intended to address the impact poorly managed rented properties can have on the local environment and to improve housing conditions.

Part 3 of the Housing Act 2004 sets out the scheme for licensing private rented properties in a local authority area. Under Section 80 of the Act a local housing authority can designate the whole or any parts of its area as subject to selective licensing. Where a selective licensing designation is made it applies to all Part 3 houses falling within the designated area, other than certain specified exemptions.

The area must meet one or more of the following criteria:

- Low Demand
- Anti-social behaviour
- Disrepair, poor housing conditions
- High levels of migration
- High levels of deprivation,
- High levels of crime.

Identifying private rented properties.

In 2021, the national census was undertaken. Although not all the information has been released, some information has already been processed, this shows that there has been a substantial increase in the number of PRS properties across Northumberland. This is estimated to be around 16.4% increase of private rented properties in the area for which we have selected to carry out selective licensing.

We were able to gather the information on properties that would fall within the scheme using council data, including council tax information, benefits information as well as land registry as well as the EPC register

We also carried out visual survey of the area as well as obtaining information from the local police force.

We were also able to use the office for national statistics' middle super output areas (MSAO). The census defined geographical areas which provides us with a robust and stable area map through which we can carry out future research and reviews.

The area in question, Croft ward is made up of 2 MSAO's E01027415 and E01027416.

According to EPC data the majority of the properties in the area are terraced houses, these were constructed around the 1920's. There is also a small number of purpose built flats and bungalows.

High proportion of private rented

There is no statutory definition of what constitutes a "high proportion" and it is therefore open to the Council to make its own reasonable determination.

The national guidance states that:

"Nationally the private rented sector currently makes up 20% of the total housing stock, if it is more than 20%, the area can be considered as having a high proportion of privately rented properties."

As there is no central register to ascertain the amount of private rented housing the area, the estimation and location has required cross referencing from several different sources as below.

Council tax information – 524 (38%)

Census 2011 information – 482 (35%)

Energy performance certificates – 418 (30%)

All 3 of the sources used indicates that the proportion of private sector housing in the Croft area is well above the 20% mark indicated.

Evidence for criteria.

For the Croft area, we are looking at a designation under two of the criteria, ASB and deprivation.

Deprivation

Deprivation in an area refers to the lack of access to necessities such as housing, employment, healthcare and education.

Deprivation across Blyth is a significant issue, it has unfortunately attracted much publicity over the last year and has taken the title as the most deprived

town in the North East. Croft ward within Blyth was ranked 133rd across the deprivation index, this is out of over 32,000.

LSOA is a geographic classification used in the United Kingdom by the Office for National Statistics (ONS) and other government agencies. It is a small statistical unit used for the reporting and analysis of various socio-economic data.

LSOAs are designed to be relatively consistent in population size, typically containing around 1,500 to 3,000 residents. They are created by aggregating census output areas, which are the smallest geographical units used in reporting census data. LSOAs aim to provide a level of granularity for data analysis while maintaining privacy and confidentiality.

LSOAs are primarily used for statistical and research purposes, allowing for the analysis of various socio-economic indicators at a local level. They help in understanding patterns and disparities within and between different areas across the UK, such as income levels, educational attainment, health outcomes, and crime rates.

The **deciles** are calculated by ranking the 32,844 LSOAs in England from most deprived to least deprived and dividing them into 10 equal groups. LSOAs in decile 1 fall within the most deprived 10% of LSOAs nationally and LSOAs in decile 10 fall within the least deprived 10% of LSOAs nationally.

There are seven domains of deprivation, for this report we have analysed five, as follows:

- The **Income Deprivation** Domain measures the proportion of the population experiencing deprivation relating to low income. The definition of low income used includes both those people that are out-of-work, and those that are in work but who have low earnings (and who satisfy the respective means tests).
- The **Employment Deprivation** Domain measures the proportion of the working-age population in an area involuntarily excluded from the labour market. This includes people who would like to work but are unable to do so due to unemployment, sickness or disability, or caring responsibilities.
- The **Education, Skills and Training Deprivation** Domain measures the lack of attainment and skills in the local population. The indicators fall into two sub-domains: one relating to children and young people and one relating to adult skills.

- The **Health Deprivation and Disability** Domain measures the risk of premature death and the impairment of quality of life through poor physical or mental health. The domain measures morbidity, disability and premature mortality but not aspects of behaviour or environment that may be predictive of future health deprivation.
- The **Crime** Domain measures the risk of personal and material victimisation at local level.

In order to demonstrate the levels of deprivation across Croft ward a report was generated using the English indices of Deprivation, using the LSAO for Croft ward, this was taken in 2019.

The rank for each one of the deciles shown in the below table was 1.

| Income rank | Employment rank | Education, skills and training rank | Health deprivation and disability rank | Crime rank |
|---------------|-----------------|-------------------------------------|--|----------------|
| 95 (decile 1) | 125 (Decile 1) | 357 (Decile 1) | 910 (Decile 1) | 253 (Decile 1) |

*(For each measure, the LSOA with a **rank** of 1 is the most deprived and the LSOA with a rank of 32,844 is the least deprived.)*

As you can see in the table, Croft ward is consistently within the top decile for numerous categories, this puts it firmly within one of the most deprived places in the UK

Housing conditions

Information provided by our environmental health department showed that public protection served 31 enforcement notices on properties with reports of disrepair since April 2015. This is a higher-than-average record and shows the poor property conditions within the private rented properties., a higher percentage of complaints were received for premises in the Croft ward than any other ward in Northumberland. Although there is a significant higher level of reporting issues to do with property standards within the Croft area, it's thought that there is an under report of housing issues through out.

Although the accreditation scheme has been significant in increasing property standards across Northumberland, there is a lack of uptake across the Croft area, there has only been one property accredited in the area since the launch of the rebranded accreditation scheme "PLAN" in May 2022.

Licensing will allow the local authority to proactively target properties in the area as part of the inspections that will be carried out.

Unemployment

The unemployment rate of Croft ward in 2019 was 10.8%, this was the highest across Northumberland and is significantly higher than the average of the UK of 3.7%. The rate of children in low-income families across Croft ward is 41.9%, comparatively the rate for England is 20.1%.

Average income

The total annual income across the ward is £25,700, the average across Northumberland is £38,258 (This is across both full time and part time working) and the average for the UK is £33,000.

Qualifications and education

Across the ward, 42% of people have no qualifications, this is almost double the amount across Blyth which is at 28.9%.

Child poverty

The Child Wellbeing Indicator (CWI) measures the impact of crime on children. Only 1 in 6 of the county's wards are better than the national average, and the Croft ward is in the worst 1%, being 30th out of about 8000 wards.

