



# PROPOSAL TO DECLARE A SELECTIVE LICENSING DESIGNATION WITHIN THE PRIVATE RENTED SECTOR – PHASE 2



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## Executive Summary

On 1<sup>st</sup> October 2018 Gedling Borough Council launched its first Selective Licensing scheme lasting for 5 years applying to all private rented homes in the Netherfield ward.

- 662 licence applications have been received.
- 86% of properties inspected have contained hazards requiring remedial works under the Housing Health and Safety Rating System.
- 13% of properties inspected were found to have hazards presenting an 'imminent' risk to the health and safety of the occupants and required immediate action to address

The Netherfield scheme is still only 2 years into a 5 year scheme but is so far considered a success. The council is keen to explore whether the success of the Netherfield scheme can be extended to other areas of the borough to bring about further improvements to property management and housing conditions elsewhere in the borough.

This proposal is an investigation into the value of introducing Phase 2 of Selective Licensing within an area in the Borough of Gedling. It explains how Selective Licensing works, and gives the background to the areas in question.

The proposed Phase 2 areas include parts of Carlton Hill, Colwick, Daybrook and Newstead Village which are areas with a high concentration of privately rented accommodation and in-accordance with the Government guidance there is evidence to suggest the following conditions are satisfied; 'a significant and persistent problem caused by anti-social behaviour', 'high levels of crime' and 'poor property conditions'. It is proposed that Selective Licensing will play a significant contribution to addressing these problems.

Chapter 4 of this proposal shows that the proposed areas in Carlton Hill, Colwick, Daybrook and Newstead Village are suffering with a significant and persistent problem with antisocial behaviour.

Chapter 5 shows that the proposed areas in Colwick, Daybrook and Newstead Village are experiencing concentrations of high levels crime.

Chapter 6 outlines that parts of Carlton Hill, Daybrook and Newstead Village show signs of poor property conditions in the private rented sector.

The proposal outlines that Selective Licensing would improve the situation on the following grounds:

- 1) Landlords will be required to ensure properties are free from significant hazards to health and safety, and that adequate checks are carried out to gas and electrical appliances; including installations of adequate fire detection and alarm systems.

- 2) Landlords are required to implement appropriate property and tenancy management; to provide advice to new tenants on dealing with rubbish; to ensure properties are inspected at least every 6 months and at least 24 hours' notice of inspection is given; and to tackle anti-social behaviour.
- 3) Positive relationships between the Council and landlords will reduce homelessness and empty properties.
- 4) Landlords would have to obtain references, thus avoiding occupation of privately rented properties by those likely to commit crime and anti-social behaviour.
- 5) A more collaborative approach should ensure improved property conditions.

The proposal considers other alternatives to Selective Licensing including; accreditation, enforcement of housing standards, management orders, private sector leasing schemes, and raising landlord awareness. These options would all require some funding from the Council, whereas Selective Licensing is self-financing. The alternatives don't compel landlords to address tenant behaviour or obtain references whereas current Selective Licensing schemes have proven effective in this respect. The alternative options can only tackle a small number of properties compared to Selective Licensing which covers all rented properties within the proposed area.

In conclusion the Council proposes that Selective Licensing within Phase 2 is necessary to address the issues of crime, anti-social behaviour, and poor housing conditions. There will be a consultation period of at least 10 weeks after which a decision will be made.

## 1.0 Introduction

The private rented sector has doubled in size since 2002 and now houses 19% of households. Selective Licensing was introduced as part of the Housing Act 2004, and allows Local Housing Authorities to make designations based on factors such as low housing demand, high levels of anti-social behaviour, and landlords failing to take action to combat problems within the houses that they let. A designation can be made for a maximum of five years, however can be lifted sooner if it is felt that the problems within the area have been significantly reduced and Selective Licensing is no longer required to maintain the changes that have been made.

On 1<sup>st</sup> October 2018 Gedling Borough Council launched it's first Selective Licensing scheme lasting for 5 years applying to all private rented homes in the Netherfield ward.

- 662 licence applications have been received
- 33 licence applications have been withdrawn or subsequently found to be exempt from the scheme
- 415 final licences issued
- 256 properties have been inspected
- 86% of properties inspected have contained hazards requiring remedial works under the Housing Health and Safety Rating System.
- 13% of properties inspected were found to have hazards presenting an 'imminent' risk to the health and safety of the occupants and required immediate action to address
- 2 civil penalties have been issued for failure to licence 12 dwellings in the area totaling £10,762. Further cases are under consideration.

The early implementation findings from the Netherfield scheme support the council's justification to introduce selective licensing and are delivering improvements for the local community that would not have been achieved without introducing the scheme.

32 properties were found to have hazards which presented an imminent risk to health. Work was undertaken by the Selective Licensing Team to protect the tenants of those properties and bring about improvements to reduce the risk to acceptable levels. On each occasion the team worked with Landlords/Agents to ensure that the tenants could continue to live in the properties whilst the improvements were made.

Only 14% of properties inspected did not require any repairs to be carried out to bring them up to the statutory minimum standards. This supports the concerns that the Council had regarding housing conditions within the area which in part led to the scheme being introduced. This also highlighted that tenants were living in substandard conditions but either didn't know they could contact Environmental Health or chose not to. The licensing scheme meant that officers were able to proactively enter these properties and address the problems without the tenant having to complain. As a result

of this tenants, agents and landlords all became more aware of what standards are expected in private rented properties.

The licensing process has also allowed for the Council to assess management arrangements in place at rented properties and work with landlords and agents to ensure they are suitable. The licence conditions make it clear exactly what is expected of landlords and agents. Additional conditions have been inserted into licenses to ensure management practices unique to those particular properties are in place to ensure the tenant is suitably protected.

The council is keen to explore whether the success of the Netherfield scheme can be extended to other areas of the borough to bring about further improvements to property management and housing conditions elsewhere in the borough.

This proposal is an investigation into the value of introducing Phase 2 of Selective Licensing within a number of small focussed areas in the Borough of Gedling

Selective Licensing requires all private sector landlords within a designated area to obtain licences in order to let their properties, which can be acquired via applications to the Council. The licence is valid for the duration of the designation and will contain a series of conditions that must be met by the landlord, in order to ensure the property is appropriately managed and prevent the licence being revoked. Breaches of licence conditions are a criminal offence which can lead to prosecution and a fine of up to £20,000. As an alternative to prosecution Civil Penalties are available for use by the council and can lead to a maximum fine of up to £30,000 in certain situations.

This document outlines Gedling Borough Council's proposal to designate the Phase 2 area for Selective Licensing, based on a significant and persistent problem caused by anti-social behaviour, high levels of deprivation, high levels of crime, and poor property conditions in line with Part 3 of the Housing Act 2004 and Selective Licensing in the private rented sector: A Guide for Local Authorities.

This document sets out detailed information for the proposed designation area and invites comments and feedback from all stakeholders in the area that are affected by the proposal. A consultation period will run for a minimum of ten weeks involving any persons likely to be affected by the designation in adherence to section 80 (9) of the Housing Act 2004.

The Council will consider all consultation responses alongside any other relevant information in order to prepare a report for the Council's Cabinet. A decision can then be made as to whether the area should be designated as a Selective Licensing area

## **2.0 What is a Selective Licensing Scheme?**

### **2.1 Legal Framework and Guidance**

This section provides a summary of the legal requirements to bring in Selective Licensing. The relevant legislation can be found in the Housing Act 2004, accompanied by the supporting document “Selective Licensing in the Private Rented Sector: A Guide for Local Authorities”; published by the Department for Communities and Local Government.

Part 3 of the Housing Act 2004 gives Local Authorities the power to designate the area, or part of the area in their district for Selective Licensing if one of two conditions is met; detailed in section (80) of the Act.

**(80) (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.

**(80) (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 licenses) 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.

“Selective Licensing in the private rented sector: A Guide for Local Authorities” also provides four further conditions which if the area is experiencing one or more of, a Selective Licensing designation may be made. These are legally introduced via the Selective Licensing of Houses (Additional Conditions) (England) Order 2015/977 and includes:

- poor property conditions
- high levels of migration
- high levels of deprivation
- high levels of crime

Other sections of the Act list requirements of local authorities to show how making a designation will improve an area and how it will work alongside pre-existing measures. A Local Authority may only make a designation after they have considered if there any other available courses of action to them and if these would

produce the intended outcomes that the designation would achieve; and if making the designation will significantly assist them to achieve the objectives.

Prior to making a designation, the legislation requires Local Authorities to take reasonable steps to consult anyone likely to be affected by the designation and consider any representations made in accordance with the consultation

Local authorities are required to obtain confirmation from the Secretary of State for any selective licensing scheme which would cover more than 20% of their geographical area or would affect more than 20% of privately rented homes within their local authority area.

In considering whether to make a designation due to anti-social behaviour the local housing authority must be satisfied that the area sought to be designated is experiencing a significant and persistent problem caused by anti-social behaviour; that some or all of private landlords who have let premises in the area are failing to take action to combat the problem that it would be appropriate for them to take.

In considering whether to make a designation due to poor property conditions, high levels of deprivation or high levels of crime the local housing authority must be satisfied that the area sought to be designated contains a high proportion of properties in the private rented sector, in relation to the total number of properties in the area. The Secretary of State's guidance suggests areas with above the national average of 19% private rented properties can be considered as having a high proportion of privately rented properties.

To meet the poor property condition the local housing authority must then consider, that after having carried out a review of housing conditions (under section 3(1) of the Housing Act 2006), that it would be appropriate for a significant number of the properties in the private rented sector, within the area sought to be designated, to be inspected with a view to determining whether any hazards exist, that the local housing authority intends to carry out such inspections with a view to carrying out any necessary enforcement action and that making the designation will contribute to an improvement in general housing conditions.

To meet the high levels of crime condition the local housing authority must then be satisfied that the criminal activity affects those in the privately rented homes within the area to be designated or other households and businesses in the area and that making the designation will contribute to a reduction in the levels of crime in the area, for the benefit of those living in the area.

A full copy of the Act can be obtained from the legislation.gov website. <sup>1</sup>

## **2.2 Consequences of Designating a Selective Licensing Area**

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<sup>1</sup> <http://www.legislation.gov.uk/ukpga/2004/34/part/3>

Once a Selective Licensing designation has been made, any private landlord wishing to rent out properties within the designated area must apply for a licence. A separate licence must be obtained for every tenanted house within the designated area. In the context of this proposal, house is defined as a building or part of a building consisting of one or more dwellings. If houses have been made exempt under the Selective Licensing of Houses (Specific Exemptions) Order 2006 the local housing authority cannot require them to obtain a licence. Examples of circumstances in which this would apply include business tenancies, tenancies which have a term over 21 years or buildings which are regulated under any other legislation. Selective Licensing also does not apply to any person registered as a social landlord under part 1 of the Housing Act 1996.

An application must be submitted for every property in accordance with specific requirements. The council is entitled to charge a fee which accompanies the application; further details of the proposed fee can be found in Appendix 1. As part of this application process, proposed licence holders and managers will be required to provide information that they are “fit and proper persons” and that they have satisfactory management arrangements in place, including dealing with anti-social behaviour. Further details of the proposed “fit and proper person” criteria can be found in Appendix 2. In circumstances where the Council are not satisfied that the licence holder or manager are a “fit and proper person”, and/or the management arrangements are unsatisfactory, then it can refuse to grant a licence. The proposed licence conditions are attached to this document as Appendix 3.

## **2.3 Implications of Renting a Property without a Licence**

A landlord’s failure to apply for a licence to rent a property in a designated selective licencing area could result in prosecution with the potential unlimited fine as it is a criminal offence to do so. As an alternative to prosecution in certain circumstances landlords could be liable for a Civil Penalty up to a maximum of £30,000.

## **2.4 Management Orders**

Part 4 of the Housing Act 2004 introduced Management Orders; meaning the council has a duty to make an interim management order in respect of a house if:

The property is required to be licenced but is not, and there is no reasonable prospect of it being licenced in the future or; (Part 4, Section (102) (3))

The interim management order is necessary for the purpose of protecting the health, safety or welfare of persons occupying the house, or persons occupying or having an estate or interest in any premises in the vicinity. (Part 4, Section (104) (2))

An interim management order allows the council to take possession of the house and subject to existing rights to occupy,

- Do anything in relation to the house, which could have been done by the landlord including repairs, collecting rents etc.
- Spend monies received through rents and other charges for carrying out its responsibility of management, including the administration of the house, and
- Create new tenancies (with the consent of the landlord).

A landlord/licence holder of any property will also be committing a criminal offence if they fail to comply with any conditions of a licence. This could lead to the revocation of a licence, and an unlimited fine.

## **2.5 The Use and Effectiveness of Selective Licensing**

The Ministry of Housing Communities and Local Government published in June 2019 an Independent Review of the Use and Effectiveness of Selective Licensing. The research overall indicates that selective licensing can be an effective policy tool with many schemes achieving demonstrable positive outcomes. The research highlighted a number of factors through which selective licensing helps to achieve effective change:

- It focusses resources on areas of concern whilst simultaneously generating revenue to contribute to the costs involved
- It provides a clearly defined offence (licenced/unlicenced) which simplifies enforcement – and where a landlord is intentionally operating without a licence it is highly likely the inspection process will uncover further offences
- There is no 24-hour notice requirement for access before an inspection for licensing purposes. This is particularly important where criminal ('rogue') landlords are present
- The proactive inspection approach frequently brings other problems to light
- Licensing provides a clear driver for effective engagement between landlords and local authorities and drives up landlord awareness of their responsibilities
- Selective licensing encourages the development of effective intelligence gathering mechanisms – extremely valuable both in identifying unlicensed properties and in targeting priority properties, especially where ideal inspection figure of 100% cannot be achieved
- Promotion of joint working within the council and other agencies

The Chartered Institute of Housing and Chartered Institute of Environmental Health published a joint research project titled Licence to Rent in January 2019 which focussed on Selective Licensing schemes. The research found that Selective licensing is not a 'quick win' and it may be several years before tangible outcomes

are achieved. Nevertheless many schemes the research focussed on are delivering significant benefits.

- Schemes are successful at improving housing conditions. They found that in licensed areas between 69-84% of properties needed works to be done to bring the properties up to a decent standard. The introduction of a scheme shows that property and management standards have been improved and the schemes were well targeted to focus on areas with very poor housing stock. The fact that such large numbers of properties needed works to be done also suggests schemes are largely fair to landlords – a majority of properties within licensable areas are benefiting from improvements and greater compliance.
- Several councils reported that landlords have become more willing to do required works on their properties once licensing schemes have been set up in their areas.
- Selective licensing schemes lead to more proactive approach to housing inspections.
- The majority of areas take a staged approach to enforcement with informal approaches to start with only escalating to formal action where this is not successful. Consequently in most areas the number of prosecutions is relatively small compared with the high levels of non-compliance.

### **3.0 Phase 2 – Introduction and Background**

Given the success of the Council's first phase of selective licensing the Netherfield ward the council is keen to ensure other areas of the borough benefit from the improvements that a selective licensing scheme can deliver.

Extensive research has been carried out considering all data available to the council to consider which parts of the borough would also meet the criteria set out by Government for introducing a selective licensing scheme. The council does not consider it is appropriate to implement a borough wide scheme but recognizes that targeting resources to key areas in the borough is an effective strategy to improve housing conditions, property management and the wider community.

Four areas have been identified that may benefit from a selective licensing scheme. These areas within the following locations:

- 1) Carlton Hill ward
- 2) Colwick ward
- 3) Daybrook ward, and
- 4) Newstead Village

\*Please note for points 1-3 above it is not proposed the areas will cover the whole wards and for point 4 will not cover the whole village.

This Proposal presents the research and evidence that has been gathered and reviewed when determining the proposed selective licensing areas to be designated. The borough wide review of each ward considered data and information describing antisocial behaviour, crime, deprivation, and housing conditions. This information was overlaid with census output areas which show housing tenure of each area and the proportion of private rented homes. There is a strong correlation between the areas with a high proportion of private rented homes and high levels of crime and significant and persistent problem with ASB and poor housing conditions.

The review consider deprivation data particularly in the Daybrook ward, but most of this data was only to ward level rather than focused areas within the ward – it was not considered there was sufficient evidence for a ward wide scheme. The review also did not identify high levels of migration or low housing demand affecting the private rented sector. The council will keep under review the impact of selective licensing to consider if schemes need to be renewed or are required in alternative areas.

Local knowledge of council officers and councilors has been taken into account when drawing up the proposed areas to be designated and the boundary lines. The boundaries relate to census output area boundaries where the tenure of the housing stock is known to be a high proportion of private rented homes. Wherever boundary lines are drawn there will be those that fall either side of a boundary that have access to different services and requirements. Whilst in some cases there could be an argument to include ward wide schemes the decision has been taken to refine the area to only include areas that suffering the specific conditions described in the secretary of state's guidance.

It is the council's view supported by the nationally published research in section 2.5 of this Proposal that designating an area for selective licensing is not seen as a penalty but as a mechanism to bring about area improvements and create a level playing field and consistent standard of housing conditions and property management.

Much of the crime, antisocial behaviour, and housing conditions information presented in this Proposal is reactive data based on community reports. The experience of the Netherfield scheme where 86% of properties inspected have contained hazards requiring remedial works under the Housing Health and Safety Rating System supports that often housing conditions can go unreported for a variety of reasons. The introduction of selective licensing removes the requirement for community reports and introduces licensing and regulation together with joint working with landlord, agents, tenants and partners to bring about improvements to an area.

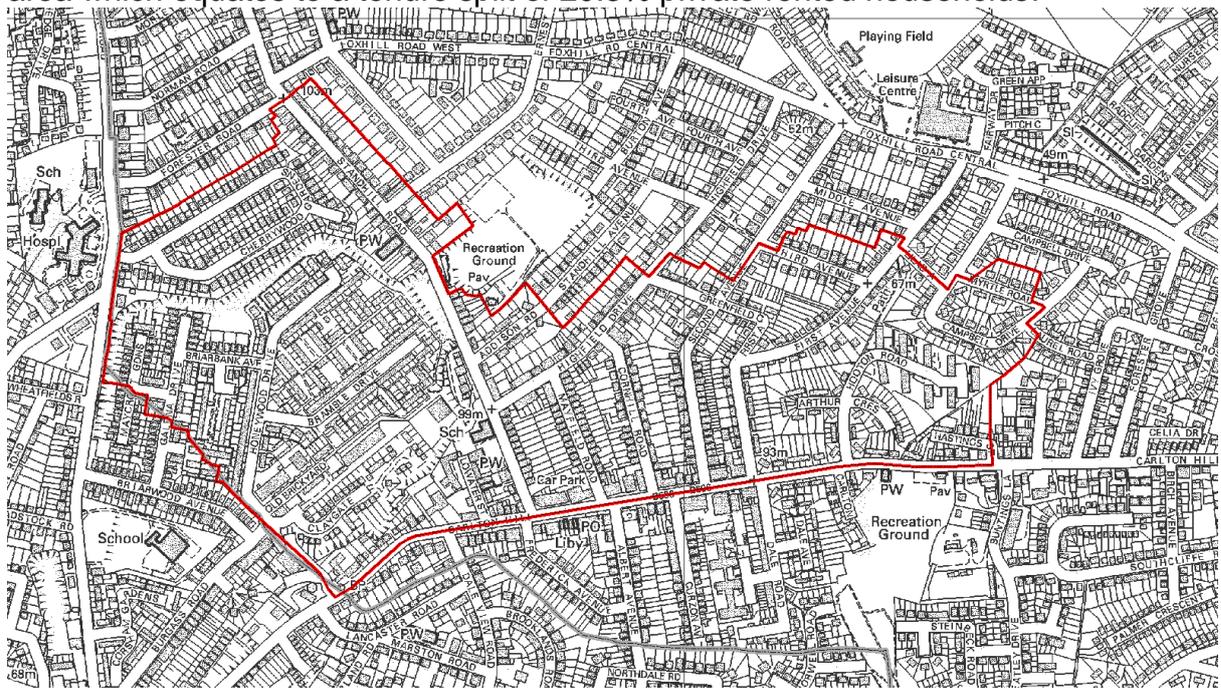
The following sections of this proposal document sequentially introduce the four areas and the evidence that exists supporting the introduction of a selective licensing scheme.

### 3.1 Carlton Hill

Carlton Hill is one of the wards covered by Gedling Borough Council. Carlton Hill is a high street within the Carlton area. The south of Carlton Hill shares a boundary with Nottingham City. North of the high street is mainly residential area consisting of a variety of housing types. To the north-west of the high street there is an estate consisting of mainly 60s and 70s era houses built on the former Thorneywood Works brickyard which closed in 1967. This area has a number of communal garages and has issues with fly-tipping. Carlton Hill shares its west boundary with Nottingham City who already has a selective licensing scheme in place which covers part of the Honeywood Gardens estate.