Health

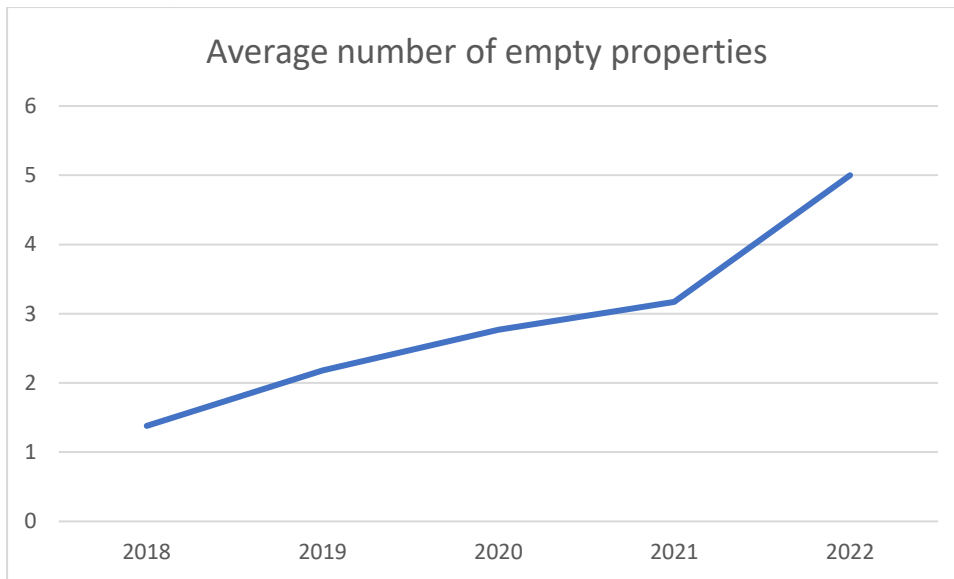
In the 2011 census, Croft ward shows that roughly 10.4% of people declared that they were in poor health. Of the 4,692 detailed in this ward, 90.3 reported that they provided unpaid care.

Fuel poverty

Fuel Poverty, the figure for Northumberland is around 13.6%. Comparatively the figure for Croft ward is significantly higher at 22.8%.

Empty Properties

You can see that the Croft area has had an increase in empty properties over the last 5 years.



Average number of empty properties across Croft and High pit.

According to current council tax data (July, 2023) there are 283 empty properties within the area of Croft, taking into account that there may be a delay in processing the beginnings of a new tenancy, we will only look at properties that have been reported to be empty for over a year, this leaves us with 214. There are 1318 properties documented in the area according to the same records.

There were 46 empty properties reported through 2022-2023 within the Croft ward, this is 3.6% of the properties in the area, a significantly higher proportion than the rest of Northumberland.

There has also been a steady decline in both new tenancies created and tenancies ended.

All of these figures highlight the lack of demand for properties within the Croft ward, painting a stark picture of the challenges faced by landlords and the local housing market as a whole. The persistently low demand not only poses significant hurdles for property owners and landlords seeking tenants but also raises concerns regarding property maintenance, declining standards, and the overall vitality of the community.

The following data is from Northumberland County Council complaints information.

Antisocial behaviour

Across the whole of Northumberland there were 31,955 reported cases of antisocial behaviour, Croft ward made up 259 of these. Whilst this figure may seem low Croft ward makes up less than 0.1% of the area of Northumberland.

The rate of antisocial behaviour within Northumberland is 99 per 1000 people, comparatively the rate of antisocial behaviour in Croft ward is 270 per 1000 people.

Illegal evictions/landlord harassment

Across 2017/2022 we received 90 complaints of illegal evictions throughout Northumberland, of these 14 were within Blyth. This is roughly 15% of all complaints, of these within Blyth, 26% (5) of these were within the proposed selective licensing area.

Crime

In considering whether an area suffers from a high level of crime, the authority should consider;

- Whether the area has displayed a noticeable increase in crime over a relatively short period of time, e.g. 12 months;
- Whether the crime rate is significantly higher than in other parts of the local authority area, or it is higher than the national average; and
- Whether the impact of crime in the area affects the local community and the extent to which a selective licensing scheme can address the problems. The licensing scheme must be part of a wider strategy to address crime in the designated area.

Information provided by Northumbria police shows that across Northumberland in 2022, there were 31,955 crimes reported. This gives us a crime rate of 99.73 per 1,000.

This can be compared with Blyth itself, which had 4,470, giving a crime rate of 113, of these 4,470 reported crimes over a quarter of these were reported from within the Croft ward.

Croft ward had a total of 1,279 crimes reported, giving a crime rate of 299. This is substantially higher than both Blyth as a whole and the rest of Northumberland.

| | Population | Crimes reported | Crime rate |
|----------------|------------|-----------------|------------|
| Northumberland | 320274 | 31955 | 99.73 |
| Croft Ward | 4726 | 1279 | 299.11 |
| Blyth | 39734 | 4470 | 113 |

| Type of crime | Number of offences/ Northumberland | Number of offences/ Croft |
|------------------------------|---------------------------------------|------------------------------|
| Violence and sexual offences | 11050 | 393 |
| Anti-social behaviour | 7223 | 259 |
| Criminal damage and arson | 3330 | 155 |
| Public order | 2873 | 154 |
| Other theft | 1994 | 122 |
| Shoplifting | 1854 | 64 |
| Vehicle crime | 1059 | 37 |
| Burglary | 1043 | 34 |
| Other crime | 637 | 18 |
| Drugs | 410 | 16 |
| Possession of weapons | 180 | 8 |
| Bicycle theft | 136 | 8 |
| Theft from the person | 101 | 6 |
| Robbery | 65 | 5 |
| Grand Total | 31955 | 1279 |

From the police stats above you can see that

Summary

Over time there has been a range of targeted interventions in the Croft/Cowpen Quay area all having some level of success, however, to date no action has been sustainable to ensure that the area recovers, or any noticeable improvements made.

These interventions are resource intensive and often only provide improvements in the short term. The private sector team works with private landlords to improve property standards, however, the lack of engagement with many landlords makes this intervention limited especially as there are no legal enforcement actions which can be taken to ensure the landlords cooperate.

Various time limited projects are currently ongoing in Blyth, using a targeted multi agency approach such as Safer Blyth Review and the Heart of Blyth regeneration project to deal with a range of local issues and to improve the look and viability of the town centre. Any planned improvement in the town centre would be more likely to succeed if the area of poor housing directly adjacent was also tackled. Licensing is also more likely to be effective if it forms part of a wider suite of community-based measures aimed at effecting change consistent with the aims and objectives of selective licensing, with a clear political will to support the scheme.

Having reviewed previous interventions, it is considered that the inclusion of selective licensing will help to deliver greater levels of improvement and meet the objectives in the Housing Strategy. Selective Licensing will provide a co-ordinated approach for strong effective partnerships that links agencies and services using a range of interventions.

Croft ward routinely comes in as part of the 10% most deprived when reviewing figures around deprivation, it is in fact ranked 133rd which puts it in the top 1% including Crime, education, employment etc. As shown by the figures above, it is an area that is frequently targeted by fly-tippers, graffiti.

It features several problematic empty homes and has a significantly higher level of antisocial behaviour than the rest of Northumberland.

It is an area where properties are well below the market rate, encouraging landlords out of the area to buy unseen for a quick investment leading to properties in inadequate condition that are poorly managed.

The evidence above shows that deprivation is very much a problem across Croft ward, it also has startlingly high levels of crime and antisocial behaviour

Deprivation is a hugely complex issue, it's something that becomes endemic within a community, it is pervasive and difficult to cure and is something that transcends housing filtering through to impact not just on living standards, but the mental and physical health of everyone within the community.

Together deprivation and ASB can create a cycle of poverty, social exclusion and deteriorating living conditions. As evidenced above, this leads to increased crime rates, reduced economic opportunities, decreased social cohesion and lower level of trust amongst community members.

This then leads on to poor physical and mental health, including higher rates of chronic illness, mental health disorders and substance abuse. ASB itself can cause fear and anxiety, making people feel unsafe in their communities.


Ultimately the combination of these two can damage the fabric of a community making it nearly impossible for its residents to thrive.

Selective licensing alone is not a cure, it is one part of a toolkit, working alongside the police, wider council schemes and departments including environmental health and should look to bring together social housing providers and other groups of interest whilst supporting landlords to be able to manage their properties effectively, the council along with its partner organisations and the police will work together by:

1. Tackling anti-social behaviour: Selective licensing requires landlords to meet specific standards regarding property management, maintenance, and tenant welfare. By holding landlords accountable for the behaviour of their tenants, the policy aims to address issues such as noise disturbances, drug-related activities, and other anti-social behaviours that can contribute to crime in a neighbourhood.
2. Promoting community engagement: Selective licensing often involves engaging with local communities, including residents, tenants, and landlords. This increased interaction can lead to stronger community ties and empower residents to work together to address crime and other issues. When neighbours know and trust each other, they are more likely to report suspicious activities and work collectively to maintain a safer neighbourhood.

3. Targeting problem properties and landlords: Selective licensing allows authorities to identify and monitor properties and landlords that have a history of poor management, neglect, or involvement in criminal activities. By imposing licensing requirements and conducting regular inspections, authorities can ensure that problem properties are brought up to standard, reducing the likelihood of criminal behaviour occurring within them.
4. Improving overall living conditions: Selective licensing aims to improve the quality of housing in designated areas, which can have a positive impact on residents' well-being. Research suggests that living in well-maintained and safe environments can reduce stress, enhance community cohesion, and deter criminal activities.
5. Enhanced tenant rights and welfare: Selective licensing often includes provisions to protect tenants' rights and welfare. It can require landlords to provide proper tenancy agreements, protect deposits, and address issues promptly. By enforcing these regulations, the policy helps to safeguard tenants from exploitative practices and improve their overall well-being.
6. Access to support and services: Selective licensing schemes can facilitate the identification and signposting of residents to support services and resources. By working closely with local authorities, community organizations, and social service providers, selective licensing can help connect residents to essential services such as housing advice, financial assistance, healthcare, education, and employment opportunities. Access to these resources can alleviate deprivation and improve overall well-being.

Key delivery principles

The licensing scheme key delivery principles are:  An online application form which is easy to complete and provides licence holders access to a web portal to manage their applications.

- Applications will be processed quickly and efficiently.
- To provide a clear set of licensing conditions setting out obligations under the scheme.
- Reduce ASB.
- Work with police and partner agencies to tackle landlords and managing agents who facilitate crime and/or ASB from privately rented properties.

- Work with police and partner agencies to tackle ASB and crime in privately rented properties.
- Work with police and partner agencies to support victims of ASB and crime in privately rented properties, included those exploited to perpetrate the crime and ASB.
- Inspections to:
 - Identify unlicensed properties
 - Carry out a range of enforcement action, as necessary and appropriate.
 - To support licenced landlords to manage their tenancies with landlord support and advice services, a dedicated tenancy sustainment officer and ASB officers.
- To promote the licensing standards to ensure tenants understand their rights and responsibilities.

How will landlord licensing help?

By using licensing, we can make a discernible difference in both crime, ASB and housing. We can take enforcement action against landlords who rent properties that are in poor condition ensuring that they are safe, secure and free from hazards as well as those who overcrowd their properties.

The conditions of the scheme will ensure that properties are well managed and hold landlords accountable for the behaviour of their tenants, we will support landlords to ensure that tenants behave in a way that is not harmful or disruptive to the community.

By doing this we will help improve the well-being of the people who live there and in turn have a positive effect on the local community, improving health.

By ensuring that property standards are of a better standard this opens the market for landlords, making the area more desirable for people to live in. We will ensure that landlords are aware of the importance of reference checking and that this is done prior to a tenant moving in and most importantly that landlords are aware of their responsibilities around ASB and that this is monitored with frequent inspections, good communication and a robust antisocial behaviour policy.

In order to demonstrate a good understanding of property management, landlords will be expected to sign a fit and proper declaration as well as submitting a management statement of how they plan to manage the

properties. This will ensure that from the very beginning landlords are aware of their responsibilities and that tenants have a safe, comfortable home free from harassment.

How would the scheme work?

When first applying for a license, the landlord will have to provide copies of start of tenancy necessities including CP12, EICR and portable appliance testing certificates. These must be kept on file by the landlord and retained for the length of the license.

The landlord should make note of the standards with regards to antisocial behaviour and submit a management statement for how they intend to manage antisocial behaviour prior to a tenancy beginning and how they would manage a tenancy where antisocial behaviour is an issue.

The management statement should also include details on how waste should be managed within the property, referencing what will be carried out and how any disrepair issues in the properties should be effectively prevented.

The landlord should inform the council when the property becomes empty and provide as part of the management statement how they will ensure the property is safe and secure when empty and how they plan to re-tenant the property to ensure that it does not remain empty for an extended period.

Prior to issuing of a license all properties will be inspected by a member of the private sector housing team to ensure that the property standards are being met and that they are safe and free of any Category 1 hazards as per the Housing health and Safety Rating System (HHSRS).

As and where needed, additional inspections will be carried out to ensure that the standards are upheld. The licence conditions will allow the council to provide support and guidance on how to ensure landlords are meeting their responsibilities, we will also provide support and guidance on the creation of management statements.

Landlords will be expected to ensure the properties are free from category 1 hazards, have full coverage with fire detection equipment and are safe, well presented. Appendix 5 provides the full proposed conditions,

During the consultation period we will welcome any comments and feedback to these.

Should the licence holder fail to comply with the conditions of licensing, guidance and support will be given to enable them to be able to effectively manage the tenancy and ensure that the standards are met.

Penalties

As selective licensing is mandated by law, consequences of operating without a license is a criminal offence. Failure to comply with this could lead to prosecution and an unlimited fine. In some cases, the council could also impose a civil penalty rather than proceed to court, this can be up to £30,000

In addition to the above, the council or tenant could apply to the residential property tribunal for a rent repayment order which would require that the landlord or agents refund the rent paid.

There will be a restriction on serving a section 21 possession notice (Form 6A) at any time whilst the property is unlicensed.

Should we come to believe that a landlord or managing agent have a previous poor management record, or who have failed in the past to comply with the Council's requirements to maintain and manage their properties may be unable to obtain a Licence, there is also the possibility that a one year license will be issued in place.

Should a landlord apply for a license, and they have already been subject to a notice served by the local authority under the provisions of the housing act 2004 or they own a property subject to an interim or final management order this would be taken into account when determining the suitability to manage a tenancy and further checks will be put in place as well as the possibility of serving a one year licence or refusing the application. In this case then an alternative person will need to apply to be the license holder, this would need to be someone independent of the owner. In the instance of a suitable license holder not being found then the council may take over management of the property by utilising an interim management order.

In order to manage the scheme, the Private sector housing team will maintain a zero tolerance approach when it comes to unlicensed properties or when the standards of the property or management are found. We will carry out proactive inspections for the length of the scheme and landlords maybe fined up to £20,000 per breach.

Cause for concern test.

This will be followed with regular updates on progress and success of the scheme. There will be a continued theme of empowering tenants, and for tenants and landlords to take responsibility for their actions.

Cause for concern test. Under Parts 2 and 3 the Housing Act 2004 the local authority may issue licenses for privately rented properties for a term of 5 years or less. Northumberland council will generally grant a licence for the maximum period. However, there may be circumstances where the Council has cause for concern and as a result determine a licence will be granted for a shorter period, such as 1 year.