Key Features of Carlton Hill include the former brickyard and the King George V Recreational Ground which has a football pitch, a play area and a skate park.

Map 1 below shows the area within the ward where the scheme will be in effect. The reasons why this certain area was chosen are presented throughout this proposal. According to the 2011 census there are 257 private rented homes in this area which equates to a tenure split of 20.3% private rented households.



**Map 1 – proposed area of Carlton Hill** *The Ordnance Survey mapping included within this publication is provided by Gedling Borough Council under licence (Licence No. LA 100021246)*

A more detailed map with ability to zoom in is available on the following link:

<https://gedlingbc.maps.arcgis.com/apps/webappviewer/index.html?id=81e16ca398ef47ffb38db513f66eb511>



### 3.3 Daybrook

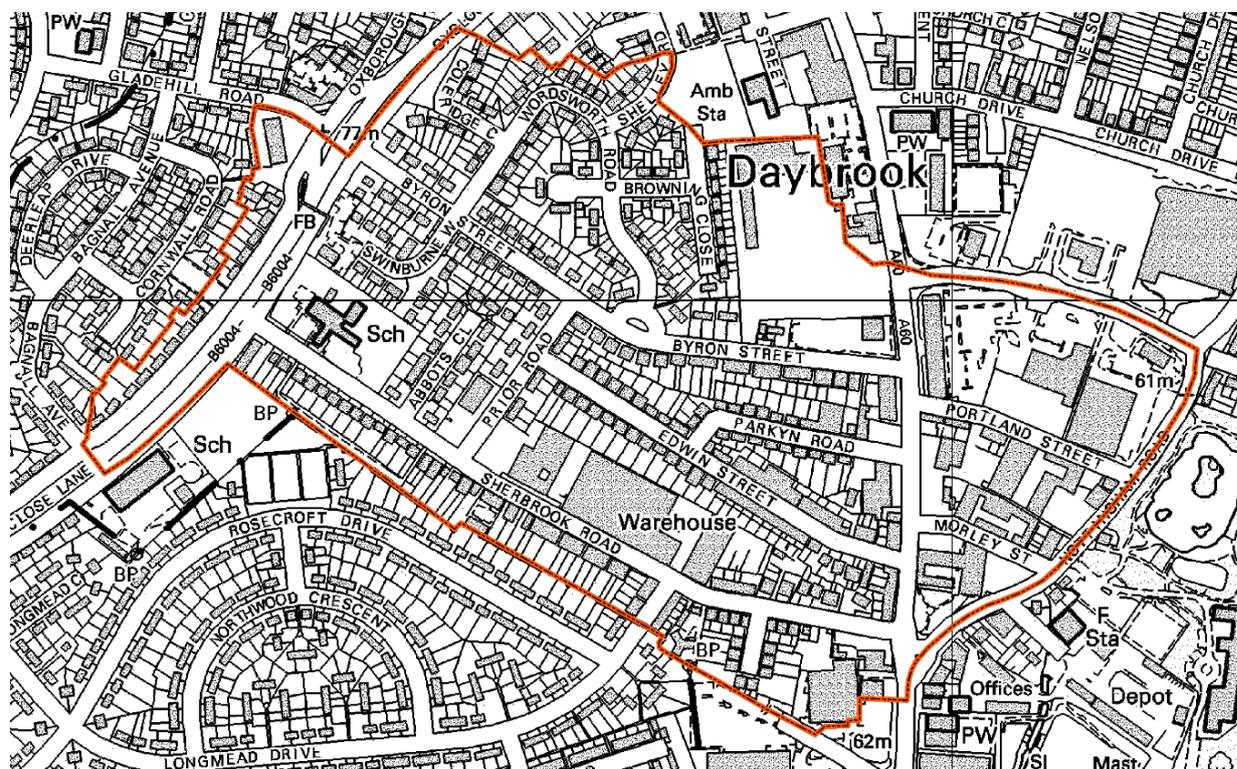
Daybrook is a suburb located in Arnold, Nottinghamshire. It is one of 19 wards covered by Gedling Borough Council. It is located close to Arnold Town centre, Bestwood and is linked to Redhill via Mansfield Road.

Key features of Daybrook include terraced and semi-detached housing ranging in age from the early 1900s to more recent builds and conversions. There is a hotel and a converted mill which now houses a number of apartments

Daybrook is also home to the Home Brewery which was founded in 1875 by John Robinson. Since its closure as a brewery, the building has been used by Nottingham County Council as office space. Daybrook also has two schools within its boundary.

The south of Daybrook is already covered by Selective Licensing as part of Nottingham City Council's scheme.

Map 3 below shows the area within the ward where the scheme will be in effect. The reasons why this certain area was chosen are presented throughout this proposal. According to the 2011 census there are 162 private rented homes in this area which equates to a tenure split of 20.5% of private rented households.



**Map 3 – proposed area of Daybrook.** *The Ordnance Survey mapping included within this publication is provided by Gedling Borough Council under licence (Licence No. LA 10021246)*

A more detailed map with ability to zoom in is available on the following link:

<https://gedlingbc.maps.arcgis.com/apps/webappviewer/index.html?id=81e16ca398ef47ffb38db513f66eb511>

### 3.4 Newstead Village

Newstead Village is a former mining community located within the borough of Gedling. It is located in close proximity to the former Annesley Colliery and is served by the Robin Hood railway line which provides valuable transport links to Nottingham and beyond.

The housing offer in the village is split in to two very distinct areas with rows of terraced properties to the north with large semi-detached properties to the south.

Map 4 below shows the area within the ward where the scheme will be in effect. The reasons why this certain area was chosen are presented throughout this proposal. According to the 2011 census there are 27 private rented homes in this area which equates to a tenure split of 20.6% of private rented households.



Map 4 – proposed area of Newstead Village *The Ordnance Survey mapping included within this publication is provided by Gedling Borough Council under licence (Licence No. LA 10021246)*

A more detailed map with ability to zoom in is available on the following link:

<https://gedlingbc.maps.arcgis.com/apps/webappviewer/index.html?id=81e16ca398ef47ffb38db513f66eb511>

## **4.0 What are the local indicators which show that the proposed area is suffering from high levels of crime and significant and persistent anti-social behaviour?**

This section of the document will present the information that demonstrates that some areas proposed for the phase 2 selective licensing are experiencing a significant and persistent problem caused by antisocial behaviour and high levels of crime. The evidence detailed below presents a number of separate indicators that when taken together build a strong argument to demonstrate area's experiencing a significant and persistent problem caused by ASB and high levels of crime directly linked to private rented housing.

### **4.1 Anti-Social Behaviour and Crime – Priority Areas**

A total of twenty **priority and high impact localities** have been identified across Nottingham and Nottinghamshire on account of the levels of complex need and cross-agency demand that they present. These areas have been the focus for the Community Safety Partnership for the last 5 years.

The areas were identified by the scanning of trends used to establish seven core crime groups to provide the basis for identifying the most problematic geographic areas in the district. Each crime group is made up of a series of data sets and sub-categories to provide an overall picture. The seven crime groups are as follows (component sub-categories are shown in brackets)

- Serious Acquisitive Crime (Dwelling Burglary, Vehicle Crime, Robbery);
- Violence excluding Domestic Abuse (Violence with Injury excluding Domestic Abuse, EMAS/sexual assault);
- Domestic Abuse (Domestic Abuse tagged crimes and Domestic Incidents);
- Hate Crime (all crimes and incidents with a Hate tag);
- Anti-Social Behaviour (core Police recorded ASB, All Secondary Fires, Criminal Damage);
- Youth Issues (Youth related crime, Supervised young Offenders and youth related ASB); and
- Drugs and Alcohol (Drug Offences, Positive Tests on Arrest and Alcohol related ASB).

This has involved analysis of the following data sets:

- Police recorded crime and incidents;
- Police recorded ASB;
- EMAS recorded Assaults and sexual assaults
- Notts Fire recorded Deliberate Secondary Fires;
- Positive testers on arrest (Bridget Police System); and
- Youth crime (Nottinghamshire Support and Youth Justice Service).

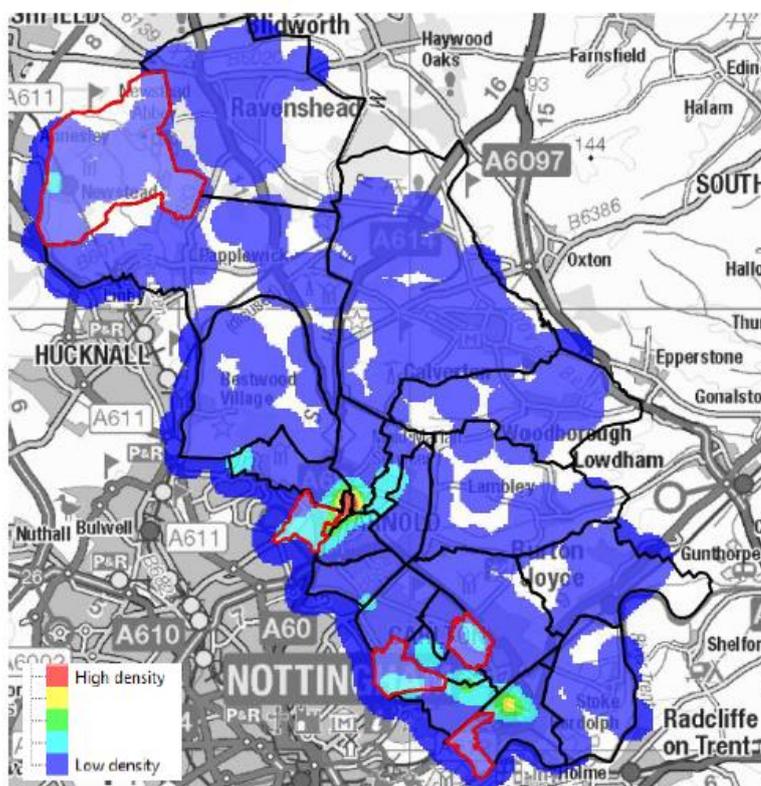
Each ward in County has then been ranked for volume and rate and an average score calculated for each of the seven categories (and component sub-categories). These have been used to produce an overall score for the key community safety issues as a whole.

In the most recent Nottinghamshire Police and Crime Needs Assessment 2016 a number of priority and high impact localities have been identified across Nottinghamshire using similar methodology on account of complex needs and cross-agency demand that they present to replace the yearly Strategic Assessment that was carried out above.

The **priority high impact localities** that exist in Gedling Borough are Colwick and Netherfield. Netherfield is currently covered by the council's existing selective licensing scheme and the case for Colwick is being outlined in this proposal.

## 4.2 Anti-Social Behaviour Analysis

Data is taken from the Police Vision database between 01 January 2014 to 31 December 2018 and shows police reported ASB incidents which are recorded into three main categories: ASB nuisance, ASB Environmental and ASB Personal. This covers a wide range of ASB types.

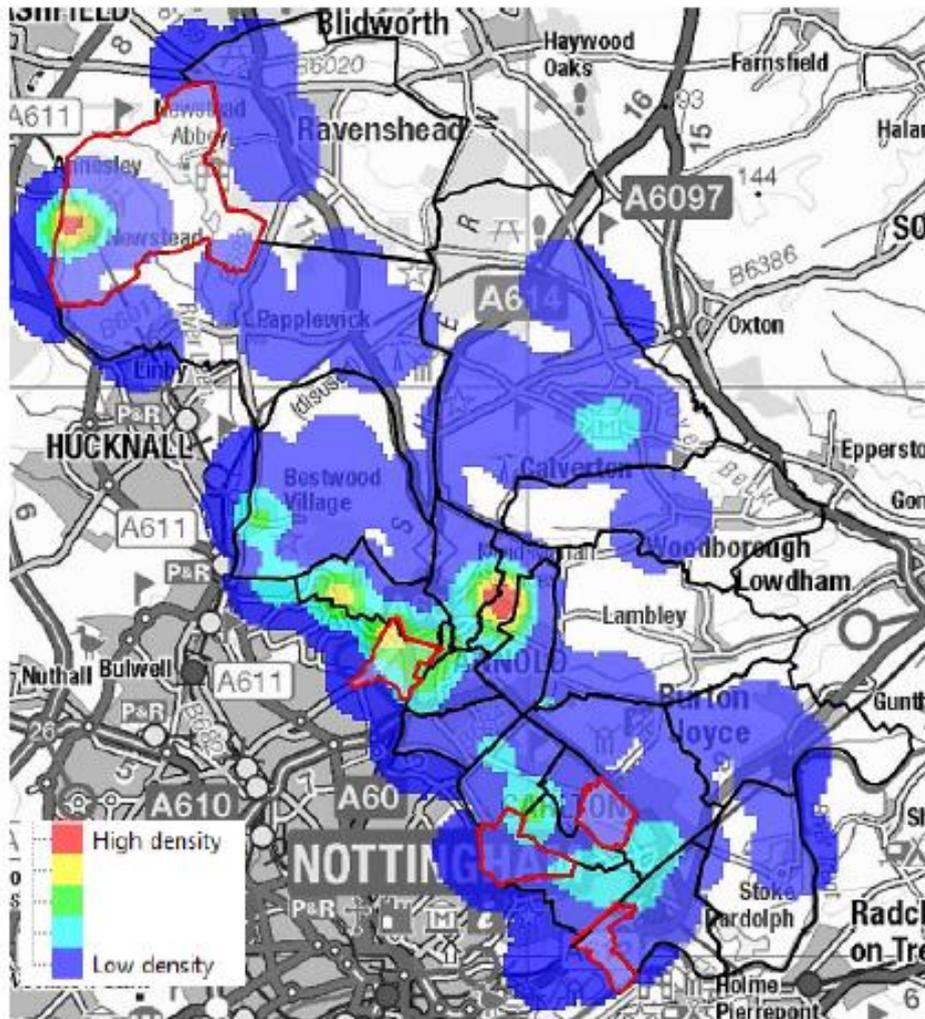


All 5 years' data were mapped using kernel density hotspot on the entire District. Map 5 shows 5 years' worth of data mapped together and the hotspots generated from this.

Map 5: 5 years ASB mapped in the Gedling Borough

The main hotspot areas for ASB incidents across the five years was in Arnold and Netherfield.

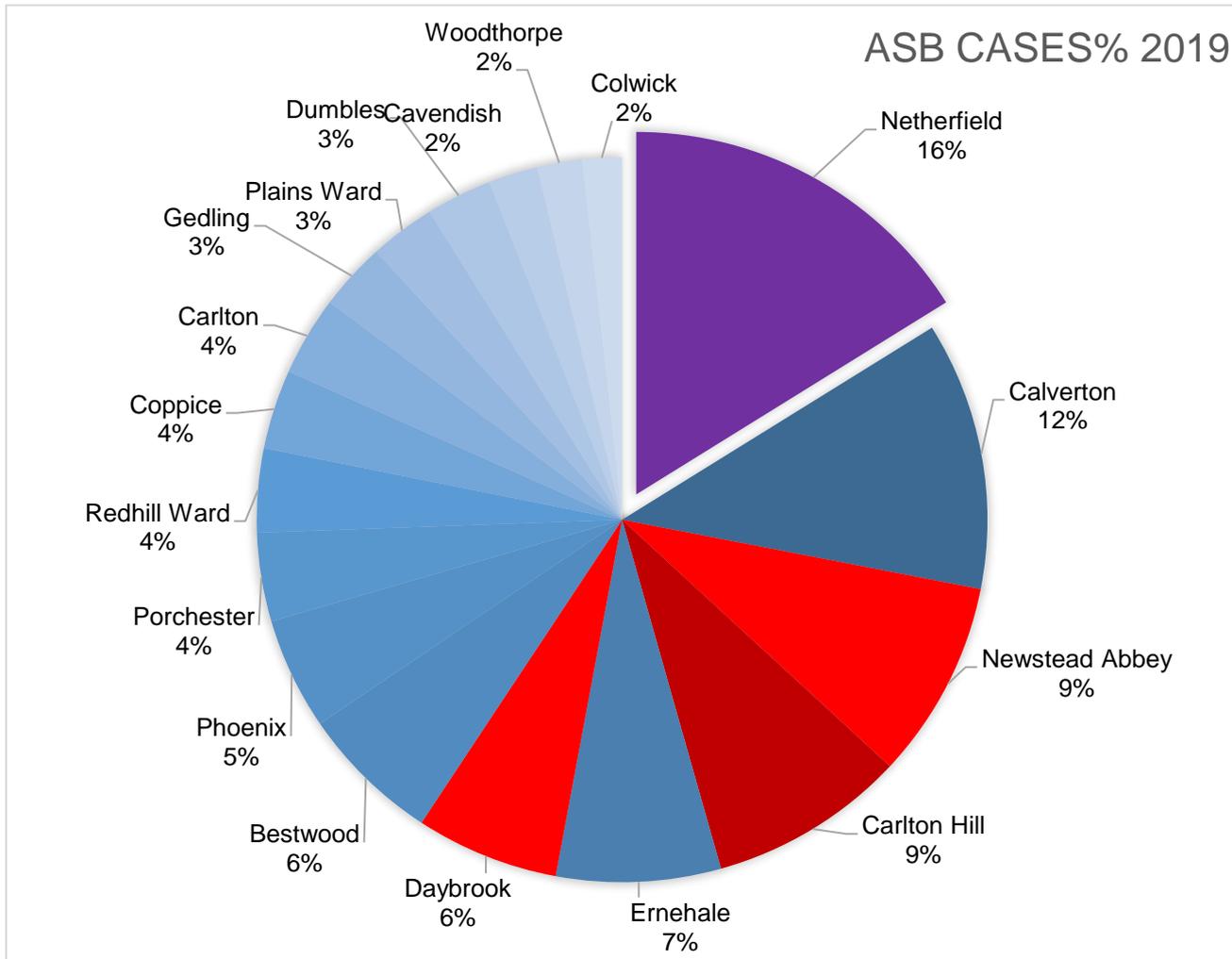
Map 6 below shows the hotspots for secondary fires across the whole of Gedling between 2014 and 2019. Areas that highlight as hot spot areas are Newstead Village and Arnold particularly around Kilbourne Road.



Map 6: 5 years Secondary Fires mapped in the Gedling Borough

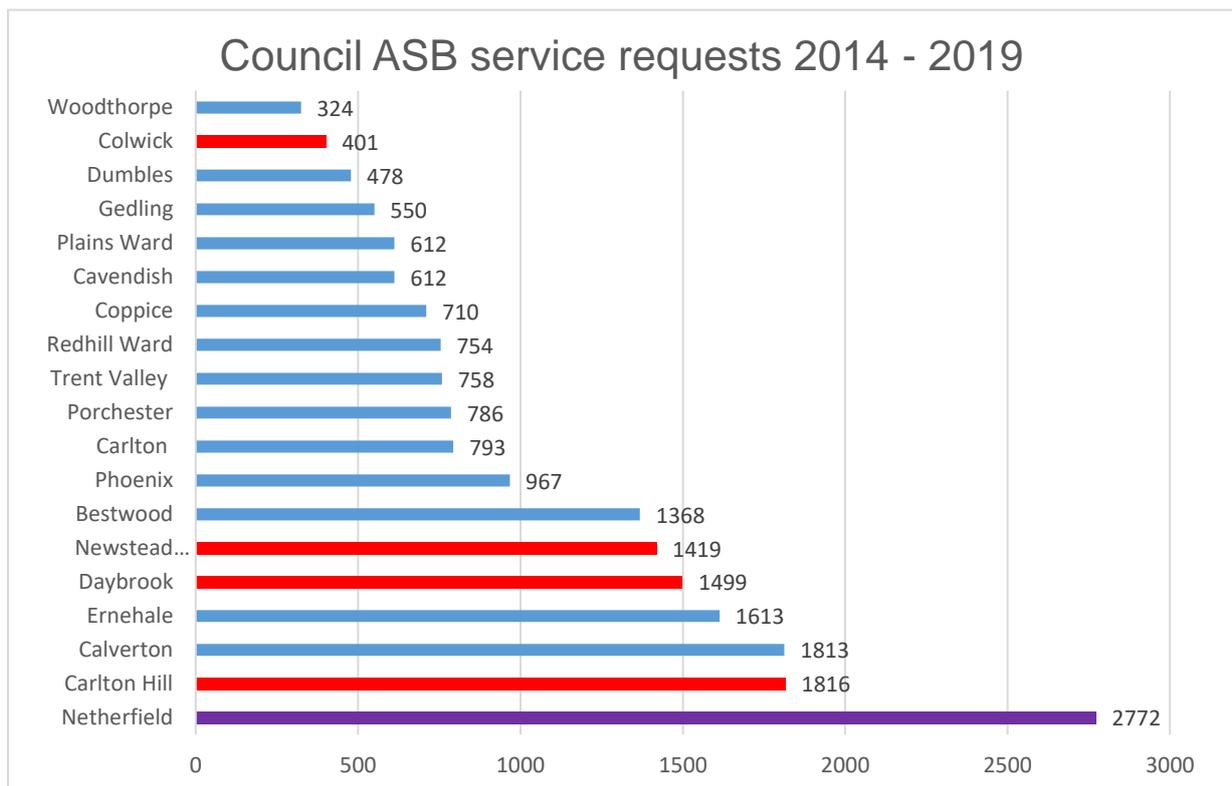
### 4.3 Council Antisocial Behaviour service request data

Antisocial behaviour service request data was extracted from the council's database between 2014-2019. The data showed that that Newstead followed by Carlton Hill then Daybook had the highest number of ASB complaints. For the year 2019, there were 246 reports of ASB in Newstead. The comparison the pie chart at graph 7 shows the percentage of ASB cases reported to the council in the year 2019.