Cause for concern would arise in circumstances where there is evidence that the persons involved have contravened housing, landlord and tenant law or other law and such contraventions conflict with the objectives of the licensing scheme. In these situations, licence applications will be considered on a case by case basis with full consideration of the relevant facts. In reaching any decision particular regard will be had to circumstances where there is a continuing breach of housing law or planning regulations.

Shorter licence periods may for example;

- allow the Council to monitor conditions and the management of a licence holder's property,
- enable the licence holder to seek regularisation of planning permission or building regulations approval.

Such matters would then be taken into consideration when determining the duration of any future licence. Intense regulation, enforcement and landlord support will be in place for the duration of a reduced licence period. This will allow the local authority to help improve management standards and ensure the necessary property and management requirements are being met.

Compliance and Enforcement Strategy

Compliant landlords will be allowed to manage their properties without hindrance and will benefit from the actions to tackle and if necessary, remove problem landlords from the private rented market.

Compliance and Enforcement Strategy Licensing aims to use licence conditions imposed under the Housing Act 2004 in combination with other measures, as mentioned earlier in this report, to contribute to a reduction in ASB.

We will target enforcement activity to ensure we focus on landlords who are acting unlawfully and exploiting vulnerable tenants. This approach is cost effective and will reduce the burden on good landlords. We will undertake property inspections and desk-based audits of licence holders' management standards.

Priority will be given to higher risk licenced landlords and properties.

We will focus on seeking out and undertaking unannounced inspections of unlicensed properties and those most likely to be in breach of legislation.

We will also coordinate with Police, HMRC and Immigration on joint operations to support partners' objectives. There will be additional support through dedicated legal assistance to ensure a consistent approach built through experience.

To meet the overall objectives, the licensing scheme will link with existing mainstream services and initiatives in the town. This will ensure actions are coordinated and demand is controlled. It will also help to identify and develop additional support.

A Support Team will include dedicated Tenant Support and ASB Officers, whose roles will be to help resolve issues before they become unmanageable. They will provide advice and support to both landlords and tenants, and where appropriate signpost to other relevant support services.

For example, for tenants this will include debt advice, conflict resolution, and social services. For landlords this will include training and advice to improve management practices. A well-resourced licensing team with strong links to existing services will also seek to change consistent poor behaviour.

By raising awareness of licensing, tenants will have a clear understanding of the minimum licensing standards and encourage tenants to report issues of non-compliance or mismanagement to their landlords and/or the licensing team. Where tenants are abusing their rights or causing ASB, licence conditions will be enforced to prevent them from simply moving from property to property and repeating inappropriate behaviour. A comprehensive two-staged

communications and marketing strategy will be developed: an early awareness campaign encouraging landlords to apply and supporting tenants to

Consultation plans

Section 80(9) of the Act states that when considering making a designation for selective licensing the local housing authority must :

- a) Take reasonable steps to consult persons who are likely to be affected by the designation; and
- b) Consider any representations made in accordance with the consultation and not withdrawn.

The minimum consultation period required for the designation to fall within the Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of other residential accommodation (England) General Approval 2015 is ten weeks.

We are proposing a 10 week consultation period.

Groups to be consulted include;

- National residential landlord association
- North East landlords association.
- Local managing agents
- Managing Agents
- Local estate agents
- Local businesses, service providers and residents
- Neighbouring local authorities
- Community groups
- Police
- ICCQ
- Other council services – environmental health etc
- Northumberland Landlord's Steering group
- Advance (not sure if need to name but they probably need to be mentioned)

The Council will send all properties in the designated area, as well as all letting agents. This will include a letter or email explaining the proposal, as well as a survey inviting feedback and comments to be provided. We will also ensure that every property within the scheme receives a letter informing them of the scheme.

The letter will include links to the Council's website where this full consultation document is available, and will invite landlords to complete the landlord questionnaire.

The Council will contact the NRLA, NEL directly by letter and where applicable, email.

The Council will arrange drop-in sessions for residents and landlords to be held at regular intervals throughout, the consultation period and at various venues throughout the borough.

Full details of where and when these sessions are to take place will be stated on the Council's website and via other promotional material.

The drop-in sessions will be informal, so landlords or other members of the public can call in at any time.

The sessions will be held so that landlords can find out more about the licensing proposal, ask any questions and provide any comments/feedback. Council staff will be on hand to answer any questions.

Occupiers, businesses and service providers in the proposed areas and in the immediately surrounding areas will receive a Mail drop: all properties in the immediately surrounding streets will receive an overview letter and a link to complete the consultation questionnaire online.

The letter will explain the licensing scheme and its potential implications.

The letter will encourage residents to visit the Council's website to obtain further information; and to complete the relevant questionnaire online.

The letter will also advise those interested to contact the Council for details of the drop-in sessions detailed above.

Application Process

Licence applications will be made on-line, and the application process will determine what type of licence, if any, is required. The first part of the fee will be required at the time of application together with supporting documentation. A desk-top assessment will be carried out to determine if the proposed licence holder is fit and proper and the length of the licence to be granted. It may be appropriate in some cases to carry out a property inspection before the licence is issued. The objective will be to issue the licence efficiently so that priority is given to ensuring compliance with the licence conditions.

The licence conditions place a duty on the landlord to be proactive in the management of their properties, including having documented procedures.

Appendices

Appendix 1

What is a selective licensing scheme

Licensing of houses to which this Part applies

(1) This Part provides for houses to be licensed by local housing authorities where—

- (a) they are houses to which this Part applies (see subsection (2)), and
- (b) they are required to be licensed under this Part (see section 85(1)).

(2) This Part applies to a house if—

(a) it is in an area that is for the time being designated under section 80 as subject to selective licensing, and

(b) the whole of it is occupied either—

(i) under a single tenancy or licence that is not an exempt tenancy or licence under subsection (3) or (4), or

(ii) under two or more tenancies or licences in respect of different dwellings contained in it, none of which is an exempt tenancy or licence under subsection (3) or (4).

(3) A tenancy or licence is an exempt tenancy or licence if **[F1]**—

- (a) it is granted by a non-profit registered provider of social housing,
- (b) it is granted by a profit-making registered provider of social housing in respect of social housing (within the meaning of Part 2 of the Housing and Regeneration Act 2008), or

(c) it is granted by a body which is registered as a social landlord under Part 1 of the Housing Act 1996 (c. 52).

(4) In addition, the appropriate national authority may by order provide for a tenancy or licence to be an exempt tenancy or licence—

- (a) if it falls within any description of tenancy or licence specified in the order; or
- (b) in any other circumstances so specified.

(5) Every local housing authority have the following general duties—

(a) to make such arrangements as are necessary to secure the effective implementation in their district of the licensing regime provided for by this Part; and

(b) to ensure that all applications for licences and other issues falling to be determined by them under this Part are determined within a reasonable time.

Designation of selective licensing areas

80 Designation of selective licensing areas

(1) A local housing authority may designate either—

- (a) the area of their district, or
- (b) an area in their district,

as subject to selective licensing, if the requirements of subsections (2) and (9) are met.

(2) The authority must consider that—

- (a) the first or second set of general conditions mentioned in subsection (3) or (6), or

(b) any conditions specified in an order under subsection (7) as an additional set of conditions,

are satisfied in relation to the area.

(3)The first set of general conditions are—

(a)that the area is, or is likely to become, an area of low housing demand; and

(b)that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, contribute to the improvement of the social or economic conditions in the area.

(4)In deciding whether an area is, or is likely to become, an area of low housing demand a local housing authority must take into account (among other matters)—

(a)the value of residential premises in the area, in comparison to the value of similar premises in other areas which the authority consider to be comparable (whether in terms of types of housing, local amenities, availability of transport or otherwise);

(b)the turnover of occupiers of residential premises;

(c)the number of residential premises which are available to buy or rent and the length of time for which they remain unoccupied.

(5)The appropriate national authority may by order amend subsection (4) by adding new matters to those for the time being mentioned in that subsection.

(6)The second set of general conditions are—

(a)that the area is experiencing a significant and persistent problem caused by anti-social behaviour;

(b)that some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take; and

(c)that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, lead to a reduction in, or the elimination of, the problem.

“Private sector landlord” does not include [F2a non-profit registered provider of social housing or] a registered social landlord within the meaning of Part 1 of the Housing Act 1996 (c. 52).

(7)The appropriate national authority may by order provide for any conditions specified in the order to apply as an additional set of conditions for the purposes of subsection (2).

(8)The conditions that may be specified include, in particular, conditions intended to permit a local housing authority to make a designation for the purpose of dealing with one or more specified problems affecting persons occupying Part 3 houses in the area.

- “Specified” means specified in an order under subsection (7).

(9)Before making a designation the local housing authority must—

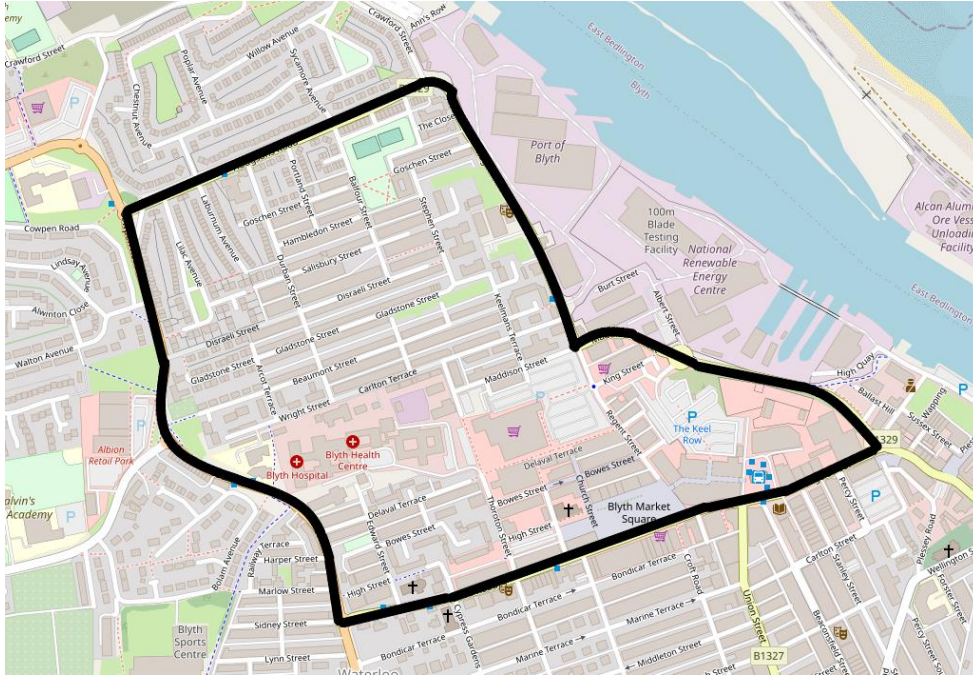
(a)take reasonable steps to consult persons who are likely to be affected by the designation; and

(b)consider any representations made in accordance with the consultation and not withdrawn.

(10)Section 81 applies for the purposes of this section.

Appendix 2

Proposed street list



Havelock Street
 Arcot Terrace
 Argyle Street
 Arthur Street
 Athlone Court
 Balfour Street
 Beaumont Street
 Bowes court
 Bowes Street
 Boyne Court
 Bridge Street
 Church Street
 Commercial Road
 Delaval Terrace
 Disraeli Street
 Durban Street

Edward Street
 Gladstone Street
 Goschen Street
 Grieve Street
 Hambledon Street
 High Street
 Hodgsons Road
 Keel Row
 Keelmans Terrace
 Kerry Close
 King street
 Laburnum Avenue
 Lilac Avenue
 Maddison Street
 Market Street
 Merton Square

Northumberland Court
 Parsons Street
 Portland Street
 Regent Street
 Salisbury Street
 Seaforth Street
 Silver Birch Close
 Simpson Street
 Summers Street
 Thompsons Street
 Thoroton Street
 Wanley Street
 Waterloo Road
 West Salisbury Street
 Wright Street

Appendix 3

Fees and fee structure

Fees for licence applications will be set by considering all of the costs in administering and carrying out licensing functions. Responsible landlords who cooperate with us straight away pay a lower fee than those who don't. The full proposed fees, charges and discounts can be seen below.

Fees

Licenses will last for a maximum of five years unless Northumberland Council has concern about the management, use and occupation of the property.

| Selective licensing fee | |
|-------------------------------------|--|
| Non-accredited | |
| Part 1 (application and processing) | £200 |
| Part 2 (enforcement) | £400 |
| Total | £600 |
| Accredited | |
| Part 1 (Application and processing) | £200 |
| Part 2 (enforcement) | £375 |
| Total | £575 |
| Late application fee | £250 |
| Discount for bulk licensing | £25 after the 3 rd property licensed. |

| Other fees and charges | |
|--|-------------------------------|
| Temporary exemption notice | £0 |
| Variation of existing license | £0 |
| Change of licence holder to new manager whilst the owner remains the same | £80 |
| Enforcement action under part 1 of the housing act 2004 relating to a licensing property (charges under s49 of the housing act 2004) | £250 per legal notice served. |

Appendix 4

Property Standards.

A licensed landlord shall ensure that any property under their control is maintained at the required standards in respect of freedom from hazards (Housing Health and Safety Rating Scheme –HHSRS) and completion of timely repairs. The standards are designed to be fair, reasonable and appropriate. The property standards are attached below. If a property does not meet the required standards, a schedule of works will be produced and agreed with the landlord.

The property standards take account of:

- Gas, electrical and fire safety
- Portable appliance testing (PAT)
- Provision of amenities: kitchen, bathrooms and WC's
- Security
- Furniture and furnishings
- Energy efficiency
- Condensation, mould and dampness
- Safety standards (window locks and restrictors, handrails etc)
- Property condition and decoration (external and internal)
- Outside space/gardens - clear of rubbish, not overgrown and of decent appearance

Fire safety and smoke detection

Single household occupancy up to four Storeys

Escape routes:

No requirement for a full 30-minute protected route but the escape route should have sound, conventional construction and should not pass through risk rooms. No requirement for fire doors, but sound, well-constructed and close-fitting conventional doors are required.

Fire separation:

No requirement for additional fire resistance, but walls and floors should be of sound, conventional construction. If a basement/cellar is present, 30-minute separation between the cellar and the ground floor escape route should be provided.

Fire detection and alarm system:

In accordance with The Smoke and Carbon Monoxide Alarm (England) Regulations 2015 one smoke alarm must be provided as a minimum on each storey of premises where there is a room that is used wholly or partly as living accommodation. Landlords must ensure the detector is in proper working order at the commencement of each tenancy.

Lighting of escape routes:

No requirement for emergency escape lighting, other than conventional artificial lighting.

Further information can be found in **Lacors Housing— Fire Safety Guidance**.