Graph 1: Number of ASB Complaints by percentage 2019 – All wards

Data was also mapped and analyse between 2014-2019. Graph 2 over the page shows that there are a significantly higher number of complaints of anti-social behaviour within Carlton Hill followed by Daybrook then Newstead. The total number of complaints within the five year period for Carlton Hill was 1816. An annual average of 363 complaints in Carlton Hill. Colwick had a total of 50 complaints in 2019 and within the 5 year period it had 401; 80 per year on average.



Graph 2: Total Number of ASB cases 2014-2019

#### 4.4 Antisocial Behaviour Incidents compared to Dwelling Crimes

Table 1 over the page compares dwelling crimes and antisocial behaviour per Gedling police beat between 2014-2019. Dwelling crimes are different types of crime, examples of these crimes include:

- Violence without injury
- Criminal damage
- Violence with injury
- Burglary
- All other theft offences
- Miscellaneous crimes against society
- Sexual offences
- Arson
- Drug possession
- Vehicle crime
- Bicycle theft
- Public disorder
- Rape
- Theft from a person
- Drug trafficking
- Robbery of personal property

### Dwelling Crimes

### ASB Incidents

Rank	Beat Name	Rate of Dwelling Crimes per 1,000 residents	Rank	Beat Name	Rate of ASB Incidents per 1,000 residents
1st	ARNOLD TOWN CENTRE	281	1st	ARNOLD TOWN CENTRE	3272
2nd	KILLISICK	195	2nd	NEWSTEAD	233
3rd	NETHERFIELD	184	3rd	NETHERFIELD	186
4th	DAYBROOK	166	4th	ST MARYS	175
5th	NEWSTEAD	155	5th	DAYBROOK	147
6th	LINBY AND PAPPLEWICK	150	6th	STOKE BARDOLPH	126
7th	COLWICK	138	7th	KILLISICK	116
8th	VALLEY	120	8th	BONINGTON	114
9th	BONINGTON	117	9th	CARLTON	110
10th	CARLTON	111	10th	BESTWOOD VILLAGE	109
11th	ST MARYS	106	=11th	COLWICK	100
12th	CARLTON HILL	101	=11th	KINGSWELL	100
13th	PHOENIX	97	13th	CALVERTON	87
14th	STOKE BARDOLPH	90	14th	CARLTON HILL	76
15th	BESTWOOD VILLAGE	89	15th	PHOENIX	69
=16th	PORCHESTER	82	=16th	GEDLING	59
=16th	CALVERTON	82	=16th	ST JAMES	59
18th	GEDLING	79	18th	PORCHESTER	55
19th	LAMBLEY	75	19th	LINBY & PAPPLEWICK	53
20th	KINGSWELL	74	20th	LAMBLEY	47
21st	ST JAMES	70	21st	MAPPERLEY PLAINS	46
22nd	MAPPERLEY PLAINS	64	22nd	WOODTHORPE	42
23rd	RAVENSHEAD	62	=23rd	BURTON JOYCE	33
24th	BURTON JOYCE	61	=23rd	VALLEY	33
25th	WOODTHORPE	54	=23rd	WOODBOROUGH	33
26th	WOODBOROUGH	46	26th	RAVENSHEAD	31

Table 1: Police crime and ASB analysis 2014 – 2019 – Beat comparison

The table shows Carlton Hill, Colwick, Daybrook and Newstead are in the top half of beats in Gedling Borough with the most dwelling crimes and ASB incidents per 1,000 residents.

#### 4.5 Nottinghamshire Police Antisocial Behaviour data by proposed area

The data and tables shown below show antisocial behaviour report data received by Nottinghamshire Police between 2014 to 2019. The data has been collated and presented for the 4 potential Phase 2 Selective Licensing areas as outlined in this report. The hotspot maps show areas within the ward where ASB activity was more apparent during this time.

#### 4.6 Anti-social behaviour – Carlton hill

Over the five year time period there were 561 ASB incidents recorded in Carlton Hill. The following table shows a breakdown of ASB incidents by year and ASB type.

ASB Type	2014	2015	2016	2017	2018	Total
ASB Nuisance	104	81	77	78	58	398
ASB Personal	27	26	22	31	15	121
ASB Environmental	5	9	14	9	5	42
Grand Total	136	116	113	118	78	561

Table 2: Antisocial Behaviour incidents in Carlton Hill

Incident numbers decreased each year apart from in 2017 where a slight rise was seen. ASB nuisance was the highest ASB type accounting for 71% of all ASB incidents.

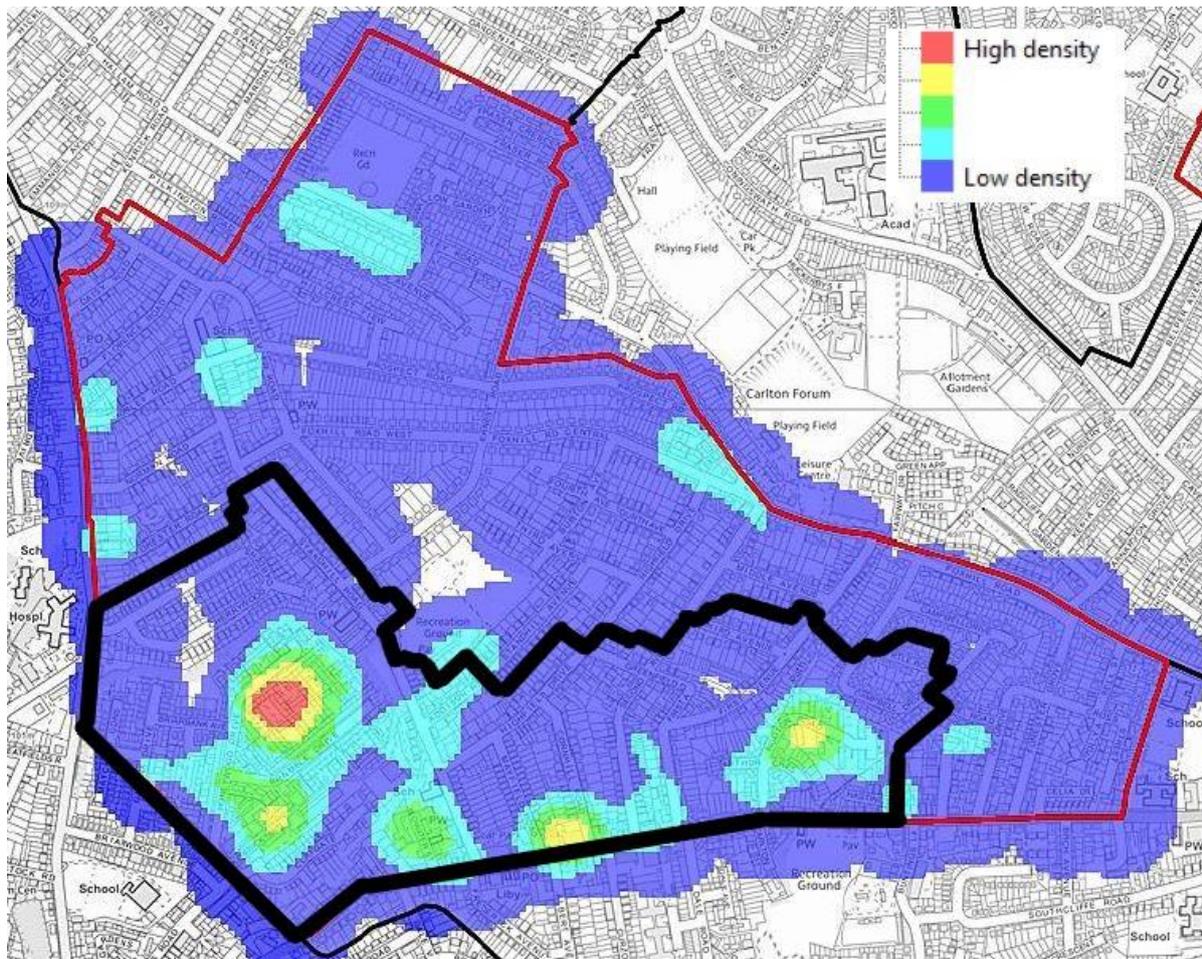
The table below shows a breakdown of the ASB incidents relating to noise, youth and alcohol. Noise related incidents were the highest out of the three qualifiers and accounted for 34% of all ASB incidents.

Qualifier	2014	2015	2016	2017	2018	Total
Noise	46	46	38	36	22	188
Youth	31	12	24	24	18	109
Alcohol	17	19	12	18	13	79

Table 3: Antisocial Behaviour Carlton Hill– noise, youth, alcohol

#### Five year hotspot map:

The following map shows all ASB incidents mapped using the kernel density method across the entire Carlton Hill ward during the five year time period.



Map 7: 5 years ASB incidents in Carlton Hill  
 (red outline Police Beat boundary, black outline proposed designated area)

The main hotspot for ASB incidents in Carlton Hill was around Honeywood Drive and Bramble Drive as seen above. The data and heat map shows there have been incidents throughout the proposed area.

The proposed Carlton Hill area features in one of two areas in the borough identified through the local Police and Safer Nottinghamshire local severity profile process. Carlton Hill is specifically prioritised to address a significant and persistent problem with ASB. Given the high proportion of private rented homes and local conditions there is a strong connection between the ASB and private rented housing in the area.

#### 4.7 Anti-social behaviour – Colwick

Over the five year time period there were 258 ASB incidents recorded in Colwick. The following table shows a breakdown of ASB incidents by year and ASB type.

ASB incidents rose slightly over the five years and then slowly decreased after 2015. ASB nuisance was the highest ASB type accounting for 70% of all ASB incidents.

ASB Type	2014	2015	2016	2017	2018	Total
ASB Nuisance	35	43	37	32	34	181
ASB Personal	7	10	8	12	10	47
ASB Environmental	4	7	7	8	4	30
<b>Grand Total</b>	<b>46</b>	<b>60</b>	<b>52</b>	<b>52</b>	<b>48</b>	<b>258</b>

Table 4: Antisocial Behaviour incidents in Colwick

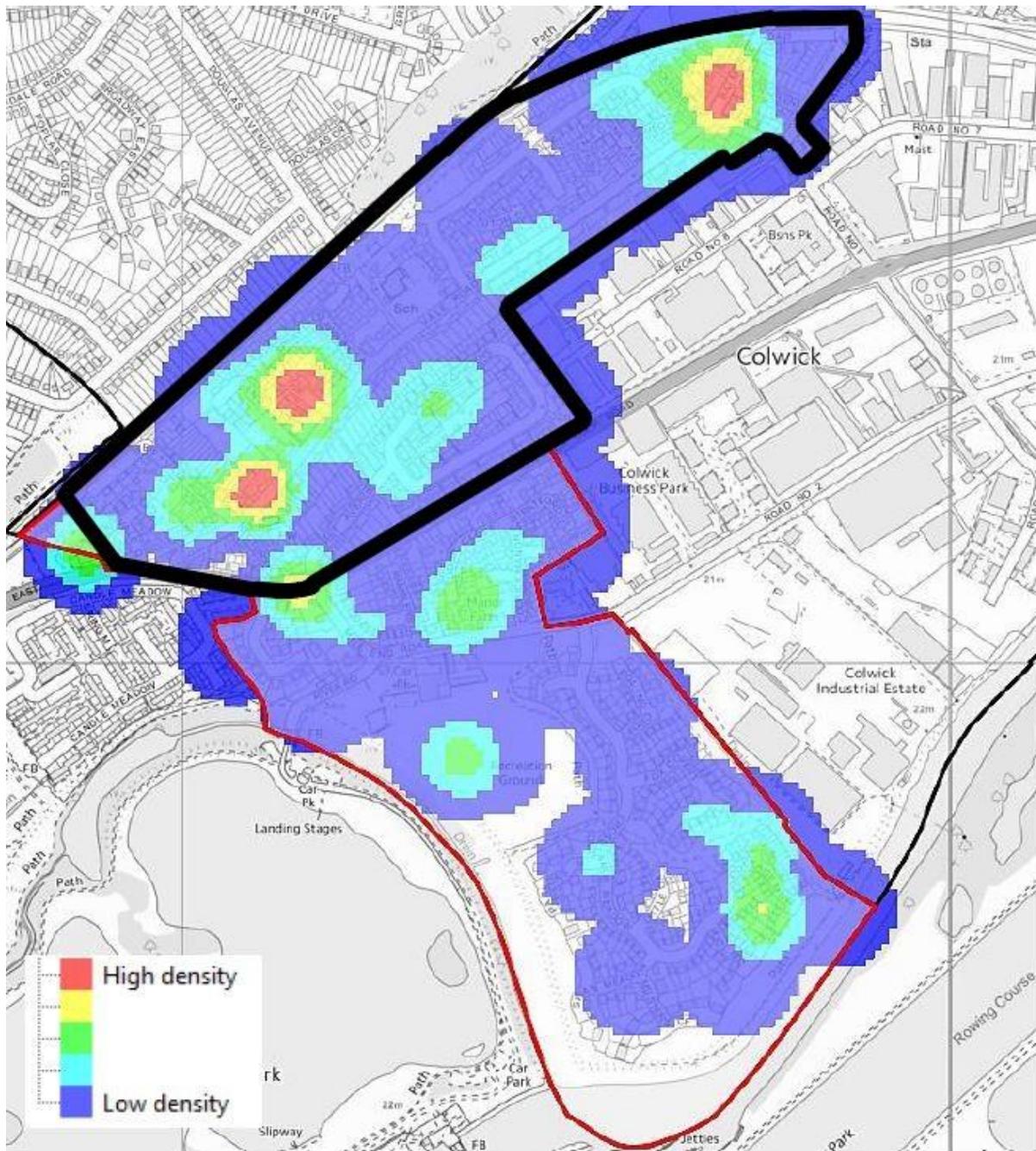
The table below shows a breakdown of the ASB incidents relating to noise, youth and alcohol. Noise related incidents were the highest out of the three qualifiers and accounted for 24% of all ASB incidents

Qualifier	2014	2015	2016	2017	2018	Total
Noise	14	18	14	7	8	61
Youth	9	10	14	17	11	61
Alcohol	10	6	6	6	3	31

Table 5: Antisocial Behaviour Colwick – noise, youth, alcohol

Five year hotspot map:

The following map shows all ASB incidents mapped using the kernel density method across the entire Colwick ward during the five year time period.



Map 8: 5 years ASB incidents in Colwick  
 (red outline Police Beat boundary, black outline proposed designated area)

The three main hotspots for ASB incidents in Colwick were around Sands Close, Vale Road and Balmoral Road as seen above. The data and heat map shows there have been incidents throughout the proposed area.

The proposed Colwick area features in one of two areas in the borough identified through the the local Police and Safer Nottinghamshire local severity profile process. Colwick is specifically prioritised to address a significant and persistent problem with ASB. Given the high proportion of private rented homes and local conditions there is a strong connection between the ASB and private rented housing in the area.

## 4.8 Anti-social behaviour – Daybrook

Over the five year time period there were 723 ASB incidents recorded in Daybrook. The following table shows a breakdown of ASB incidents by year and ASB type.

ASB Type	2014	2015	2016	2017	2018	Total
ASB Nuisance	126	115	117	88	94	540
ASB Personal	38	25	32	28	20	143
ASB Environmental	9	7	6	13	5	40
<b>Grand Total</b>	<b>173</b>	<b>147</b>	<b>155</b>	<b>129</b>	<b>119</b>	<b>723</b>

Table 6: Antisocial Behaviour incidents in Daybrook

ASB incidents decreased over the five year time period. ASB nuisance was the highest ASB type accounting for 75% of all ASB incidents

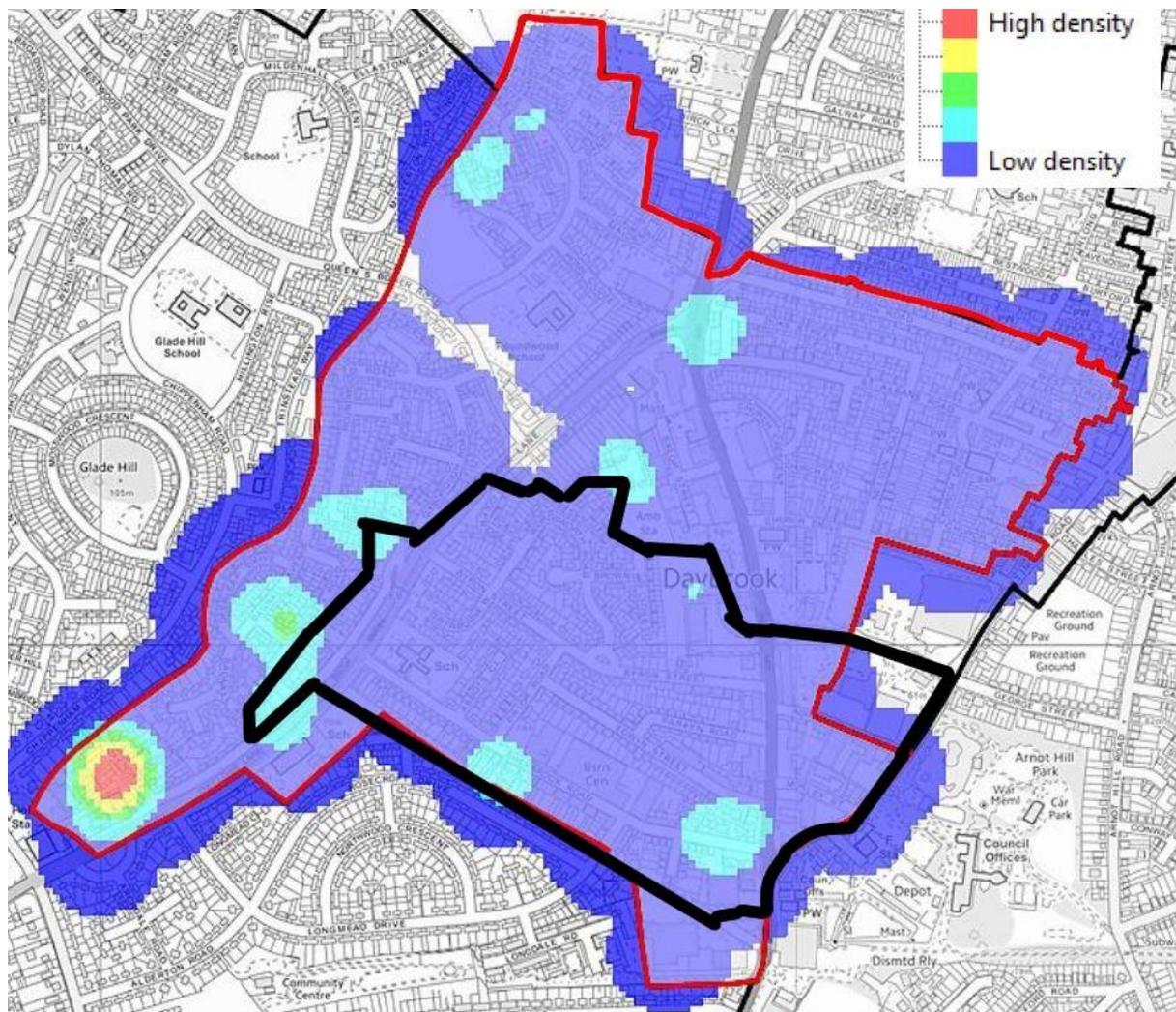
The table below shows a breakdown of the ASB incidents relating to noise, youth and alcohol. Noise related incidents were the highest out of the three qualifiers and accounted for 36% of all ASB incidents

Qualifier	2014	2015	2016	2017	2018	Total
Noise	63	69	59	36	36	263
Youth	32	30	39	23	31	155
Alcohol	24	29	30	23	14	120

Table 7: Antisocial Behaviour Daybrook – noise, youth, alcohol

Five year hotspot map:

The following map shows all ASB incidents mapped using the kernel density method across the entire Daybrook ward during the five year time period.



Map 9: 5 years ASB incidents in Daybrook  
(red outline Police Beat boundary, black outline proposed designated area)

The hotspots for ASB incidents are shown above in Daybrook. The light shading throughout the area shows ASB have been recorded throughout the area in each of the 5 years considered. A total of 723 incidents were recorded over the 5 year period which is the highest of volume of all 4 proposed areas. Hotspot maps for each individual year within the 5 year period show a consistent spread of ASB incidents throughout the proposed area.

## 4.9 Anti-social behaviour – Newstead Village

Over the five year time period there were 321 ASB incidents recorded in Newstead. The following table shows a breakdown of ASB incidents by year and ASB type.

ASB incident levels have fluctuated during the five year time period. ASB nuisance was the highest ASB type accounting for 78% of all ASB incidents

ASB Type	2014	2015	2016	2017	2018	Total
ASB Nuisance	40	58	56	41	56	251
ASB Personal	7	2	10	3	8	30
ASB Environmental	3	11	11	5	10	40
Grand Total	50	71	77	49	74	321

Table 8: Antisocial Behaviour incidents in Newstead Village

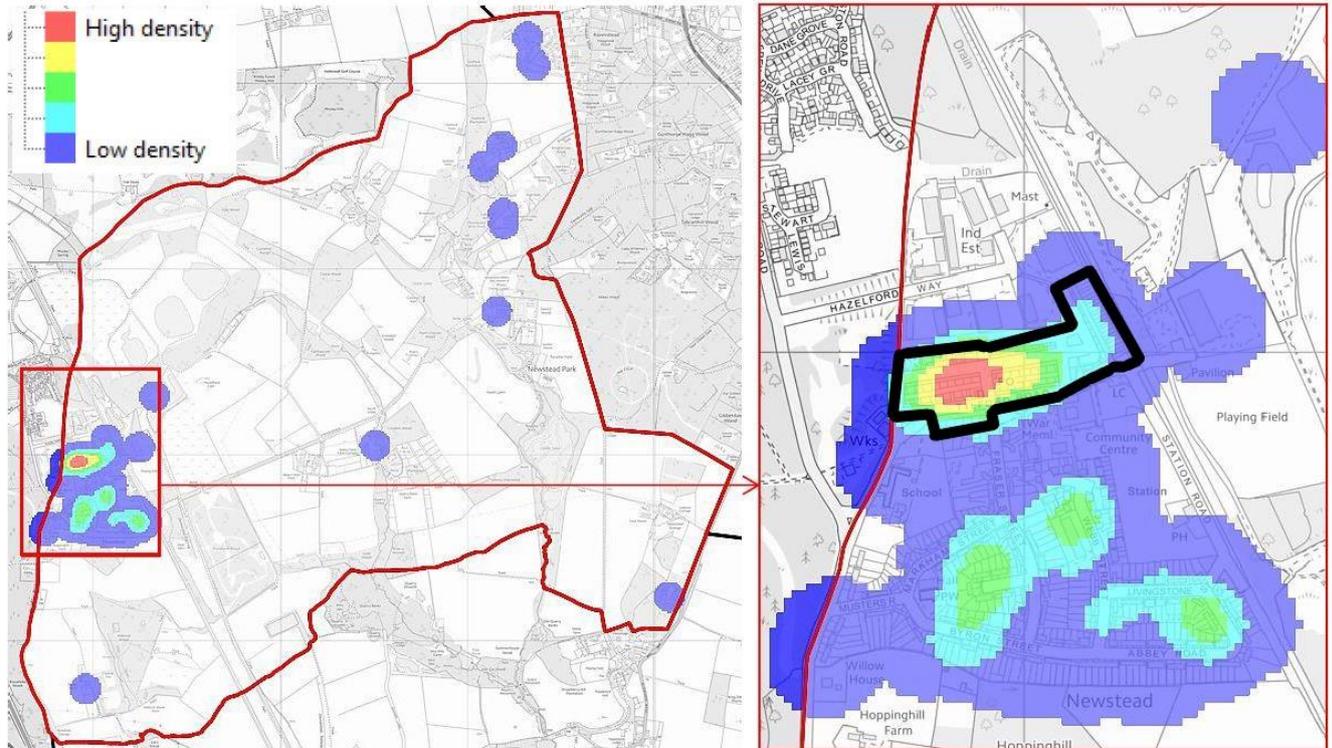
The table below shows a breakdown of the ASB incidents relating to noise, youth and alcohol. Youth related incidents were the highest out of the three qualifiers and accounted for 36% of all ASB incidents

Qualifier	2014	2015	2016	2017	2018	Total
Noise	9	16	11	11	12	59
Youth	19	11	22	29	35	116
Alcohol	2	3	8	0	6	19

Table 9: Antisocial Behaviour Newstead Village – noise, youth, alcohol

### Five year hotspot map:

The following map shows all ASB incidents mapped using the kernel density method across the entire Newstead ward during the five year time period. As Newstead is a large ward a close up has also been shown of the main hotspot.



Map 10: 5 years ASB incidents in Newstead Village  
(red outline Police Beat boundary, black outline proposed designated area)

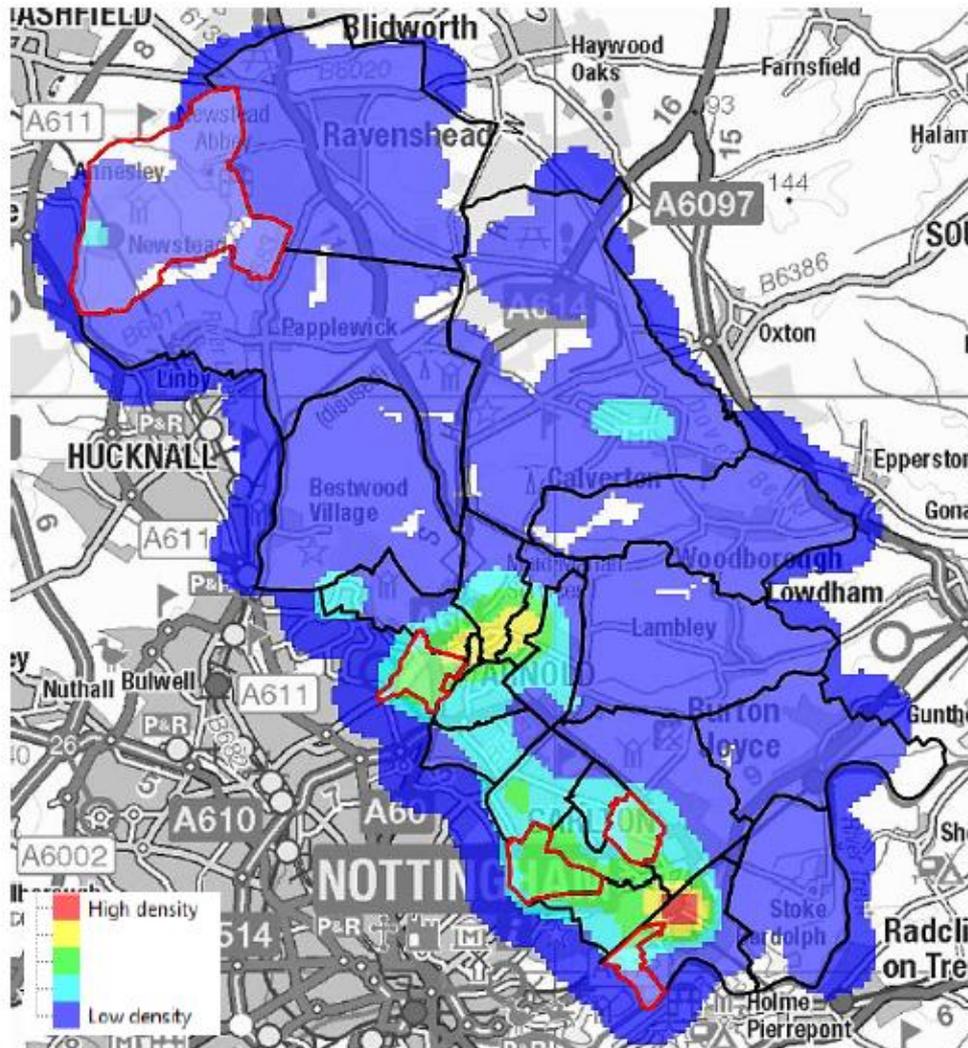
The main hotspot for ASB incidents in Newstead was around Tilford Road as seen above. There have also been incidents elsewhere in the village.

## **4.10 Summary Conclusions**

See section 6.5 for anti-social behaviour and crime combined summary conclusions due to the overlapping nature and close association of the behaviour. Within this section there are a number of case studies which articulate some of the type of issues associated with private rented housing as experienced by the community, Council, Nottinghamshire Police and partners.

## 5.0 Crime Analysis

Police crime data between 2014 and 2019 in the map below shows reported crimes which have been recorded to a dwelling address (all business and open space crime have been removed). All 5 years' data was mapped using kernel density hotspot on the entire District.



Map 11: 5 years Crime incidents in the Gedling district

The following section analyse the crime data for each of the proposed selective licensing areas between 2014 and 2019. The analysis shows crime incident rates and hotspot heat maps where criminal activity was more apparent during this time.

## 5.1 Crime data analysis – Colwick

When calculating the rate of dwelling crimes incidents per 1,000 people for each ward across Gedling, Colwick ranked 7<sup>th</sup> out of 26. There were 354 police reported crimes over the five year period. The following table shows a breakdown of all dwelling crimes by crime type and year

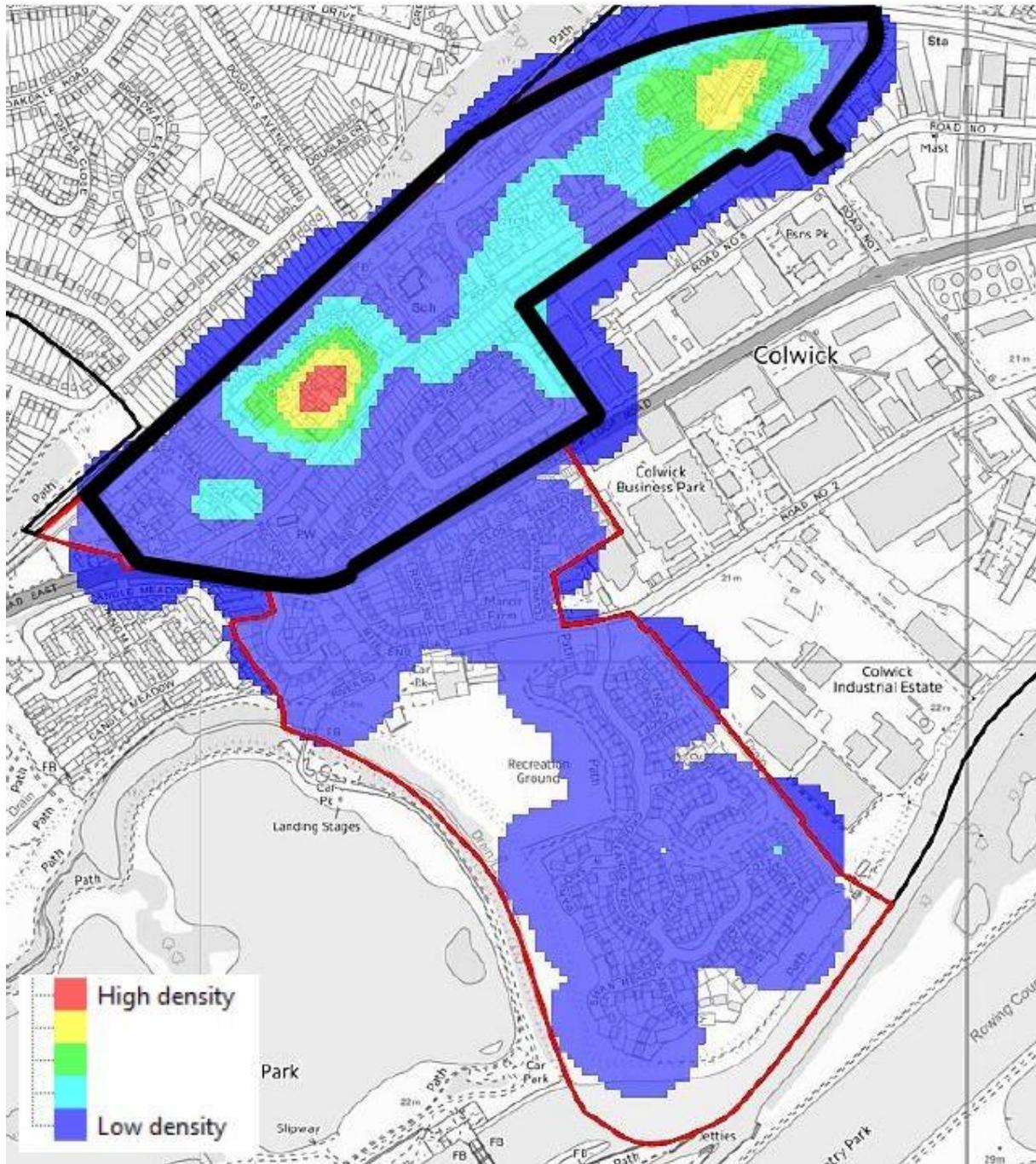
Crime Type	2014	2015	2016	2017	2018	Total
Violence without Injury	8	11	18	14	19	70
Burglary	13	8	20	13	12	66
Violence with Injury	8	12	10	16	18	64
Criminal Damage	13	12	8	12	13	58
All Other Theft Offences	6	4	6	2	9	27
Vehicle Crime	1	2	2	4	13	22
Public Disorder	1	3	2	3	4	13
Drug Possession	4	3	0	1	1	9
Drug Trafficking	2	2	1	1	1	7
Miscellaneous Crimes Against Society	1	1	2	0	1	5
Bicycle Theft	2	0	0	0	2	4
Other Sexual Offences	0	2	0	1	1	4
Robbery of Personal Property	1	0	0	0	1	2
Arson	0	0	1	0	1	2
Rape	1	0	0	0	0	1
<b>Grand Total</b>	<b>61</b>	<b>60</b>	<b>70</b>	<b>67</b>	<b>96</b>	<b>354</b>

Table 10: Crime Colwick 2014 -2019

The crime rate fluctuated over the five year time period. Violence without injury was the highest crime type for all five years combined accounting for 20% of the total number of crimes

Five year hotspot map:

The following map shows all crime incidents mapped using the kernel density method across the entire Colwick ward during the five year time period



Map 12: 5 years Crime incidents in Colwick  
(red outline Police Beat boundary, black outline proposed designated area)

The heat map shows the main crime hotspots around Balmoral Road, Vale Road and Hotspur Drive to the north of the Colwick area – this matches the proposed selective licensing area.

The proposed Colwick area features in one of two areas in the borough identified through the local Police and Safer Nottinghamshire local severity profile process. Colwick is specifically prioritised to address criminal activity associated with burglary and drug supply and use. Given the high proportion of private rented homes in the area and local conditions there is a high incidence of crime, some of which can be directly linked with private rented housing in the area.

## 5.2 Crime analysis – Daybrook

When calculating the rate of dwelling crimes incidents per 1,000 people for each ward across Gedling, Daybrook ranked 4<sup>th</sup> out of 26. There were 818 police reported crimes over the five year period. The following table shows a breakdown of all dwelling crimes by crime type and year

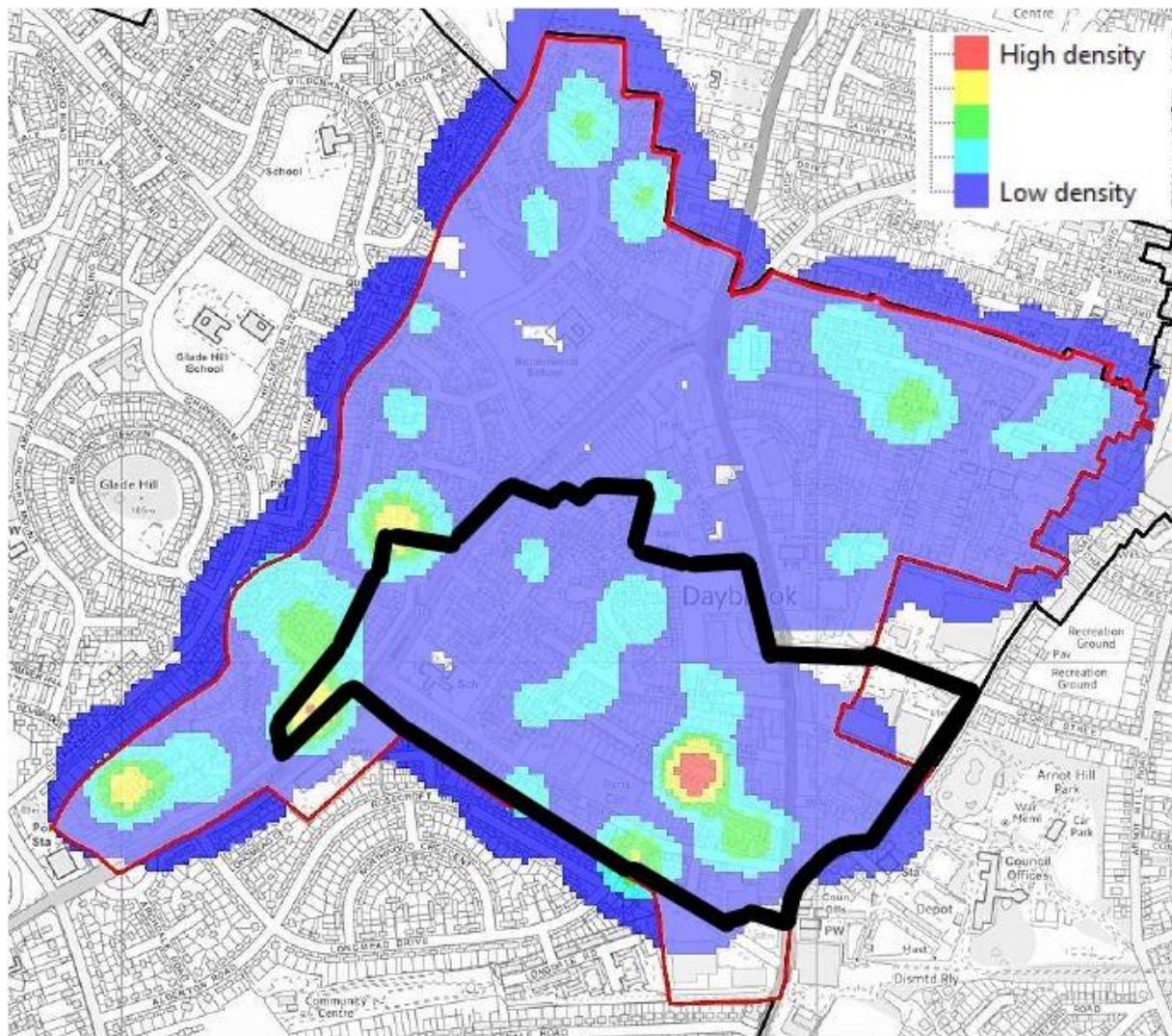
Crime Type	2014	2015	2016	2017	2018	Total
Violence without Injury	39	29	31	53	58	210
Violence with Injury	38	29	29	31	28	155
Criminal Damage	31	20	32	36	33	152
Burglary	18	19	20	22	16	95
All Other Theft Offences	16	11	11	17	9	64
Vehicle Crime	5	5	6	7	7	30
Public Disorder	3	2	2	4	8	19
Drug Possession	4	3	4	4	4	19
Other Sexual Offences	3	5	4	2	1	15
Rape	1	1	3	5	4	14
Miscellaneous Crimes Against Society	0	1	3	4	4	12
Drug Trafficking	1	2	4	0	1	8
Arson	1	2	1	0	4	8
Bicycle Theft	2	1	0	2	1	6
Robbery of Personal Property	1	2	1	0	2	6
Possession of Weapon Offences	1	1	0	1	1	4
Theft from the Person	0	0	1	0	0	1
<b>Grand Total</b>	<b>164</b>	<b>133</b>	<b>152</b>	<b>188</b>	<b>181</b>	<b>818</b>

Table 11: Crime Daybrook 2014 -2019

The crime rate fluctuated over the five year time period. Violence without injury was the highest crime type for all five years combined accounting for 26% of the total number of crimes

Five year hotspot map:

The following map shows all crime incidents mapped using the kernel density method across the entire Daybrook ward during the five year time period



Map 13: 5 years Crime incidents in Daybrook  
(red outline Police Beat boundary, black outline proposed designated area)

The main crime hotspots were around Edwin Street, Sherbrook Road, with a smaller hotspot around Oxclose lane near Bagnall Avenue. The lighter shading shows incidents were reported throughout the ward over the 5 year period.