This document is the recognised guidance for fire safety in dwellings and gives further examples and scenarios. The document is freely available to download.

<https://www.cieh.org/media/1244/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf>

Carbon monoxide detection

Ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation (including a bathroom or a lavatory) and contains a solid fuel burning combustion appliance or gas boiler/appliance and keep any such alarm in proper working order.

Legionella

A risk assessment must be carried out for Legionella bacteria at the outset of each tenancy and thereafter maintain control measures to minimise the risk. Landlords can carry out this assessment themselves so long as you do not have water storage tanks, are competent to do so and maintain a written record.

Further information can be obtained at:

<http://www.hse.gov.uk/legionnaires/legionella-landlords-responsibilities.htm>

Refuse

Suitable wheeled bins for the storage and disposal of refuse must be provided at the property. The bins must be kept within the boundary walls and placed out on the day of collection and returned to the property once they have been emptied. Landlords must work with the tenant to ensure bins are not left outside of the curtilage of the property longer than necessary.

Landlords / managing agents must advise tenants of the arrangements for the collection of waste and provide information regarding recycling of their waste.

Bedrooms

Ensure that the property does not become overcrowded. Bedrooms may only be occupied by a certain number of people which is dependent on the size of

the room and the age and the gender of the occupants. Maximum occupancies will be assessed on a case-by-case basis and advice should always be sought if there is concern about occupation limits.

Kitchen and Bathroom Facilities

Facilities for the preparation, cooking and storage of food must be safely and conveniently laid out. The kitchen must be of adequate size for the number of occupants to ensure it can be used in safety. The following amenities must be provided:

- Adequate cupboard/drawer space for the storage of food and equipment.
- An adequate fixed work surface for the preparation of food, being non-absorbent and capable of being easily cleaned.
- A fixed sink comprising at least a bowl and single drainer within a base unit and provided with an adequate supply of hot and cold running water.
- Provision for the installation of a cooker, usually being a 30-amp electric cooker point or a gas point, with sufficient space available adjacent to the point for the fitting of an oven and hob.
- Walls adjacent to preparation and cooking area are to be capable of being easily cleaned.
- There should be sufficient space for the fitting of a refrigerator or fridge/freezer.
- All units and any appliances provided must be in good repair and in good working order.
- There should be an adequate number of suitably located electric power points for the safe use of kitchen appliances.
- Suitable means of mechanical extract ventilation should be provided to the kitchen and / or bathroom where there is evidence of condensation mould growth.

Space Heating

An Energy Performance Certificate (EPC) must be provided to tenants (and prospective tenants) prior to the making of a new tenancy agreement.

- Properties must be free from excessive draughts.
- All habitable rooms must be provided with adequate and suitable fixed space heating appliances or be heated via a controllable central heating system.

- Any central heating system must be economical to run (please contact the Accreditation for further information). If a hot water cylinder forms part of the heating system it must be properly lagged with a suitable jacket.

Energy Efficiency

The property will need to meet the minimum legal energy efficiency standards and evidence this with a valid EPC.

We would recommend any of the following energy efficiency measures;

- Double glazing
- Energy efficient central heating boiler.
- Cavity wall insulation
- Draught-proofing
- Radiator thermostats
- Low energy light bulbs throughout

Condensation and mould

Provide tenants with an information leaflet advising them of how they can reduce condensation and reduce the chances of mould growth from excessive condensation and be prepared to offer advice to them should there be an issue with condensation where it can be established that it is caused by lifestyle, (for example excessive drying of clothes on a radiator). Condensation and subsequent mould growth could also be due to a structural consideration, this must be explored, and improvements made following specialist damp advice. Fit suitable mechanical extraction ventilation to any bathrooms or kitchen that have suffered from excessive condensation and mould.

Security

The following must be provided to ensure the property is maintained in a safe and secure condition:

- All external doors and frames must be of sound construction and be well maintained and fitted with five lever BSI mortise dead locks, unless they are multi-point locking UPVC.
- The rear door (if any) must be fitted with a mortice lock in addition to a barrel bolt OR a shoot bolt locking mechanism.
- Window locks should be fitted to all ground floor and vulnerable first floor windows. Keys to window locks must be readily available to tenants at all times.

- All windows, first floor or above, with a sill below 800ml should have window safety catches fitted to prevent anyone falling out of a window, especially small children.
- A door viewer and/or door chain should be provided to the front door where there is not a suitable glass panel.
- The gate from the rear yard to the lane must be provided with additional security by fitting a slam latch lock or hasp and padlock and the keys provided to the occupiers.
- The rear boundary of the property must be maintained to ensure it is secure and in good repair at all times and, where fitted, lane gates/doors must be provided with a suitable locking device.
- Hedges and/or fences to the front must not provide a hiding place for intruders.

Gas Safety

All gas appliances must have a safety check carried out every 12 months by a Gas Safe Registered Engineer. A copy of the current certificate showing the installation has passed must be provided with the application form.

A record of this safety check must be given to tenants within 28 days or to a new tenant when they move in.

A copy of the safety check must be kept for at least two years.

Electrical Safety

Any alterations to the electrical system must be made in accordance with Part P of the Building Regulations and BS7671 2018 Requirements for Electrical Installations.

A satisfactory Electrical Installation Condition Report (EICR) must be carried out on the property every 5 years. Any works identified as unsatisfactory must be completed before the property can be rented out. If the property is already tenanted these issues must be rectified immediately. The landlord must carry out a visual inspection at the beginning of a tenancy and at least annually thereafter. This inspection should cover all electrical items including socket outlets, light switches and distribution boards. Arrangements must be made to rectify any defects immediately.

All white goods supplied by the owner must be PAT tested and clearly labelled with the date. This must be done before tenants move into the property.

Safety of Furniture and Furnishings

All furniture and furnishings provided by the landlord must meet the requirements of the Furniture and Furnishings (Fire) (Safety) Regulations 1988.

All new furniture must carry a permanent label describing the fire resistance of all the materials used. Unless a clause is included within the tenancy agreement this does not apply to the furniture provided by the tenant. Provision of furnishings and fittings which do not comply with the above regulations will be referred to Trading Standards and may result in legal action being taken against the owner, managing agent, and/or license holder.

Appendix 5 – Tenancy management

Advertising and Viewing

All property details must be reported accurately without misrepresentation to prospective tenants. Where a property is marketed at more than one source the details of the terms of the let should be consistent.

All prospective tenants will be granted an opportunity to view the property, with consent of existing tenants if required, prior to granting a tenancy. If, at the time of viewing, any works, refurbishment or new furniture are known to be required, those matters shall be recorded in writing and sent to the prospective tenants prior to signing the contract. A proposed list of the items to be provided will be available at all viewings.

Referencing

All landlords must obtain robust references for prospective tenants before they make a new tenancy agreement. The main purpose of referencing is to assist in the reduction of anti-social behaviour.

Landlords may be asked to provide evidence as to how the references have been obtained. Examples of information you will need from a prospective tenant will include:

- Current and previous addresses with landlord details from last three years (where applicable).
- Contact details including full name and dates of birth.
- Details of other persons who will be living with the tenant.
- Proof of identification.
- Proof of entitlement to remain in the UK

Other checks you may want to make are:

- Have they got written references from previous landlords or letting agents.
- Proof of employment.
- Whether or not they are a Local Housing Allowance (Housing Benefit) claimant.

All members of PLAN can access the free tenant referencing service for prospective tenants which includes previous housing history, affordability, crime and anti social behavior markers.