### 5.3 Crime analysis – Newstead

When calculating the rate of dwelling crimes incidents per 1,000 people for each ward across Gedling, Newstead ranked 5<sup>th</sup> out of 26. There were 213 police reported crimes over the five year period. The following table shows a breakdown of all dwelling crimes by crime type and year

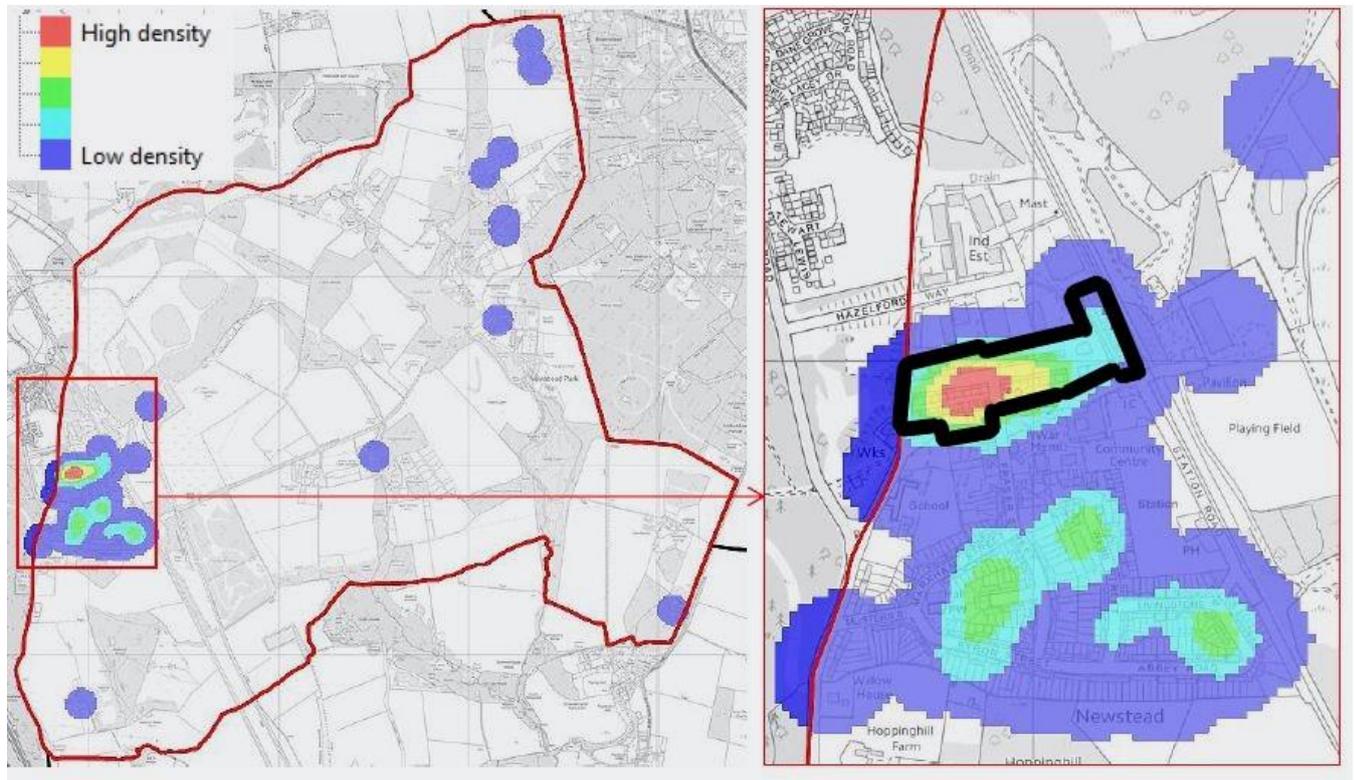
Crime Type	2014	2015	2016	2017	2018	Total
Violence without Injury	5	10	12	5	17	49
Criminal Damage	5	8	7	6	16	42
Violence with Injury	10	9	11	3	4	37
Burglary	0	3	14	6	9	32
All Other Theft Offences	3	3	1	4	3	14
Miscellaneous Crimes Against Society	0	0	0	3	5	8
Other Sexual Offences	1	0	3	1	1	6
Drug Trafficking	0	0	0	1	4	5
Vehicle Crime	1	0	1	0	2	4
Bicycle Theft	2	0	1	0	1	4
Public Disorder	1	0	2	0	0	3
Rape	0	0	0	1	2	3
Theft from the Person	0	0	0	2	0	2
Arson	0	0	1	0	1	2
Drug Possession	0	1	0	0	0	1
Robbery of Personal Property	0	0	0	0	1	1
<b>Grand Total</b>	<b>28</b>	<b>34</b>	<b>53</b>	<b>32</b>	<b>66</b>	<b>213</b>

Table 12: Crime Newstead 2014 -2019

The crime rate fluctuated over the five year time period. Violence without injury was the highest crime type for all five years combined accounting for 23% of the total number of crimes

Five year hotspot map:

The following map shows all crime incidents mapped using the kernel density method across the entire Newstead ward during the five year time period. As Newstead is a large ward a close up has also been shown of the main hotspots.



Map 14: 5 years Crime incidents in Newstead  
(red outline Police Beat boundary, black outline proposed designated area)

The main crime hotspot was around Tilford Road and Chapel Terrace with some further incidents to the centre and south of the village. The proposed selective licensing area would include the Tilford Road and Chapel Terrace streets to the north of the village.

## **5.4 Crime and Antisocial Behaviour Summary and Conclusions**

### **5.4.1 Antisocial Behaviour summary**

Chapter 4 sections 4.2 to 4.9 of this proposal document shows that the following areas are suffering with concentrations of a persistent and significant level of antisocial behaviour:

- Carlton Hill
- Colwick
- Daybrook, and
- Newstead Village

Table 1 in section 5.4 shows Newstead ranks second in the borough between 2014 – 2019 in terms of wards affected by ASB per 1,000 residents. Daybrook ranks 5<sup>th</sup>, Colwick 11<sup>th</sup>, and Carlton Hill 14<sup>th</sup>. In terms of volume of ASB incidents the most reports were received in Daybrook followed by Carlton Hill and then Newstead Village and Colwick.

Daybrook experienced the highest volume of ASB incidents of 723 according to Police records with 540 reports of ASB nuisance which directly impacts the community. There is evidence to suggest, as described in the case study in paragraph 5.5.6 the some landlords are not taking appropriate action to deal with the problems such as noise nuisance and intimidating behaviour. Furthermore a high turnover of tenancies is contributing to issues in ward such as fly-tipping and general ASB.

The ASB heat map for Colwick show (see map 8) shows a higher density of incidents in the north part of the ward which is the proposed selective licensing area and is in close proximity to the Netherfield ward which is in the top 15 highest crime and ASB affected wards in Nottinghamshire.

Both Carlton Hill and Colwick feature in the Police and Safer Nottinghamshire local severity profile priority setting process for the borough. Local priorities have been set in two profiled areas one of which contains both Carlton Hill and Colwick and which is specifically targeted to address antisocial behaviour due to a significant and persistent problem in these areas. Given the high proportion of private rented homes in these proposed areas there is a strong association between the significant and persistent antisocial behaviour and private rented housing.

All 4 proposed selective licensing areas are in the top half of wards most affected by antisocial behaviour in the borough.

### **5.5.2 Crime summary**

The crime analysis in sections 5.0 to 5.4 of this proposal show that the following areas are suffering with concentrations of high levels of crime;

- Colwick
- Daybrook, and
- Newstead Village

Table 1 in section 5.4 ranks the wards in terms of dwelling crime per 1,000 residents and all 3 areas are ranked in the top 7 out of a total of 26 police beat areas in Gedling Borough.

The police crime data heat maps (see maps 14, 15 and 16) broadly correlate with the proposed selective licensing areas in these 3 wards. Of the 4 proposed areas Daybrook ranks highest in terms of both overall crime and dwelling crime. Similar rate of dwelling crime is reported in both Newstead and Colwick. These crimes are attributable to perpetrators or victims living in the area and correlates with the high proportion of private rented homes in the proposed areas. There is evidence that landlords could do more to assist with addressing or displacing issues.

The proposed Colwick area features in one of two areas in the borough identified through the local Police and Safer Nottinghamshire local severity profile process. Colwick is specifically prioritised to address criminal activity associated with burglary and drug supply and use. Given the high proportion of private rented homes in the area and local conditions there is a high incidence of crime, some of which is directly associated with private rented housing in the area.

There is evidence that Carlton Hill Ward suffers with some incidents of dwelling related crime and ranks 12 out of 26 beat areas. After consultation with the local Neighbourhood Policing team there is perceived to be less of a link to crime associated with private rented tenants or landlords in this ward.

### **5.5.3 Crime and Antisocial behaviour conclusions and case study examples**

The Council and Police have carried out a number of interventions in recent years to address ASB in each of the 4 proposed Phase 2 selective licensing areas. Each year on average across the 4 areas the Council receives over 220 complaints about ASB and almost 900 complaints in combined about ASB. The complaints range from noise nuisance, fly tipping, littering, dog related nuisances, through to verbal abuse and intimidating behaviour, some of which will be caused by private rented tenants.

When investigating complaints the Council will seek the support of landlords to encourage the tenants to change their behaviour, some landlords will contact their tenants following requests from the Council but some landlords are not so co-

operative or easy to contact. It is known from information available to the Council that many landlords with rented properties live outside of Gedling Borough Council's area and in some circumstances this can be a barrier when dealing with problematic tenants.

It is the Council's view that the introduction of Selective Licensing will require landlords to implement a more proactive approach to property management and this will help to address at an early stage the antisocial behaviour problems that have been impacting the community. There are number of proposed licence conditions that will assist with addressing antisocial behaviour at an early stage and reduce the impact on the surrounding community. The proposed conditions for dealing with rubbish introduce a basic requirement to provide information relating to the storage and disposal of refuse which should encourage the appropriate use of refuse facilities and reduce rubbish dumping and fly-tipping in the proposed areas.

The introduction of property inspections to assess compliance can help address anti-social behaviour and criminal activity associated with private rented tenants or landlords. The process of licensing those in control of private rented accommodation introduces good management practices and addresses any rogue landlords who intentionally substandard accommodation or home victims of perpetrators of criminal activity.

Outlined below are anonymised genuine case study example from each proposed selective licensing area explaining the sort of behaviour that has been linked to the private rented sector.

#### **5.5.4 Carlton Hill case study**

The Police received reports about a rented flat on Carlton Hill attracting complaints from residents as cannabis could be smelt and lots of comings and goings. The landlord was contacted and the address visited by jointly by the Police and landlord. No cannabis grow was located (believed that tenant became aware of Police attention and got rid of it). The tenant was evicted by landlord demonstrating the sort of partnership working that can be achieved between Police and landlords when dealing addressing problematic tenants. This case study supports the Neighbourhood Policing perception that whilst there are some reports, generally crime associated with private rented properties is currently less prevalent in the Carlton Hill ward than other areas.

However, there is a significant proportion of environmental crime and antisocial behaviour in the Carlton Hill and Honeywood Gardens area. 1816 ASB reports were received by the council in 2014-2019. Due to the high proportion of private rented homes in the ward there is a high turnover of tenants. The Council's Neighbourhood Ward service receives weekly reports about ASB in the proposed selective licensing area. Common reports include dog fouling, noise nuisance, flytipping and littering. Over 701 reports of flytipping and littering in the proposed area were received during

a 5 year period and often investigations have linked reports to private rented tenants in the area.

### **5.5.5 Colwick**

A property to the north of the ward has been causing regular anti-social behaviour for neighbouring properties. The occupiers of the private rented a flat was attracting drug dealers to the location who would use the property to store and supply drugs at all times of day/night. Other residents of flats lived in fear of reprisals and neighbours had to pay for private CCTV to protect their own premises. Numerous police warrants were executed and drugs and stolen vehicle parts were identified. The subject allowed his flat to be used as a bail address for other criminals bringing migrating crime to the area. Police worked with landlord to erect cameras to capture evidence of offending. The landlord refused to provide a statement to support charges.

### **5.5.6 Daybrook**

In recent years the council has received numerous reports of antisocial behaviour associated with a block of flats in the ward. The reports have ranged from abandoned shopping trolleys and fly-tipping through to loud music, shouting and general disturbance. Neighbours have been subject to noise until after midnight and noticeable odour from the smell of cannabis being smoked.

A private rented tenant living in the proposed licensing area reported concerns of being intimidated by their landlord. It is alleged the landlord has been rude and aggressive and has threatened to evict the tenant for no apparent reason and has been and refusing to return the tenancy deposit.

Investigations are ongoing to both service requests.

### **5.5.7 Newstead Village**

Since late 2017 a number of reports have been received of ASB in the village general disorder, verbal abuse, vandalism, and nuisance quad bikes. Young people from 2 private rented households were served with Acceptable Behaviour Contracts after investigations substantiated the reports. The contracts included the following requirements:

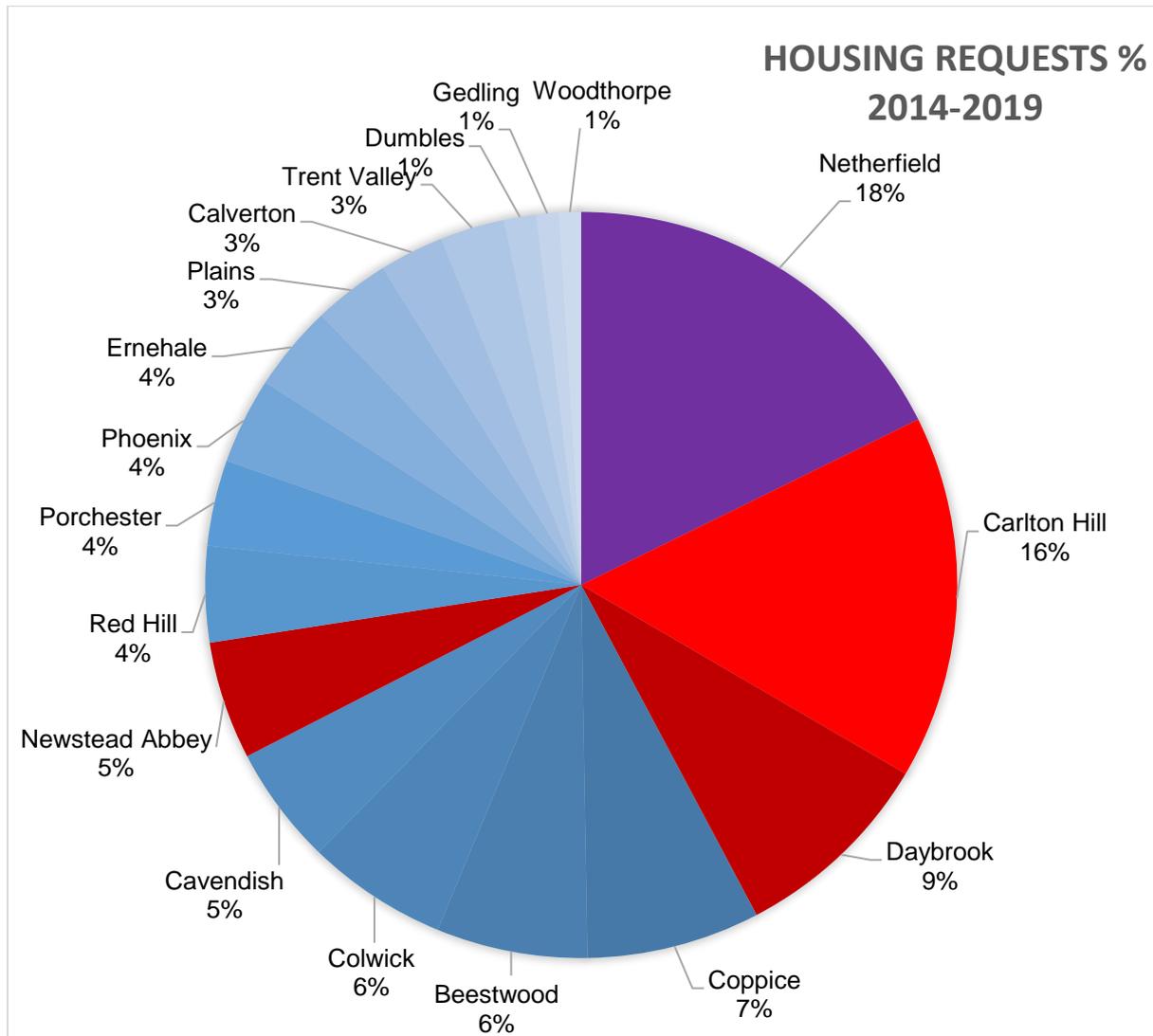
- To not throw objects at property or people
- To not be verbally abusive to members of the public
- To not cause damage to vehicles, people, property, street furniture, litter and grit bins
- To not associate with any people or groups who are doing the above activities, and if seen will walk away, return home and report the behaviour

Since the contracts were served in 2018 some reports have continued about the above behaviour has continued and the matter has been referred to the youth offending service.

It is the council's view that the introduction of selective licensing can introduce good property management practices and joint working between Police, the council, the landlord/agent and tenant the resolve ASB issues at an early stage before they progress to criminal offences. The use and introduce of licence conditions creates a framework for acceptable behaviour from tenants and good practice from landlords and agents reducing the need for enforcement action by the council and partners.

## 6.0 Housing Conditions

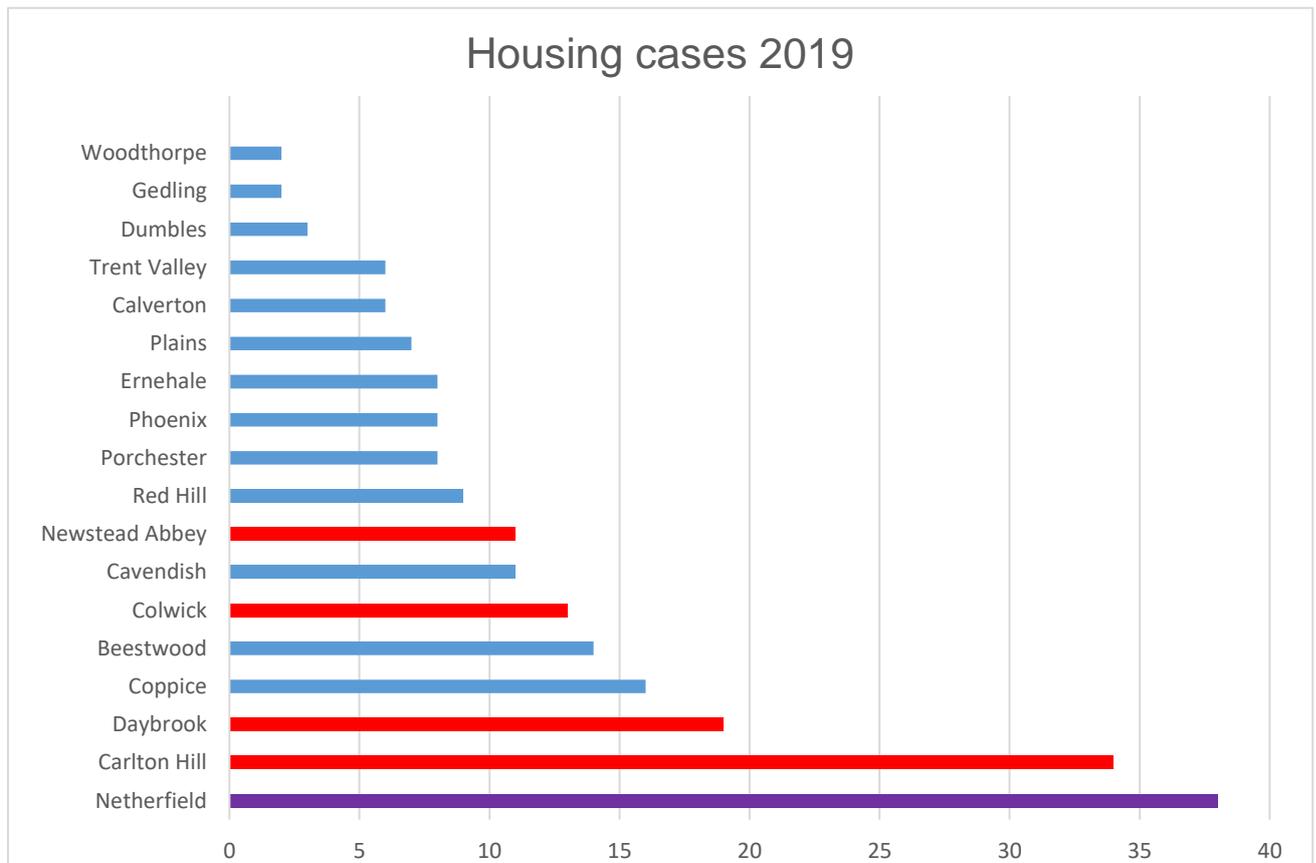
The following chapter outlines the proposal evidence collated around housing conditions. Graph 3 below presents data collated from the council's Uniform database where service requests about housing conditions are recorded.



Graph 3: Number of Housing Condition Service Requests by percentage for 2014-2019

Graph 3 above which shows the percentage of service requests by ward over a five year period; 2014-2019 combined. The chart shows out of the 4 proposed area Carlton Hill and Daybrook had the highest percentages of service requests with 16% and 9% proportion, closely followed by Colwick 6% and Newstead Abbey 5%. A total of 1137 service requests were received during this period.

Graph 4 below shows the number of service requests per ward received in 2019.



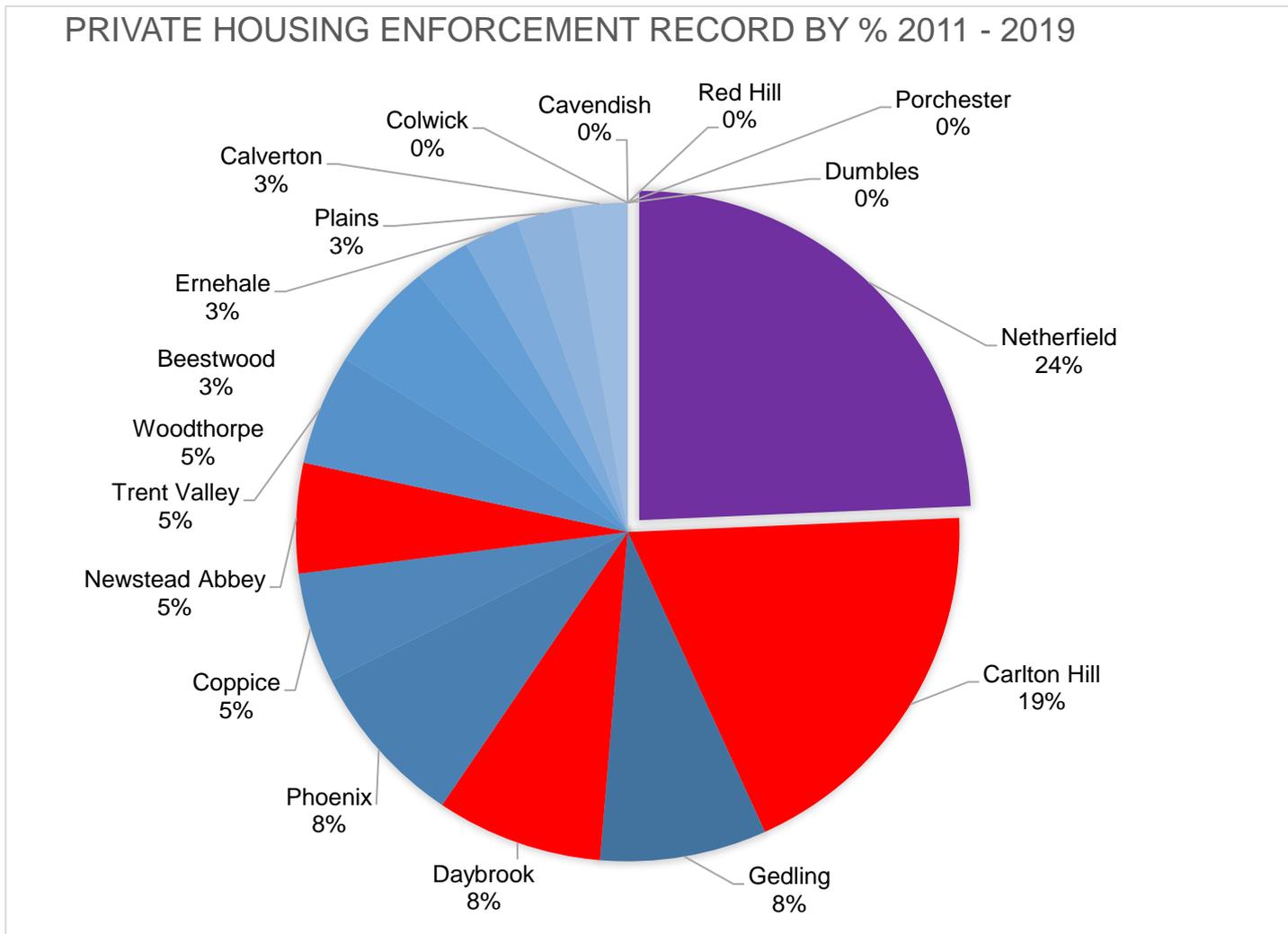
Graph 4: Number of Housing Condition Service Requests received in 2019

A similar picture can be seen in 2019 in graph 4 above which shows the total number of service requests broken down by ward and both Carlton Hill and Daybrook are in the top three wards with the highest number of requests about housing conditions.

The rate of complaints about housing conditions in the proposed selective licensing areas shows over a 5 year period shows the following:

- In Daybrook proposed area reports about disrepair are received from 1 in every 5 private rented homes
- In Carlton Hill proposed area reports about disrepair are received from 1 in every 4 private rented homes.
- In Newstead Village proposed area reports about disrepair are received from 1 in every 3 private rented homes.
- The proposed area in Colwick has the lowest complaint rate of 1 in every 10 properties is subject to complaints about disrepair.

Graph 5 below shows the proportion of housing enforcement action broken do by ward over an 8 year period 2011 to 2019

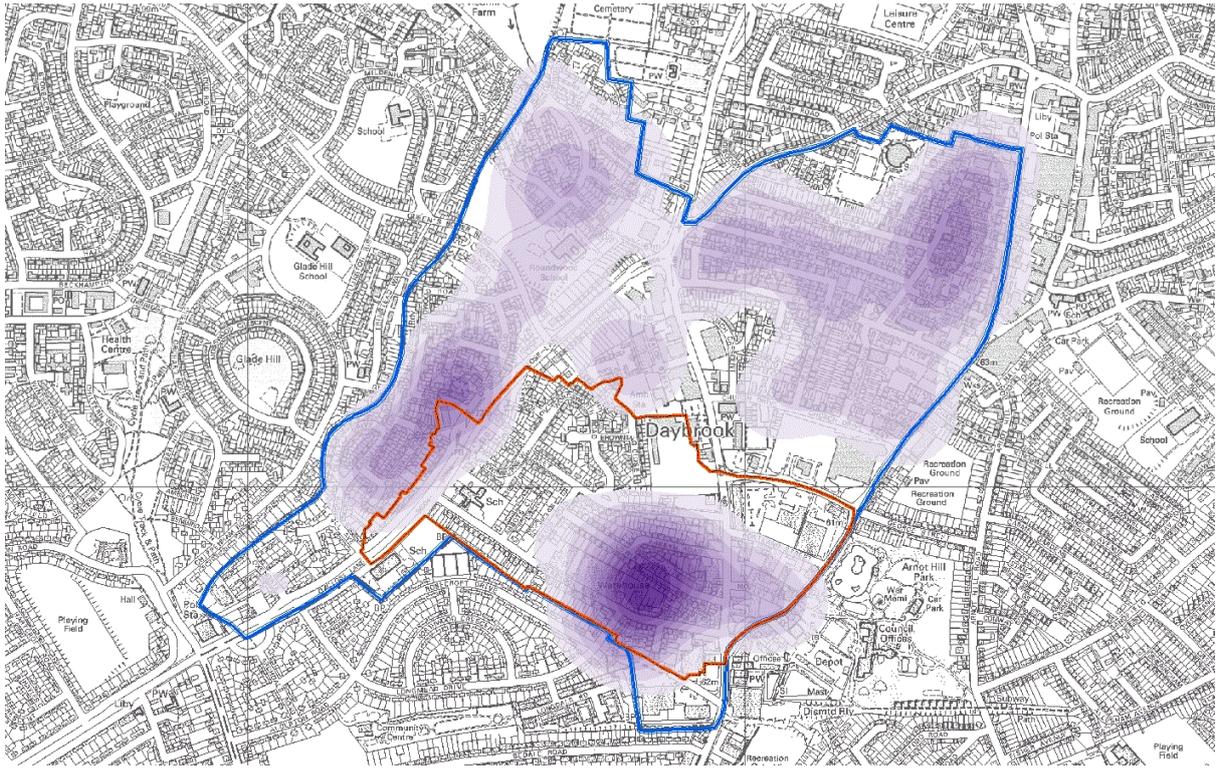


Graph 5: Notices Served on Private Housing by percentage 2011-2019

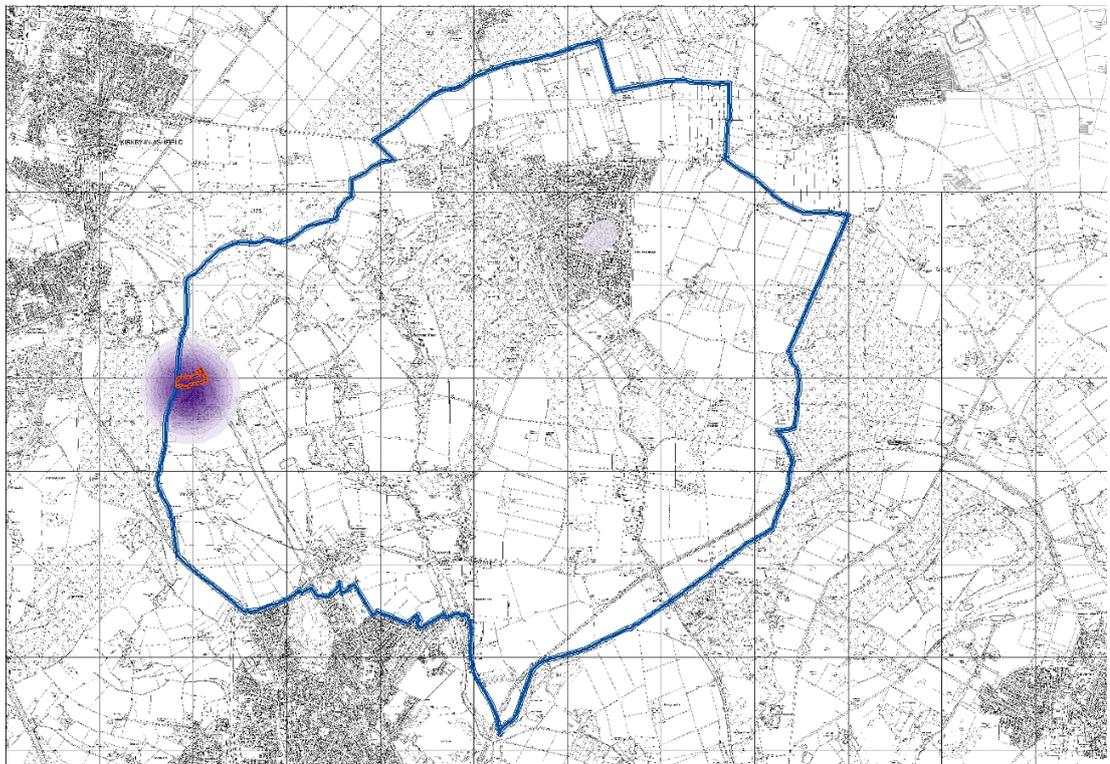
Graph 5 shows Carlton Hill and Daybrook wards feature amongst the highest in terms of proportion of enforcement notices served. Newstead Village has been subject to 5% of the council's total enforcement notices served which directly relates to action taken in the proposed area in Newstead Village. There has been a low proportion of housing enforcement notices served in Colwick and the case is less strong to demonstrate evidence of poor housing conditions. It should be noted though that considering housing enforcement in isolation does not fully present the level of compliance across the sector. Without the requirement for properties to be licenced the council does not have the resources to proactively inspect properties to check they meet minimum standards.

Maps 15 to 19 on the following pages present the data mapped from the Council's Uniform database from the years 2014-2019 and shows housing condition requests

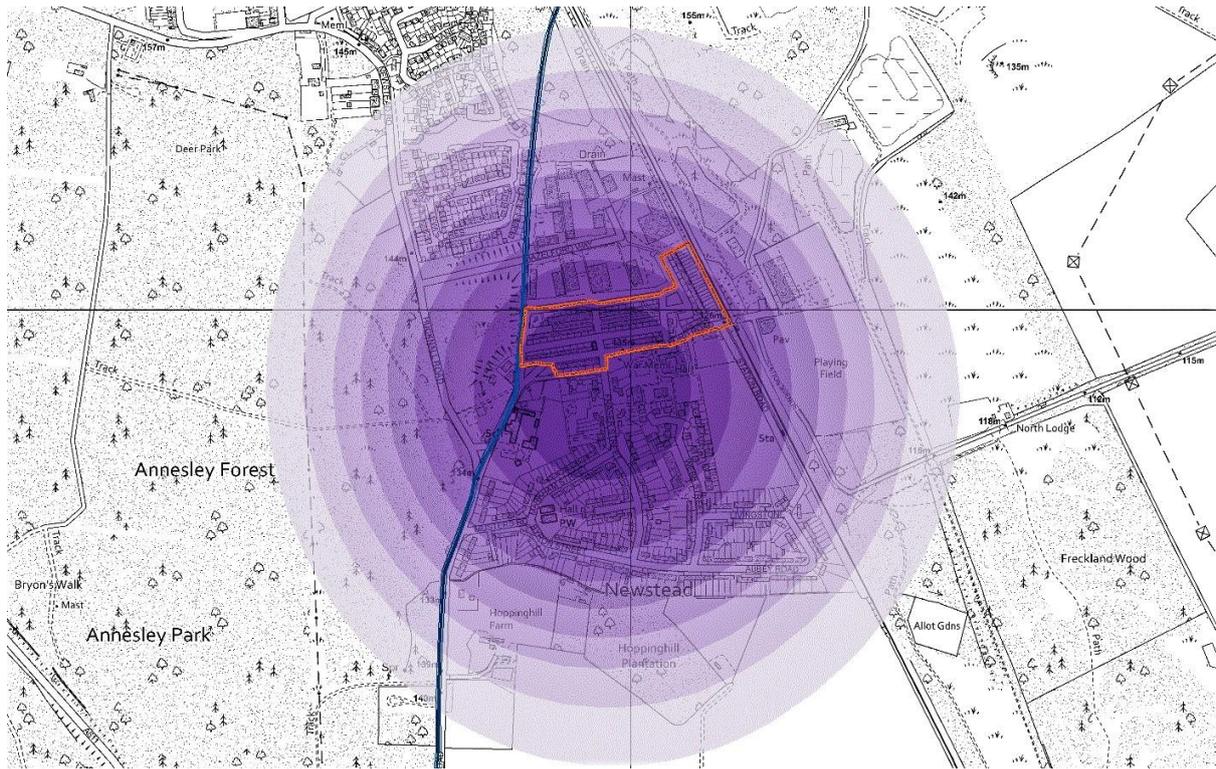




Map 16: Service requests received in Daybrook  
(Ward outline in blue, proposed area outlined in red)



Map 17: Service requests made in Newstead Abbey ward  
(Ward outline in blue, proposed area outlined in red)



Map 18: Housing Service Requests in Newstead Village  
(Ward outline in blue, proposed area outlined in red)

## 6.1 Examples of housing conditions

The following paragraphs provide a genuine examples of the typical reports the council receives about housing conditions in each of the 4 proposed selective licensing areas to articulate how housing conditions affect those living in private rented homes in the proposed areas.

### 6.2 Carlton Hill housing conditions example

A tenant living on Carlton Hill calls to report severe mould in the living room and bedroom. He has reported the matter to the landlord on numerous occasions but no action has been taken. The customer has heart and breathing problems made worse by the living conditions.

The property was visited by an Environmental Health Officer in August 2019 and the following defects were identified:

- The smoke alarms are detached from base or otherwise in disrepair.
- Dampness to walls in the living room and bedroom
- Falling plaster
- Defective Light fitting
- Gap between wall and light fitting
- Electrical Consumer unit (Lack of blanking plate)
- Front door locking mechanism broken

- The council worked informally with the landlord to ensure the defects were rectified.

Typically the Carlton Hill area of the ward has older properties and in the vicinity of the main shopping area has a number of flats above shops/commercial premises. The council provides a reactive service in response to reports and has found examples of inadequate fire separation and means of escape from premises where the risk of harm and likelihood is greater if for example the premises are above a premises with a commercial kitchen working late into the evening/night.

The proposed selective licensing area would also include the Honeywood Gardens estate which was built in the 1960s and 1970s with predominantly small family 2 and 3 bed semi-detached homes, terraced, and town houses. There are a high proportion of private rented homes with many households not speaking English as a first language. Common reports include dampness, mould, and overcrowding as well as defective heating, electrics, and water leaks have been reported to the council for assistance.

### **6.3 Daybrook housing conditions example**

In October 2019 Gedling Borough Council received a complaint from a tenant concerning damp and mould at her property on Sherbrook Terrace. She stated that she had reported the problem to her landlord but nothing had happened and she was concerned that the damp and mould was affecting her family's health. An inspection was carried by an Environmental Health Officer, which revealed a number of deficiencies in her property associated with the fire safety hazard:

- First floor inner rooms with no safe means of escape in the event of fire
- Broken hinges to doors preventing them from opening and closing
- Signs of water penetration (mould and discolouration) to the wall and ceiling
- Toilet with no seat and push button flush broken.
- Broken plug socket and disrepair to electric cooker (two inoperative hot plates)
- Carpet to the kitchen entrance is frayed and torn (trip hazard)

The housing stock in Daybrook is of mixed age and type with many older terraced properties but also some blocks of flats and modern construction properties. As with the other proposed selective licensing areas the council receives a broad range of reports about housing defects at private rented homes within the ward.

### **6.4 Newstead housing conditions example**

In October 2019 Gedling Borough Council was contacted by an Occupational Therapist from Nottinghamshire County Council. She was concerned about the living conditions for an elderly gentleman she was working with in Newstead Village.

She stated that the gentleman was a hoarder and was experiencing difficulties accessing his bathroom and kitchen. A joint visit was arranged with an Environmental Health Officer.

The house, a two storey terrace house in Newstead Village, was in poor condition. The boiler had been broken for several months leaving the tenant with no heating and hot water. To the rear of the house was a sink which was the only unit in the kitchen, no cupboards or worktops had been fitted. In addition to an extensive hoarding problem the inspection revealed a number of disrepair issues:

- Lack of smoke detection to the first floor
- First floor bedrooms inner rooms - no escape windows fitted
- Ground floor, broken entrance door all glazing removed and openings covered with boarding
- Stairwell, entrance door appeared to be single glazed glass
- Stairs, no handrail fitted
- Bathroom, broken cold tap
- Bathroom, ceiling light cover missing
- Ground floor front room, insecure ceiling light
- Broken boiler, no heat or hot water
- Ground floor kitchen lack of cupboards and work tops

## **6.5 Housing Conditions Summary Conclusions**

The evidence displayed in this chapter only illustrates part of the picture in terms of housing conditions in the proposed selective licensing areas. In accordance with the council's adopted Private Sector Housing Enforcement policy the vast proportion of service requests are resolved informally however often properties are found to be below the minimum legal standards.

It is known there is an under reporting of housing disrepair complaints and this has been evidenced locally through the introduction of selective licensing by Gedling Borough Council in Netherfield where 86% of properties inspected have contained hazards requiring remedial works under the Housing Health and Safety Rating System. Additionally, 13% of properties were found to have hazards presenting an imminent risk to the health and safety of occupants and/or visitors which required immediate action to address.

Not only can similarities be drawn between Netherfield and the proposed selective licensing areas in terms of under-reporting of hazards but also the age, type and condition of the housing stock. In both Newstead Village and the Colwick areas there are strong correlations with the type of housing in the Netherfield where hazards have commonly been found. In terms of Carlton Hill wards and Daybrook the age of the housing stock is fairly similar and as can be seen from the graphs in this chapter that a higher

proportion of service requests have been received and enforcement notices served in these areas.

Based on the information described in this chapter of the selective licensing proposal and from the experience of reports received via the community and council officers and partners there is evidence to suggest there is poor housing conditions in the proposed selective licensing areas in Carlton Hill, Daybrook and Newstead Village. The enforcement evidence for Colwick is not so strong and therefore the council is not proposing the poor housing condition is satisfied for this area. However there other conditions are satisfied to designate the Colwick area for selective licensing and the experience of the adjacent Netherfield area suggests that it is highly likely poor housing conditions will be found in the proposed area.

The council's local experience of introducing selective licensing in Netherfield has supported the view that poor quality housing is under reported and through the process of licensing and inspecting properties can improve property management and housing conditions.