Tenancy Agreement

All tenants should be provided with a valid written tenancy agreement, detailing the terms and conditions of which they occupy the house. The agreement will contain details such as the length of the tenancy, rent payable, due date and include clauses regarding nuisances and anti-social behaviour.

Landlords must ensure that;

- They provide up to date tenancy agreements that use Plain English.
- Avoid using overlong and complicated contracts and comply with the Unfair Terms Regulations
- They act within the responsibilities contained within the agreement.

Tenancy agreement templates can be located at:

<https://www.gov.uk/government/publications/model-agreement-for-a-shorthold-assured-tenancy>

The NRLA also provide members full access to resources including tenancy agreement templates.

Tenancy Deposits

If a landlord is to request a returnable deposit it must be a reasonable amount, this can be no more than 5 weeks rent. The landlord should issue a receipt for any deposit taken. The tenancy agreement should contain details of when a deposit would be withheld, i.e., for rent arrears, damages, clearance and any other reasonable costs insecure to the landlord by the tenant's breach of tenancy agreement.

Protecting your Tenant's Bond/Deposit

Any bond or deposit must be protected by one of the government's nominated schemes within 30 days of receiving it from the tenant. If it is not protected within 30 days, a court order may be made requiring the tenant be paid three times the amount of the deposit and that the deposit is returned to the tenant or protected in a Scheme. Failure to protect a deposit will jeopardise possession proceedings using a section 21 notice.

After the deposit has been protected you must supply the Prescribed Information and comply with the Initial Requirements of the particular scheme that you use. The three Schemes have different rules and procedures that apply to them. These rules apply to anyone who receives a deposit and not just the landlord.

Further information regarding tenancy deposits schemes can be found at <https://www.gov.uk/tenancy-deposit-protection>

How to Rent Guide

At the outset of each tenancy, including tenancy renewals, the current paper copy of 'How to Rent' guide must be provided to all tenants. Failure to do so may invalidate a S21 notice.

A most up to date copy can be located at www.gov.uk/government/publications/how-to-rent

Tenancy Sign Up

A landlord will provide all necessary keys to the tenant on the first day of the tenancy.

A landlord will take meter reading from utility meters and provide a copy of the meter readings to the tenant.

Inventories

At the start of the tenancy, the tenant will be provided with an accurate inventory. This is so any disputes over the condition of the property, fixtures, fittings decoration and any furniture can be resolved easily at the end of a tenancy.

- An inventory will detail not only a list of furniture, fixtures and fittings but also provide a description of condition, decoration and cleanliness.
- The tenant should be given seven days to check and agree the inventory, particularly with regard to determining that appliances such as washing machines, ovens, showers etc. are in proper working order.
- The inventory will be checked and signed by both parties with each keeping a copy. Photographs are a useful method of verifying condition providing that they are clear. Any amendments to the inventory made during the year should be initialled or signed by both tenant and landlord.
- At the end of a tenancy, the landlord and tenant should check the condition of the furniture, fixtures and fittings against the original inventory and any photographs taken. This allows both parties to agree on the final condition of the property and its contents. Wear and tear should be considered. Contact will need to be made with the appropriate rent deposit scheme holder for any disputes over any proposed deductions.

Information given to tenants

A landlord must ensure that they provide the following details to each household: -

- The name, address and telephone number of the manager of the property.
- Instructions for using the heating system, the washing machine and any other gas and any electrical appliances provided
- Emergency contact numbers
- Response times on repairs (see Page 26)
- Suppliers of utility services and clarification on payment (top up card or bill)
- Refuse collection and recycling arrangements
- Copies of any standards which the landlord must, or has agreed to, comply with such as the code of conduct for PLAN or licence conditions if it is within a licensing area.

Energy Efficiency Measures

An Energy Performance Certificate (EPC) is to be provided to the tenant before they occupy the property. Failure to do so may invalidate a s21 notice. The certificate is valid for 10 years, but reinspection should be undertaken if any measures are carried out that will affect the rating during the ten-year term (The Energy Performance of Buildings (Certificates and Inspections) Regulations 2007, as amended). From 1 April 2020 all tenancies must be rated E or above.

Appendix 6 - During the Tenancy

Communication

Landlords must communicate clearly, promptly and informatively with the tenant on any matter that affects the property, its management and the tenant's safe and peaceful occupation of the accommodation.

Rent

The landlord must ensure that: -

- Prospective tenants are issued with a clear statement of the rent to be paid, including the dates when due and amount of rent to be collected. A clear method of payment should be agreed which should consider any rent not paid by direct methods.
- They provide written receipts and a proper rent account when requested by a tenant for monies demanded. Where a payment is made in cash a receipt must be issued at the time the payment is made.
- They carry out any rent reviews in line with the appropriate legislation.
- They liaise effectively and quickly with the appropriate authorities over matters of benefits for which the landlord may receive direct payment.
- Attempt to resolve the issues of arrears as soon as possible with the tenant. Advice and support should be sought if necessary.

Tenancy Disputes

The landlord must ensure that they: -

- Advise a tenant how they wish to be contacted about any problems that arise during a tenancy.
- Provide emergency contacts for out of hours repairs, including any details of any service contracts which have been established.
- Keep all written records about property management.
- Keep a record of any complaint made by the tenant or a third party and record the outcome of the complaint.
- Seek to deal fairly with all parties and endeavour to resolve any disputes linked to the property, their tenant and their tenant's family and visitors to the property including a dispute with a neighbour, by informal means promptly and lawfully.

- Follow the due process of law in all disputes with their tenants, in relation to the recovery of rent arrears and the repossession of property.
- In the case of anti-social behaviour, reasonable steps must be taken to resolve the issue, which may involve liaising with the tenant, neighbour and relevant agencies. A landlord is not expected to take part in any resolution of a problem that may put them in personal danger.

Repairs, Maintenance and Property inspections

Landlords will respect the tenant's right to peaceful and quiet enjoyment of the property and must give the tenant adequate notice of entry before inspecting a property, except in the case of an emergency.

The landlord must ensure that they: -

- Have an appropriate programme of inspection to ensure that the property is free from disrepair.
- Respond promptly whenever notified by their tenants that a repair is needed to the property. They will carry out all repairs within a reasonable time of being notified, and repairs will be completed to a satisfactory standard.
- Have established procedures for dealing with repairs and make tenants aware of these. The responsibility for repairs should be set out clearly in the tenancy agreement.
- Advise tenants of any planned programmes of repairs and carry these out with due regard to the convenience and access made available by the tenant.
- Have work carried out in a professional manner and consider the tenant to minimise disruption as far as possible.
- Make good decorative finishes for which they are responsible within a reasonable timescale.
- Ensure that under normal circumstances the following repairs completion performance standards should be achieved: -

Priority 1 – Emergency Repairs

Those that are required to avoid danger to health, risk to the safety of residents, or serious damage to buildings or internal contents – completed within 24 hours of report. In circumstances where this is not possible best temporary arrangements will be carried out.

Priority 2 – Urgent Repairs

Repairs to defects which materially affect the comfort or convenience of the residents – completed as soon as possible and as a maximum within five working days of report. Where a new appliance is required it will be replaced within 21 days of the initial report.

Priority 3 – Non-Urgent Repairs

Repairs not falling within the above categories – completed within 28 working days of report.

Within the responsibility of the landlord, ensure that the visual appearance of dwellings, outbuildings, gardens, yards and boundaries are maintained in a reasonable state so as not to detract from the visual amenity of the area. This will include enforcing tenancy conditions where appropriate.