## **7.0 Why choose Carlton Hill, Colwick, Daybrook and Newstead Village for a proposed phase 2 Selective Licensing designation?**

Within this proposal, the council makes the case for Selective Licensing on the basis of satisfying Part 3 of the Housing Act 2004 and the Secretary of States Guidance "Selective Licensing in the private rented sector: A Guide for Local Authorities" (2015).

The guide states a selective licensing designation may be made if the area to which it relates satisfies one or more of the following conditions. The area is one experiencing:

- Low housing demand
- A significant and persistent problem caused by antisocial behaviour
- Poor property conditions
- High levels of migration
- High levels of deprivation
- High levels of crime

The following table summarizes the proposal findings that are satisfied

Area	Conditions	Satisfied √ / X
Carlton Hill	<ul style="list-style-type: none"> <li>• A significant and persistent problem caused by antisocial behaviour</li> <li>• Poor property conditions</li> </ul>	✓ ✓
Colwick	<ul style="list-style-type: none"> <li>• A significant and persistent problem caused by antisocial behaviour</li> <li>• Concentrations of High levels of crime</li> </ul>	✓ ✓
Daybrook	<ul style="list-style-type: none"> <li>• A significant and persistent problem caused by antisocial behaviour</li> <li>• Poor property conditions</li> <li>• Concentrations of High levels of crime</li> </ul>	✓ ✓ ✓
Newstead Village	<ul style="list-style-type: none"> <li>• A significant and persistent problem caused by antisocial behaviour</li> <li>• Poor property conditions</li> <li>• Concentrations of High levels of crime</li> </ul>	✓ ✓ ✓

Table 13: Summary of conditions satisfied to introduce selective licensing

Detailed maps showing the proposed selective licensing areas can be found on the following weblink:

<https://gedlingbc.maps.arcgis.com/apps/webappviewer/index.html?id=81e16ca398ef47ffb38db513f66eb511>

The total number of private rented homes within all 4 areas combined phase 2 Selective Licensing Scheme totals 664. When combined with phase 1 the total number of properties included in Selective Licensing does not exceed 20% of the total private rented sector or more than 20% of the council's geographic area that can be designated by the Council. Schemes exceed the 20% threshold need to be confirmed by the Secretary of State.

Selective Licensing is of strategic importance to the Gedling Housing Delivery Plan and is the only option available to the local authority that compels landlords to review how they manage their rented properties and if required, make improvements to

management practices. In order to ensure that the area remains a sustainable mixed tenure environment, we need to ensure effective management practices are operating for properties within the private rental sector. This will ensure a range of housing options for tenants. The initiatives to support this good practice will ensure that the considerable investment in improving the built environment is adequately supported.

## **8.0 How does Selective Licensing Support the Council's Strategy?**

This section demonstrates how the proposed Selective Licensing designation is consistent with the overall housing and homelessness strategy for the District and will form part of a wider strategic framework for improving housing across Carlton Hill, Colwick, Daybrook and Newstead village.

The introduction of Selective Licensing to these four areas is key to the Council's Housing Strategy to tackle and improve the quality of homes within the district and create a balanced housing market to support social and economic improvements.

Housing plays a fundamental role in delivering sustainable communities, facilitating social and environmental improvements and promoting economic growth. The Council believe that Selective Licensing has an important role to play and offers valuable support to existing initiatives to tackle empty homes, prevent homelessness, create sustainable, high quality neighbourhoods and reduce anti-social behaviour.

Gedling Borough Council has three corporate priority neighbourhoods which are Netherfield, Killisick and Newstead Village. Since September 2012, the council has employed a dedicated Localities Co-ordinator to support the Newstead Village community and Netherfield and Colwick. The Council co-ordinates the Newstead and Netherfield and Colwick Locality Steering Groups which bring together partner organisations to improve the communities. The Newstead locality plan specifically references using powers and tools to address antisocial behaviour. The Netherfield and Colwick strategic plan is being developed at the time of producing this proposal.

Daybrook was previously the 4<sup>th</sup> priority neighbourhood and between 2014 and 2016 in partnership with the council and Nottingham North and East Clinical Commissioning Group the Connecting Communities initiative was established to develop and deliver effective neighbourhood governance. The Daybrook ward was selective alongside two others outside of Gedling Borough Council's area due to being identified as disadvantaged communities suffering health inequalities. A number of facilitated events and meetings were held to seek views and build community capacity. The initiative was unable to secure longer term funding to continue the community work.

The Council currently has a small allocation of capital funding for the Warm Homes on Prescription scheme that is available to residents with long term medical conditions affected by cold and damp homes. The Council works alongside local health and social care partners to identify eligible residents who may benefit from the scheme. The grant funding is available to residents of the ward to improve living conditions. The Council also has a significant allocation of capital funding available to provide Disabled Facilities Grants to eligible residents to adapt their homes to enable them to remain living independently in the community. Both forms of grant funding are means tested but eligible across tenure.

The Gedling Plan 2020-23 outlines the council's vision of "Serving People, Improving Lives" and includes corporate priorities for the council to:

- Promote strong, resilient communities and reduce hardship and inequality
  - Reduce poverty and inequality and provide support to the most vulnerable
  - Reduce antisocial behaviour, crime and fear of crime
- Promote a sustainable environment
  - Provide an attractive and sustainable local environment that local people can enjoy
- Promote the health and well-being of our residents
  - Improve health and wellbeing and reduce health inequalities

The Council believes the introduction of Selective Licensing will make a significant positive contribution to these corporate priorities.

### **8.1 Private Rented Sector**

The Council have long held the view that a positive relationship with the private rented sector is of mutual benefit to both parties and residents of the district. Through programmes to tackle empty homes, prevent homelessness, address issues of low demand and improve housing standards the Council have worked with the privately rented sector to strengthen this partnership and deliver effective solutions.

To achieve this aim the Council supports the South Nottinghamshire Private Landlords Forum that meet annually to discuss issues of particular relevance to the sector and the Council see this partnership as an important strand of the housing strategy that contributes to improving property standards and management practices across the sector.

### **8.2 Anti-Social Behaviour and Crime**

Selective Licensing supports the strategic aims of the Community Safety Partnership to reduce crime and disorder. Selective Licensing works in partnership with the anti-social behaviour team, the Police, and Landlords to encourage and assist Landlords and Agents to deal with issues of ASB and crime.

The licence conditions require landlords to meet the “fit and proper person” criteria. This combined with the other Selective Licensing conditions should help to professionalise landlords within the designation area, and therefore improve housing standards and landlord compliance.

The conditions require a landlord to obtain references for any tenant before starting a new tenancy and to take action against any tenants that they have been informed are involved in anti-social behaviour, and where this is also believed to be criminal activity; are required to report it to the appropriate authorities. These conditions combined should help to reduce levels of crime and ASB within the private rented sector of Netherfield.

### **8.3 Housing Conditions**

The designation of the Selective Licensing area will lead to a more collaborative approach to dealing with housing condition matters that might otherwise not have been the case. If the Council receives a housing condition complaint in respect of a property from the Selective Licensing area, the property is inspected under the terms of the Selective Licensing scheme (if it has not already been the subject of such an inspection). The support that the Council can offer to the landlord under the Selective Licensing scheme fosters more of a partnership approach than going through the traditional enforcement route, which is more formal in nature.

The designation of the Selective Licensing area the Council will require formal enforcement action in a comparatively small number of cases. A collaborative approach developed through the Selective Licensing designation will enable Council officers to work informally with landlords to ensure that, in most cases, any outstanding repairs are completed.

## **9.0 Option Appraisal**

The option appraisal below looks at other powers and projects that are available to the Council with the reasons why they could not replace the proposed Selective Licensing Designation in the proposed areas.

### **9.1 Accreditation**

Accreditation was first introduced in the 1990's mainly in university towns as a mechanism for helping landlords or agents to meet agreed standards of competence, skills and knowledge about the business of owning, managing or letting a private rented home.

Accreditation is supported nationwide by a wide range of stakeholders, including the Government, landlord associations, and Local authorities, Shelter, the National Union of Students and the Chartered Institute of Environmental Health. It can aid the supply of good-quality, well-managed homes. Nationally landlord Accreditation is

available through the National Landlords Association or the Residential Landlords Association (RLA) who charge landlords to join their schemes.

Locally Gedling Borough landlord accreditation is provided for via DASH Services (formerly East Midlands Landlord Accreditation Service) based at Derby City Council. Prior to 2018 only 15 landlords in Gedling were members of DASH Services Accreditation. Since the launch of the Netherfield Selective Licensing scheme has seen a massive increase in landlords joining the scheme. Now 194 landlords are DASH Services Accreditation covering 466 properties.

This increase is seen as a direct result of introducing selective licensing in Gedling and shows the benefits of introducing a scheme to encourage landlords to proactively seek training and a support network to professionalise their services and ultimately improve property management.

The proposal to introduce Selective Licensing in Carlton Hill, Daybrook, Colwick and Newstead Abbey wards will incentivise landlords to become accredited by offering a discount on licence fees and will help landlords comply with the licence conditions through access to training.

## **9.2 Enforcement of Housing Standards**

The Housing Act 2004 introduced the Housing Health and Safety Rating Scheme (HHSRS) which allows local authorities to inspect privately rented properties to ensure the condition of that property does not have an adverse effect on the health, safety or welfare of tenants or visitors to that property. Where necessary the Council will serve statutory enforcement notices to ensure the condition is improved.

The number of property inspections, are in the main based upon a reactive service; a service request will be made to the local authority who will then undertake a HHSRS inspection to determine whether action needs to be taken. Whilst this approach does improve property conditions it is sporadic across the District and does not have a concentrated impact in one area. In addition this power does not tackle property management standards. Through the Selective Licensing designation (and beyond) landlords are welcome to attend the regular Landlords Forum meetings which cover all aspects of property management including property condition. Through training, advice and support; landlords will recognise what improvements need to be made to their properties reducing the need for action under the HHSRS.

In addition the Council will continue to undertake proactive property inspections in the designation area, offering advice and where necessary taking enforcement action to improve property conditions across the designation area. Improved property conditions will assist in retaining tenants and attracting occupants to the area assisting in tackling low demand.

## **9.3 Management Orders**

Part 4 of the Housing Act 2004 introduced the use of Management Orders but these orders should not be used if other enforcement options will remedy the problem. The

general effect of a Management Order is that the Council takes control of the property, although legal ownership does not transfer from the landlord. There are two forms of Management Order, interim and final. Interim lasts for a period of 12 months which can then be followed by a final Management Order which lasts for a maximum of 5 years.

Once a Management Order is in place the Council takes over the management of the property. The occupiers pay their rent to the Council and any repair costs such as routine repairs or building insurance are taken from the rent before any surplus is given to the owner (landlord).

This power only deals with individual properties and is resource intensive especially as the Council no longer has any stock of its own. In some cases, even retention of the full rental income may not be adequate to properly maintain and manage the property, in which case, additional costs would end up being borne by the Council tax payer.

This approach does not present a long-term solution to address poor management of privately rented stock as the property is returned to the original owner who may not necessarily have improved their management standards in the interim.

#### **9.4 A Private Sector Leasing Scheme**

A Private Sector Leasing Scheme is where the Council takes out a lease, normally 3 to 5 years in duration, from a private owner or landlord on their property. The Council then uses the property to provide affordable accommodation for homeless families.

There is no guarantee that landlords, especially the worst, will join the scheme and the Council cannot compel them to do so. As with Management Orders the scheme does not address poor management practices as the landlord does not gain experience, advice or training during the lease meaning that once handed back management standards will once again be unsatisfactory.

#### **9.5 Raising Landlord Awareness**

Landlord forums are run twice annually, and newsletters are emailed out to landlords within the area. Through this there is the option of providing landlords with information on how to conduct a tenancy appropriately; the requirements of themselves as landlords; and the options of vetting any prospective tenants in order to reduce the intake of problem tenants within the area.

The problem with raising awareness alone is that there is no obligation for the landlords to listen to the information being presented to them, or to address tenant behaviour and obtain references.

#### **9.6 Summary of Options**

In summary the alternative options to Selective Licensing would require partial or full funding from the Council, which is ultimately paid for by all tax payers. Selective Licensing will continue to be entirely self-financing, paid for by the licence applicants

and not the community. This is an approach which the majority of residents agree with as many of the problems within the area are caused by irresponsible property management practices.

The alternative options do not compel a landlord to address tenant behaviour or ensure landlords seek references when allocating their properties. Existing Selective Licensing schemes elsewhere in the country have proven successful in tackling anti-social behaviour and ensuring problem tenants do not move within the designation area. Landlords will be able to continue to access advice and support from the Council to deal with problematic tenant behaviour. The alternative options do not provide a long-term solution to the training of inexperienced landlords whose business and subsequently the community would benefit from improved management practices. The alternative options are not area based and can only tackle a small number of properties. Selective Licensing tackles all privately rented properties in the proposed designation area. To improve the conditions, standards of management and reputation of the private rented properties in the designation area a collective approach is required; dealing with a small number of private rented properties will not assist in improving conditions.

The other options of accreditation, the enforcement of property standards and management orders will be used not as an alternative to Selective Licensing but as support tools as part of an integrated programme of measures to improve the social and economic conditions of the area. It is thought that in providing the incentive of a lowered licence fee for accredited landlords there will be an increased uptake of accreditation. The idea behind the reduced fee is to incentivise the uptake of accreditation.

Whilst there is always the risk with Selective Licensing, that landlords may illegally evict tenants, leave the area or try to avoid licensing; through robust monitoring procedures the team will find all privately rented properties and any reports of illegal evictions are investigated immediately and where required sanctions are taken against that landlord.

## **10.0 Why do we need a Selective Licensing Scheme?**

Whilst landlords have engaged with the Council, monitoring of management practices does continue to show that some landlords will “cut corners”. This is often in relation to tenant references and their standards of property management. Landlords are under increased pressure with changes to the benefit system and changes relating to empty properties to minimise void periods and their remains the risk that some managers will revert to irresponsible management practices without the sanction of licensing.

The Council's Private Landlords Forum, emailed newsletters and regular contact with landlords all indicate the proactive approach the Council has developed to engage with landlords to work with them to develop and improve their management practices. Responsible landlords continue to ask Officers to deal with un-reputable landlords and Selective Licensing is an effective way of dealing with this issue directly.

This proposal has also highlighted a number of other regeneration priorities in the area to tackle empty homes and deliver new housing developments. Selective Licensing is still required to support these physical regeneration activities to ensure poorly managed properties do not undermine this work and dissuade people from moving into the area. Through a balanced, stable housing market the areas have an opportunity to realise potential as a neighbourhood of choice that offers a range of property types and tenures to meet current and future housing demand. Selective Licensing will make a valuable contribution to achieving this potential.

In conclusion to this report the Council has had regard to the legislative requirements for making its proposal and also the guidance in determining the need for the introduction of selective licensing, which was set out in detail in pages 4-6.

This proposal has carefully considered the housing market within the proposed designation area and the Council is of the opinion that the area is suffering from ASB, crime, deprivation and poor housing conditions.

Licensing can help create a thriving sustainable mixed tenure neighbour.

As highlighted previously the Council has had regard to government guidance on selective licensing, the "Evaluation of the impact of HMO Licensing and Selective Licensing" published by the Building Research Establishment on behalf of the Communities and Local Government January 2010, stated that Selective Licensing is a long term strategy and will not provide instant solutions.

In conclusion, based on the evidence contained within this document, the Council proposes that a designation of Selective Licensing in the proposed areas of Carlton Hill, Colwick, Daybrook and Newstead Village is necessary to address the problem of anti-social behaviour, crime, and poor housing conditions.

## **11.0 How to Respond to the Council's Proposal to Designate Carlton Hill, Colwick, Daybrook and Newstead Village as Selective Licensing Areas?**

The consultation exercise will be carried out for 12 weeks from Monday 12<sup>th</sup> October 2020 to Monday 4<sup>th</sup> January 2021. An electronic questionnaire will be made available to stakeholders to seek views on the proposal. The following methods will be used to publicise the proposal and consultation;

- Mailshot to private landlords known to own properties in the ward
- Leaflet to be hand delivered to all residents and businesses within the consultation area
- Press release and advert in to local newspapers
- Posters to be displayed in community buildings and businesses
- Information on the Council's website and social media platforms
- Community briefing events to explain the proposal
- Adverts on the Councils plasma display screens in the borough
- An advert in the November edition of the Councils Contacts magazine delivered to all residents of the borough.

To respond to the consultation please see the Councils website:

<http://www.gedling.gov.uk/council/haveyoursay/>

## Appendix 1: List of Proposed Fees; Gedling Borough Council

	Fee	Comments
Standard Fee	Part 1, £520 Part 2, £180  Total= £700	For non-accredited landlords
Accredited Landlord fee	Part 1, £430 Part 2, £155  Total= £585	The proposed licence holder is accredited with either DASH, NLA, RLA, Unipol or equivalent landlord accreditation body
Paper Application Form	Additional £60	For the Council to send out a paper application pack and process the completed paper response, rather than submitting online
Missed Inspections	£50	Failure to attend an agreed inspection a charge shall be levied
Part 1 Housing Act 2004	£350	Not all costs can be recovered from the licence fee. Under part 1 of the Housing Act 2004 (Section 49) the Council can charge for relevant costs linked to enforcement work. NB once an invoice is issued, this charge becomes a local land charge on the property
Application to Vary a Licence	No charge	Includes applications to change the manager, address, number of occupants
Extra Correspondence	£30	Where the Council has to e.g. do more than normal to obtain further information to secure a valid licence application or provide copies of documents requested.

## **Appendix 2: Fit and Proper Person and Management Arrangement**

### **Fit and Proper Person and Management Arrangement Criteria for Selective Licensing**

Part 3 of the Housing Act 2004 outlines that, when deciding whether to grant a licence or not the local authority (the “Authority”) is required to look at three aspects of the management of the property (the “Property”) and if these are satisfactory then it must grant a licence;

- The proposed licence holder (the “Licence Holder”)
- The proposed manager (the “Manager”) (if a different person from the Licence Holder)
- The proposed management arrangements (the “Property Management Arrangements”)

2. The application will be checked to determine whether;

- The proposed Licence Holder is a fit and proper (“Fit and Proper”) person to be the Licence Holder, and is, out of all the persons reasonably available to be the Licence Holder in respect of the house, the most appropriate person to be the Licence Holder;
- The proposed Manager of the house is either – the person having control of the house, or A person who is an agent or employee of the person having control of the house;
- That the proposed Manager is a fit and proper person to be the Manager,
- That the proposed Property Management Arrangements for the house are satisfactory.
- All persons involved in the management of the property are to be identified and assessed under the Fit and Proper person criteria.

3. The Authority will ensure, through this procedure that:

- Each case will be determined on its own merit; and
- Each specific offence, incident or issue will be considered in terms of its relevance to the holding of a Licence or to management and will take into account the gravity of the offence.

4. Where the information contained in the initial application is insufficient to determine suitability, we may contact the applicant to request further information. Where no other information is available or forthcoming, the Authority can refuse to grant the licence on grounds of insufficient evidence.

#### **Definition of Fit and Proper Person Criteria**

5. A Fit and Proper person means that they are morally suitable.

6. In determining whether a person is Fit and Proper the Housing Act 2004 Section 89 outlines the test, this includes assessing whether there has been any;

- Offences involving fraud, or other dishonesty, or violence or drugs, or

- any offence listed in Schedule 3 to the Sexual Offenders Act 2003
- Unlawful discrimination on grounds of sex, colour, race, ethnic or national origins, or disability
- Breaches of housing or landlord and tenant law
- When determining if the person is Fit and Proper the Authority will consider the following;
  1. They are without any significant and relevant convictions, cautions, reprimands and warnings
  2. If involved in managing the house, they have the necessary experience and/or managerial skills and competence to successfully manage the property in accordance with satisfactory Management Arrangements
  3. They are aware of, and sensitive to, the needs of all sections of society;
  4. They are willing to engage with the Authority in the licensing procedure.
  5. They have suitable Management Arrangements and funding arrangements

Application process - How we will determine whether a person meets Fit & Proper

The Licence Holder and Manager will be assessed under each of the following categories to determine whether they meet the Fit and Proper person requirements.

*They are without any significant and relevant convictions, cautions, reprimands and warnings:*

- The applicant is to provide copy photo identification, such as Passport or Driving licence of the proposed Licence Holder.
- The applicant is to provide a current Disclosure Scotland for the proposed Licence Holder and Manager.
- Any significant and relevant convictions, cautions, reprimands and warnings showing up under this check will not necessarily mean that an application for licence will be refused. However, the nature of some offences will be viewed more seriously than others. Offences have been categorised into “Category 1”, “Category 2” and “Category 3”, where category 1 is to be regarded as the most serious.

Due regard to the full circumstances surrounding the offence will be given.

*If involved in managing the house, they must have the necessary experience and/or managerial skills and competence to successfully manage the property in accordance with satisfactory management standards:*

- Checks will be made with other departments within the Council in addition with other local authorities, to check the applicant, proposed Licence Holder or Manager regarding performance in handling disrepair

complaints, dealing with anti-social behaviour, compliance with legal notices to identify any concerns relating to Management Arrangements.

- The applicant is to provide information relating to out of hours emergencies, anti- social behaviour, tenancy deposits, lettings and repairs reporting procedures.
- The Management Arrangements provided in the application will be assessed against the Property Management Arrangements.

*They are aware of, and sensitive to, the needs of all sections of society:*

- Through the application form, Applicants must demonstrate an understanding of the needs of people from all sections of society.
- That their Property and Arrangements are promoted and accessible to all, without discriminating against race, colour, gender, religion, ethnic or national origin disability (where appropriate) or sexual preference; and are promoted and available to people whose backgrounds may include such circumstances as homelessness, mental health problems, bankruptcy etc., where the provision of support where necessary enables that person to successfully manage their tenancy;
- That all information relating to the tenancy, property and tenant rights and responsibilities is presented in a format accessible and understandable by the individual;

*And*

- That the management of their property does not contravene relevant legislation and standards, such as the Race Relations Act and Statutory Code of Practice on Racial Equality in Housing.

*They have suitable management structures and funding arrangements:*

- The Licence Holder must reside within the United Kingdom.
- In addition to those financial responsibilities outlined in the Property Management Arrangement, the Authority would expect a successful licence applicant to have suitable funding arrangements in place to effectively deal with repairs etc. when they arise.
- As part of the application process, potential Licence Holders will have to show that they have suitable financial management procedures in place to ensure contingency funds are available for any repair or emergency remedial works needed. Further investigation, for example credit reference checks or examination of bank account statements may be required.

*They are willing to engage with the Authority in the licensing procedure:*

- In addition to assessing compliance with current and previous licence criteria, the Authority will take into account the way in which the applicant has engaged with any previous licensing or enforcement procedures, both within or outside the Authority. The fact that the prospective Licence Holder may have been successful in mandatory licence applications is not sufficient evidence on its own to fully demonstrate engagement with

previous application or enforcement processes.

It should be noted that this document and the fit and proper person criteria is not exhaustive and the Authority reserve the right to amend the Fit and Proper Person criteria and the Property Management Arrangements from time to time in line with government directives or through service or policy development. Any amendments, changes to the document or the Criteria will be published and sent to existing Licence Holders and Managers.

## Property Management Arrangements

It is expected that all information for the prospective tenant referred to in this document will be in a format and method understandable to them and makes it possible for queries or concerns to be easily raised.

The Licence Holder and Manager are to ensure that there are satisfactory Property Management Arrangements in place, below are the standards that the Authority require for each property.

### Standard 1 – Letting Practices

Licence Holder or Manager will be expected to demonstrate that they have a letting procedure in place that:

- Actively encourages applicants from all backgrounds and makes clear that prospective tenants will not be discriminated against due to their race, colour, gender, religion, sexual orientation, ethnicity, disability or national origin or age.
- Provides clear information to prospective tenants about the property including rent levels, due dates and increase dates, deposits, receipts, the terms and conditions of the tenancy, charges (including service charges), a rent book and payment methods.
- Includes referencing procedures. These procedures should not merely be credit references, but should include character references to indicate their suitability as a tenant. Wherever possible references should be obtained from the previous two landlords or, where this is not possible, from an employer, educational professional or other responsible person who knows the prospective tenant well. It is not advisable to rely on references from friends or family members. Home visits should also be carried out to check the tenants housekeeping.
- Provides clear information on who has responsibility for the payment of all utility charges and Council Tax.
- Provides clear information about how deposits are to be held under the Tenancy Deposit Scheme, which was introduced by Part 6 of the Housing Act 2004.
- Ensures prospective tenants are made aware of the standard operating procedures, such as emergency repairs, hours of contact etc.
- Provides the tenant, on receipt of a deposit, with an inventory describing the state of the property and contents. Where practicable, photographic evidence should be included.

## Standard 2 – Creating the tenancy

The Tenancy Agreement issued must comply with current legislation. All parties included in the tenancy agreement should be aware of their rights and responsibility under the agreement and landlords should be able to demonstrate that they have made every reasonable effort to ensure the tenants awareness.

This could include providing clear, written descriptions of:

- The terms on which the property is to be occupied.
- An address in England or Wales for the tenant to use to serve notice.
- Contact details for the landlord, agent or representatives, including emergency and 'out of hours' information.
- Repair-reporting procedures including maximum response times.
- Local facilities and amenities, including refuse collection/recycling days, neighbourhood watch and residents' association details, post offices and shops etc.
- Provision of alley gate keys where applicable.
- The tenancy should contain acceptable behaviour clauses. Tenants should be provided with clear information about the level of behaviour expected of them whilst in the tenancy and their responsibilities both to the property and to their new neighbours and wider community. The information should also include examples of behaviour constituting antisocial behaviour and nuisance, as well as explaining clear consequences of displaying such behaviours.

## Standard 3 – Managing the tenancy

They must make every possible step to ensure their tenants are able to live peacefully within their property. More specifically, they must: ensure any repairs are undertaken within a reasonable timescale; ensure the property is free from disrepair

- Carry out quarterly checks of the property
- promptly tackle any antisocial or nuisance behaviour emanating from the property, whether perpetrated by the tenants or people visiting or living with them; and
- Respect the privacy of the tenant, for example by giving adequate notice and ensuring permission is given (usually no less than 24 hours) before access to the property is needed.
- Tackle any breaches of the tenancy agreement promptly, and take any necessary action.

## Standard 4 – Tackling Antisocial Behaviour

The Authority recognises the difficulties faced by private landlords in addressing issues of antisocial behaviour, particularly relating to Possession Proceedings.

- The tenancy should contain acceptable behaviour clauses. Tenants should be provided with clear information about the level of behaviour expected of them whilst in the tenancy and their responsibilities both to the property and to their new neighbours and wider community. The information should also include examples of behaviour constituting antisocial behaviour and

nuisance, as well as explaining clear consequences of displaying such behaviours.

- Ensure there is a clear procedure for dealing with ASB, including warning letters, home visits and an escalation process.
- Landlords and Agents should seek advice from the Authority as soon as they become aware of nuisance or antisocial behaviour being perpetrated by their tenants or people visiting or living with them.
- The Authority and partners will work with landlords, managers and agents to develop an appropriate course of action for each case. This could include referral to mediation services, requesting action to regain possession of the property, the provision of a support service to the tenant.
- Where complaints against the property continue, Licence Holders and Managers will be requested to demonstrate measures undertaken to address the issues.
- Good references for tenants that have caused ASB should not be provided, in order to move a tenant on. Landlords, Managers and agents must always provide accurate and honest references to other landlords or agents on request.

#### Standard 5 – Ending a tenancy

Licence Holder or Manager must be able to demonstrate a satisfactory understanding of relevant legislation and procedures.

Unless a tenant clearly surrenders the property or the tenancy is ended by mutual agreement evidenced in writing, the correct legal notice must be served in order for the landlord to regain possession of the property. If the tenant fails to leave the property following the granting of a possession order, a Bailiff's Warrant must be obtained in order to evict the tenant.

The authority expects applicants, Licence Holders and managers to be able to evidence that:

- They will comply with current legislation in order to gain possession of the property.
- Tenants are issued with clear information regarding the arrangements for bringing the tenancy to an end. This information must include clear guidance regarding the condition of the property expected at the end of the tenancy and the consequences of failing to meet this standard
- That the Tenancy Deposit Scheme is used to promptly and efficiently return deposits and that any deductions are justified with evidence of expenditure, made available to the tenant.

#### Standard 6 - Other relevant issues

In addition to the specific standards outlined above, the authority may take into consideration the following points:

- That the Licence Holder or manager be suitably located to the licensable property to ensure adequate management, especially with regards to accessing the property, arranging repairs and being available to the tenants. Whilst each application will be considered individually, it is the view of the

Authority that it is difficult to successfully manage a property when the landlord or agent are based a significant distance away, particularly overseas. In such circumstances, the Authority would expect a local managing agent to be employed, within 40 minutes' drive of the property.

- That the applicant, landlord, manager or agent has a significant history of legal notices, work in default or enforced sales. Such a history will be considered to be an indication of poor management in relation to repairing obligations.
- That the applicant, landlord, manager or agent has no significant history of frequent and substantive complaints and/or successful civil actions relating to the unreasonable withholding of deposits. Such a history will be considered to be an indication of poor management in terms of collection and return of deposits.

That the applicant, landlord, manager or agent has no history of frequent and substantial complaints from tenants relating to conduct considered constituting harassment or attempted or actual unlawful eviction. Such a history will be considered to be an indication of unsatisfactory management arrangements.

- That the applicant, landlord, manager or agent has not breached any current or previous management regulations applicable to HMOs. Any such breach will be considered to be an indication of unsatisfactory management arrangements.

## **Appendix 3: Proposed Licence Conditions for Privately Rented Houses**

*\*Indicates a statutory condition as prescribed by the Housing Act 2004*

### **A. Gas, Electrical and Fire Safety**

#### **Gas Safety**

1. Where gas is supplied to the house, the licence holder shall ensure that all gas installations and appliances are in safe condition at all times and that an annual gas safety check is carried out by a Gas Safe registered engineer. The licence holder shall provide a copy to all tenants/occupiers at the beginning of their tenancy, and keep a written record that it has been provided. \*
2. The licence holder shall produce the gas safety certificate issued in respect of the house within the previous 12 months for inspection within 7 days of the council's demand. \*

Details of Gas Safe engineers can be found at [www.gassaferegister.co.uk](http://www.gassaferegister.co.uk)

#### **Safety of Electrical Appliances**

3. The licence holder shall ensure that electrical appliances made available in the house by them are kept in a safe condition and proper working order at all times. \*
4. The licence holder shall ensure a record of visual inspection of such appliances is maintained and shall submit this record to the council within 7 days of the council's demand.
5. Within 7 days of the council's demand, the licence holder shall supply a declaration as to the safety of electrical appliances made available by him at the house. \*

#### **Smoke Alarms/Fire Detection Systems**

6. The licence holder shall ensure that at all times a suitable fire detection and alarm system is installed in the house and is maintained in proper working order. As a minimum, there must be a smoke alarm installed on each storey of the house on which there is a room used wholly or partly as living accommodation. For the purposes of this paragraph, a bathroom or lavatory is to be treated as a room used as living accommodation. \*
7. The licence holder shall supply a declaration as to the condition and position of any smoke alarms/detectors in the property within 7 days of the council's demand. \*

#### **Furniture and Furnishings (Fire Safety)**

8. The licence holder shall ensure that the furniture made available by them at the house is kept in a safe condition as all times. \*

9. The licence holder shall supply a declaration as to the safety of the furniture made available by him at the house within 7 days of the council's demand. \*

### **Carbon Monoxide Alarms**

10. The licence holder shall ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. Any such alarm must be kept in proper working order. For the purposes of this paragraph, a bathroom, lavatory, hall or landing are all treated as being a room used as living accommodation. \*
11. The licence holder shall supply a declaration as to the condition and position of any carbon monoxide alarms in the property within 7 days of the council's demand. \*

### **B. Property Management**

12. The licence holder must ensure all reasonable and practical steps are taken to respond to repair and maintenance issues at their property and that any works to deal with repairs are undertaken within a reasonable period of time after they are notified, and within the timescales notified to occupiers under condition 22.
13. The licence holder must ensure that gardens, yards and other external areas are cleared of rubbish, debris and accumulations and are cleared between tenancies. All refuse and unwanted items are cleared from the house and disposed of in an appropriate manner before new tenants move in
14. The licence holder shall ensure the property is secure by complying with the requirements of paragraphs a) to f) below:
  - a) So far as reasonably possible, any emergency works necessary to protect the security of the property are undertaken within 24hrs of notification e.g. damage to windows/entrance points to the property.
  - b) The security provisions for the access to the property (locks, latches, deadbolts and entry systems etc.) are maintained in good working order at all times;
  - c) Where window locks are fitted, that keys are provided to the occupant(s) of the property;
  - d) Where a burglar alarm is fitted to the house, that the occupant(s) is (are) made aware of the code, how the alarm is operated and the circumstances under which the code for the alarm can be changed;
  - e) Where previous occupiers have not surrendered keys, arranging for a lock change to be undertaken, prior to new occupiers moving in;
  - f) Where alley gates are installed to the side or rear of the licensed property, taking responsibility for holding a key and making satisfactory arrangements for the occupiers' access;

### **Dealing with Rubbish:**

15. The licence holder shall at the beginning of a tenancy, provide written information to the occupiers of the property indicating:
- What day refuse collections take place
  - What type of bins to use for household and recycling waste
  - Details of the council's bulky waste collection service
  - The occupier's responsibility to put bins out no earlier than 4pm on the day before collection and to return refuse containers within the boundary of the property by 8am the day after they are emptied
  - That occupiers should make arrangements for any extra rubbish that cannot fit in the bins to be collected and/or disposed of as soon as is reasonably possible and ensure that such rubbish, where possible, is stored at the rear of and within the boundary of the property until collection/disposal
  - The licence holder shall ensure so far as is reasonably possible, that the occupiers make arrangements for the collection of waste in accordance with these provisions and, when the property is unoccupied, adhere to these provisions him/herself.

### **Property Inspections**

16. The licence holder must ensure that the tenant's right to quiet enjoyment of the property is respected. Where entry is required the licence holder must ensure that any notice requirements contained in the tenancy agreement are complied with. Where the tenancy agreement does not contain any such requirements, the licence holder must ensure that the tenant receives at least 24 hours written notice of intention to enter the property specifying the reason entry is required. The only exception when it would not be reasonable to give such notice and access is urgent, e.g. in an emergency.
17. The licence holder shall ensure that inspections of the property are carried out at least every six months to identify any problems relating to the condition and management of the property. The records of such inspections shall be kept for the duration of this licence. As a minimum requirement, the record must contain a log who carried out the inspection, date and time of inspection and issues for an action(s) taken. Copies of these must be provided within 7 days of the council's demand.

### **C. Tenancy Management**

18. At the beginning of a new tenancy, the licence holder must provide the occupier(s) with written information, including contact details, explaining how they can make a complaint about the property and the arrangements in place to deal with emergency and other repairs. The contact and telephone number details should be applicable for contact between 9am – 5pm Monday to Friday and should also include out of hours contact details for use in emergencies. Any change in contact and/or telephone number details should be provided to occupiers within 24 hours of the changes being made. Copies of the written

- information provided to tenants must be provided within 7 days of the council's demand.
19. The licence holder shall indicate to the occupier(s) how they intend to respond to the complaint including a timescale for the steps they intend to take.
  20. The licence holder shall respond to any complaint within a reasonable timescale. Copies of all correspondence relating to complaints shall be retained during the currency of the occupation and for 6 months thereafter and shall be provided to the council within 7 days of the council's demand.
  21. The licence holder must provide the tenant with an information pack containing the following details:
    - a) A true copy of the licence to which these conditions apply.
    - b) A notice with the name, address, day time and emergency contact number of the licence holder or managing agent.
    - c) Where appropriate, true copies of the current gas, electrical safety and energy performance certificates.
    - d) The information required by conditions 18, 22 and 26.
  22. The licence holder shall supply to the occupiers of the house a written statement of the terms on which they occupy it. This statement shall be provided within 7 days of the occupancy beginning and the licence holder shall supply a copy of the written statement within 7 days of the council's demand. \*
  23. The licence holder shall comply with all relevant landlord and tenant law and shall ensure that all legal processes are followed when requiring occupiers to leave. If a complaint of illegal eviction is made to the council, the licence holder shall provide information as to the steps taken to evict an occupant within 7 days of the council's demand.
  24. The licence holder shall demand references for new occupiers before entering into any occupancy agreement with them or allowing them to occupy the premises. Copies of these references shall be kept for the duration of this licence and made available to the council within 7 days of the council's demand. \*
  25. Where a deposit is taken the licence holder must provide any tenant with the relevant information about the deposit scheme to which it relates and any other information required under section 213 of the Housing Act 2004. The information must be provided to the council within 7 days of the council's demand.

#### **D. Tackling Anti-Social Behaviour**

26. The licence holder shall ensure that all reasonable and practical steps are taken to prevent and respond to anti-social behaviour. These include written tenancy management arrangements to prevent or reduce anti-social behaviour by persons occupying or visiting the property. Copies of these must be provided to the Council within 7 days of the Council's demand. If the

licence holder or manager / agent receive complaints of anti-social behaviour that concern the occupiers of, or visitors to the property or that result from their actions they must comply with requirements (a) to (i) below:

- a) Any letters, relating to anti-social behaviour, sent or received by the licence holder, or agent of the licence holder, must be kept by the licence holder. True copies of the original document should be provided to the Council within 7 days on demand.
- b) Ensure that written notes are kept of any meetings or telephone conversations or investigations regarding anti-social behaviour.
- c) If a complaint is received, or anti-social behaviour is discovered, within 7 days the tenant must be informed of the allegations of anti-social behaviour in writing and of the consequence of its continuation.
- d) From the date of receipt of the complaint of anti-social behaviour, monitor any allegations of anti-social behaviour and take all necessary steps to establish if it is continuing.
- e) Where the anti-social behaviour is continuing after 14 days from receipt of the complaint, the licence holder, or his agent must, within 7 days visit the premises and give to the tenant, or leave at the property marked for their attention, a warning letter advising them of the possibility of eviction.
- f) Where the licence holder or his agent has reason to believe that the anti-social behaviour involves criminal activity the licence holder must ensure that the appropriate authorities (e.g. Police, Council etc.) are informed.
- g) If after 14 days of giving a warning letter the tenant has failed adequately to address the anti-social behaviour so that it is continuing, the licence holder must take appropriate formal steps under the tenancy agreement, whether to enforce its terms or to terminate it, including, where necessary, by taking legal proceedings against the occupier(s).
- h) Where the obligation under (g) has arisen, the licence holder must, within 7 days, provide to the Council in writing a plan setting out the steps he proposes to take, and the timescale for taking those steps, in order to resolve the problem.
- i) If the licence holder is invited to do so, they must attend a case conference or Multi-Agency Meeting arranged by the Council or Police (whether following the provision of a plan referred to at (h) above, or generally.)

There may be instances where anti-social behaviour occurs more than once, but not continuously and possibly several months apart. In such circumstances the licence holder would still be expected to take all reasonable and practical steps to ensure it is effectively dealt with, up to and including eviction.

### **E. Change of Details or Circumstances**

27. The licence holder must inform the council within 21 days of any material change in circumstances including:
  - a) Change of their address

- b) Change of manager, management arrangements or ownership
- c) Any changes to their, the manager's or any associate's circumstances which could affect their fit and proper person status i.e. any cautions or convictions for any offence involving fraud, dishonesty, violence, drugs, sexual offences (under Sexual Offences Act, schedule 3) discrimination or breach of housing or landlord/tenant law.
- d) Any proposed changes to the layout of the house that would affect the licence or licence conditions.

## **F. Licence Holder Training**

28. Where the licence holder has not attended relevant training in the previous 3 years, they must as a minimum attend suitable training on the law and legal requirements relating to managing privately rented housing within 12 months of the date the licence is issued. This requirement can be satisfied in one of the following ways:

- a) By attending training course or undertaking online training arranged and delivered by our accreditation partner DASH Services and submitting a certificate to the Council following this training. Visit [www.dashservices.org.uk](http://www.dashservices.org.uk) or call 01332 641111 to arrange this.
- b) By completion of the accreditation training of the National Landlords Association (NLA) or Residential Landlords Association (RLA) or other equivalent recognised landlord accreditation body and submitting the pass certificates to the Council for confirmation.
- c) By completion of other suitable training on the law and legal requirements relating to managing privately rented properties as provided by East Midlands Property Owners Ltd (EMPO) or other recognised landlord training subject to approval by the Council in advance and subject to submitting a pass certificate or similar document to the Council for confirmation.

## **G. Interpretation**

- 29. Where reports, certificates, declarations or other documents are required to be produced or supplied to the Council, this shall mean sending by email (preferred method), post or delivering by hand, declaration to the Council's offices for the attention of the Public Protection Service.
- 30. Any reference to tenant or tenancy can also be interpreted to include occupancy by licence or other form of written agreement for the purposes of these conditions.

**Advisory Notes**

Where electrical works/certificates are required they shall be carried out by a competent person. For example a suitably qualified electrical contractor who is registered/a member of an approved scheme such as NICEIC, ECA, NAPIT etc. or registered to undertake electrical works in accordance with part P of the Building Regulations. Electrical contractors that are on a relevant competent person scheme can be found at [www.competentperson.co.uk](http://www.competentperson.co.uk)