Waste Management

Suitable wheeled bins for the storage and disposal of refuse will be provided at the property. The bins must be kept within the boundary walls and placed out on the day of collection and returned to the property once they have been emptied.

Ensure at the start of any tenancy that there are the right bins in place for the tenant to use and where missing contact the Council in order to arrange replacement.

Landlords / managing agents will advise tenants of the arrangements for the collection of waste and provide information regarding recycling of their waste at the start of their tenancy.

Water, Electricity and Gas

The landlord must ensure that: -

- The water supply and drainage is maintained in proper working order. In particular, storage tanks must be effectively covered to prevent contamination of water, and pipes should be protected from frost damage.
- An Electrical Installation Condition Report is carried out every 5 years and confirmed that the electrical installation is 'satisfactory'. This is now a legal duty and not a recommendation. The supply and maintenance of gas and electricity to the property is not unreasonably interrupted.

- The annual gas safety record and electrical installation condition report must be provided to the council within 7 days of the council making a written request for such.
- Gas Safety certificates must be retained for a period of at least two years.

Fire Safety and Carbon Monoxide Safety

The Regulatory Reform (Fire Safety) Order 2005 requires all landlords to conduct a fire safety risk assessment and implement any works deemed necessary to reduce risk from fire.

The landlord must ensure that: -

- Means of escape from fire are kept free of obstruction and kept in good order and repair.
- Where provided, fire-fighting equipment, emergency lighting and alarms must be kept in good working order and tested on a regular basis.
- A property is fitted with adequate and working smoke alarms fitted in accordance with the relevant standard.
- All exit routes in a property including hallways, landings and staircases, so far as long as they are under the control of the landlord, should remain free of obstruction to enable safe evacuation in a fire.
- Carbon Monoxide Detectors are to be fitted in every room used as living accommodation where there is a solid fuel appliance.

End of Tenancy

Landlords should serve correct notices, in a written form and on prescribed forms, in a timely manner should they wish to terminate a tenancy for a legitimate reason and refrain from any act of harassment, illegal or retaliatory eviction. Before any proceedings are commenced, the tenant should be notified of any breach of the tenancy agreement.

Viewings and Inspections for re-letting

In the weeks before the end of a tenancy the landlord must obtain the consent of the outgoing tenant for suitable times for viewings of the property.

Pre-end of Tenancy Visits

A landlord will arrange with their tenant to visit the property 7 days before the end of the tenancy to carry out an inspection and agree the arrangements for the end of the tenancy. This will allow both parties to discuss any potential problems with the tenancy and potential for deductions from the deposit.

Carrying out the inspection a week prior to the end of tenancy will allow the tenant an opportunity to rectify any identified problems, and therefore satisfy the landlord and avoid a claim against the deposit.

Utility Bills & Inventory

On the last day of the tenancy, closing readings for the utilities will be agreed and current suppliers identified. The landlord will notify the utility companies that supplies need to be billed to the landlord or incoming tenant the day after the outgoing tenant vacates. The landlord will request forwarding address for the tenant.

At the end of the tenancy the landlord will check the inventory preferably in the presence of at least one of the tenants to ensure that both parties agree the facts once the tenancy is ended.

Both parties will sign and date the exit inventory with a copy being issued to the departing tenant.

Returning Deposits

If a deposit was charged at the start of the tenancy then it must be administered according to the rules and regulations of the particular deposit scheme with which it was registered.

Any non-disputed amount will be returned to the tenant within the given time period or referred to the small claims court.

Untenanted/Empty Properties

The landlord must ensure that: -

- Empty properties are kept in a secure condition including setting of security alarms and providing contact details to a trusted neighbour or the Police.
- The property is checked regularly to ensure it is secure, free from external rubbish and litter, and that the roof, plumbing and fabric of the property is safe and sound.
- They respond quickly and efficiently to re-securing a property if it is broken into.

- Make efforts to ensure that properties do not remain void and are brought back into use as soon as is reasonably practicable.
- Notify straight away the Council Tax Team when the property becomes vacant and when it is tenanted again.

Appendix 7: Code of Conduct and Fit and Proper Person Test

Fit and Proper Person Test

It is essential that a landlord or manager of a property is fit and proper to undertake the responsibilities of managing a private rented property.

The landlord or agent must not have:

- Committed any offence involving fraud or other dishonesty, violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
- Practiced any unlawful discrimination on the grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying out of any business.
- Contravened any provision of the law relating to housing or of landlord and tenant law.
- Been refused a license or had a license revoked for any property in relation to HMO, additional or selective licensing under the Housing Act 2004.
- Been the owner or manager of a property which has had substantiated complaints from tenants or other sources regarding serious or repeated breaches of the conditions of a license; in relation to HMO, additional or selective licensing under the Housing Act 2004.
- Been the owner or manager of any property, which has been the subject of an interim or final management order or a special interim management order under the Housing Act 2004.
- Any conduct or business practices which are considered by Northumberland County Council to indicate unsuitability to be the license holder or manager of a licensed property.

Appendix 8 – Tackling ASB

Tackling Anti-Social Behaviour (ASB)

Landlords are required to take reasonable steps to tackle ASB when caused by their tenants. 'Reasonable steps' involve investigating any incidents of ASB regarding tenants and taking appropriate action where necessary. It also includes:

- Providing new tenants with a tenancy agreement which includes nuisance and annoyance clauses which will allow the landlord to take reasonable steps to tackle anti-social behaviour. You can contact the Private Sector Housing Team for further information and details on clauses that cover ASB.
- Landlords or their nominated managing agents are required to explain these clauses to new tenants at the tenancy signing up stage.
- Landlords or their nominated managing agent must recognise the importance of tackling anti-social behaviour in order to ensure that communities are safe and that areas do not suffer because of a failure to act.
- Landlords or their nominated managing agent are required to respond appropriately to any complaints alleging nuisance or ASB which has been made either directly to them or via Northumberland County Council.
- If you are concerned about behaviour of your tenant(s) or your tenants are experiencing anti- social behaviour from any property and you would like advice, please contact Northumberland Private Sector Housing Team for advice.

Appendix 9 – Statement of support from Northumbria Police.

The Croft area of Blyth has been subject of high levels of crime and ASB for a number of years and during this time a number of initiatives have been tried to tackle the problems experienced by the community. These initiatives have had short term successes, but any improvements have not been long lasting.

There are many properties that are private lets which I believe is due to very low property prices which encourage investors from all around the country to buy up houses and offer them for rent. Often properties and tenants are not effectively managed which leads to issues with crime and ASB as well the area as a whole suffering from the 'broken window' effect.

The community has few settled residents and because of this community pride in the area is suffering. I believe this is because those living in the area only do so for a short period of time then move out due to poor quality housing, crime and disorder. Absent private landlords do not provide support to the local community and do not assist the Police in dealing with problem tenants or other issues concerning their properties.

The Croft area has higher than average incidents of violent crime, and because of this is subject to additional Police patrols. There is partnership work underway to tackle problems that contribute the issues faced by the community.

Often when Police take action against a tenant by utilising powers such as premises closure orders we find that the individual moves addresses very quickly, taking up a tenancy that has been advertised in places like gumtree and often only a few doors away, they then continue their behaviour which undermines community confidence in the Police

It is my belief that selective licensing will support other problem solving activity in the locality, which combined will provide long term resolutions to issues affecting quality of life for the community.

Jonathan Caisley 7537

Inspector Neighbourhood Policing