

**CULTURE AND COMMUNITIES SCRUTINY PANEL**

A meeting of the Culture and Communities Scrutiny Panel was held on 11 September 2017.

**PRESENT:** Councillors L Lewis (Chair), R Arundale, D J Branson, D Davison, J Goodchild, A Hellaoui, D Rooney, Z Uddin and V Walkington

**OFFICERS:** S Blood, R Horniman, M Walker, L Kelly and A Pain

**DECLARATIONS OF INTERESTS**

There were no declarations of interest declared at the meeting.

**17/4 MINUTES OF THE LAST MEETING HELD ON 17 JULY 2017**

The minutes of the meeting held on 17 July 2017 were submitted for approval.

On page 1 of the minutes, referring to update that the panel receive, Councillor Hellaoui raised the issue of begging and whether the panel should receive updates. The panel were in agreement that they should be included in order to have an understanding of the level of begging across the town.

Councillor Branson also raised concern regarding the Tourist information centre. At present there was no Tourist information centre in the town due to the town hall being refurbished. Councillor Branson queried whether there were plans to reinstate this once the Town Hall reopened. The issue would be explored and fed back to the panel.

AGREED, as followed:-

1. That the minutes of the meeting held on 17 July 2017 but approved as a true record.
2. That the Panel receive updates in relation to begging.
3. That the matter of the Tourist information centre being reinstated in the refurbished town Hall be explored and fed back to the Panel.

**17/5 MINUTES OF THE COMMUNITY SAFETY AND LEISURE SCRUTINY PANEL HELD ON 3 APRIL 2017**

The minutes of the Community Safety and Leisure Scrutiny Panel held on 6 April 2017 were approved as a true record.

**17/6 CULTURE PLAN- BRIEFING**

The Director of Culture was in attendance at the meeting to provide an overview of the Culture Plan prior to its submission to Full Executive on 3 October 2017.

At the meeting on 17 July 2017, the Culture Strategy was discussed and members expressed a wish to be consulted and feed any views into the Strategy prior to its submission.

The Director advised that Middlesbrough Culture was a key Mayoral priority and vitally important for the town, as it not only linked physical and social regeneration, but also helped define the image of the town, both internally and externally. There had not been a Cultural Strategy for some time, however it was becoming increasingly vital due to the Tees Valley bidding to become UK City of Culture 2025. The Director, stated that Hull was currently the City of Culture and members of the combined authority had visited on numerous occasions to seek guidance.

Hull had previously submitted a bid, however were unsuccessful in the first round. The Director advised that there were four main lessons to be learnt:

1. Leadership- the bid must have 100% buy in from all parties;

2. Ambition- The city must be ambitious and willing to succeed;
3. Infrastructure- Hull ensured the city was equipped and could host events; and,
4. Community buy-in- Hull ensured that they had a full programme of community engagement. Without community buy in, the bid will not succeed.

In terms of preparing for the bid, the Director commented that although Middlesbrough has a lot to offer, it often wasn't seen as the place to go for Culture. A number of issues factored to this, firstly, there was no community buy in, secondly, key building blocks needed to be put in place and lastly, Middlesbrough was not well connected, whereby Stockton for example was renowned for its festivals, Darlington for railway heritage, Middlesbrough needs to have this to lead the bid. It was therefore explained to the panel, that instead of a Strategy, containing everything, there would be a 2 year (2017-19) Culture plan setting out five clear objectives. The Culture Plan would be submitted to full Executive on 3rd October for approval.

The aim of the 2017-19 Culture Plan was as follows:

*To prepare the ground for a strong UK City of Culture bid, and the development of a long-term strategy that proactively underpins the town's strategic ambitions.*

The panel were made aware of the 5 main objectives:

### **1. Invest in Middlesbrough as a venue:**

In order for Middlesbrough to become the host city, there needs to be an infrastructure in place to host events (e.g. investing in issues such as electricity supply, lighting and staging areas). The Director advised that at present, Centre square was priority to ensure it was adequate for events, however key assets across the town would also be looked at. A key action to ensure the success of this was to develop a Centre Square Masterplan, which includes performance infrastructure.

### **2. Establish a relationship between culture and Middlesbrough's image:**

The panel heard that at present Middlesbrough's image was not linked to culture. The panel were advised that the council would like to invest in large scale events, in order to get Middlesbrough on the map. The panel raised concern regarding transport links, and although acknowledged it was not a cultural issue, would fundamentally impact those visiting the town on an evening.

The panel made comment with regard to the key cultural events in the town, including the Nagar Kirtan, Middlesbrough Mela and Captain Cooks 250th Birthday celebrations in 2018. The way the Council advertise these events is key to promoting and attracting visitors.

The Director advised the panel that a report relating to City scale events would be submitted to Executive on 3 October, within the report, there were 6 elements which the town need to focus on to encourage bigger events to the town:

1. Diversity
2. Armed Forces
3. Running
4. Food and beverage
5. Seasonal, and
6. Music

A number of the panel members raised points in respect to the discussion. In relation to diversity, it was commented that religious festivals, including Chinese New year, annual Eid Gathering and the Bengali New year could potentially be celebrated in the town.

Performance spaces were also raised, especially the link between mima and central library,

which could potentially act as a key performance space. The Director confirmed that this had been explored and was included within the masterplan for Central Library.

The Tourist information centre was discussed and the Director advised he would report back to the Democratic Services Officer in relation to whether there were plans to reinstate the Tourist information office within the refurbished town hall.

### **3. Encourage a more viable offer for Middlesbrough**

More focus needed to be placed on offering Middlesbrough as a viable place to hold events. The Director gave an example of Nottingham, where thousands travel to take part in a 5k inflatable run. Running activities would be an excellent addition and would bring thousands to the town, bringing promoters and organisers on a commercial basis. Middlesbrough does not want to compete with neighbouring authorities in holding events, but hold events which are unique to the town. This would improve the image of the town and raise profile.

Opportunities would be available through funding, but it was explained the way these are sought needs to be targeted to ensure there is maximum benefit.

### **4. Build our cultural relationships-**

The Director stressed the importance of Middlesbrough being seen as the forefront of Culture, this would also be critical in applying for City of Culture status. Middlesbrough need to be clear of its ambitions and build new and existing relations on these. The panel were made aware that the new Head of Culture, Charlotte Nicol, would focus initial on building relationships and promoting what Middlesbrough has to offer.

### **5. Engage all of our communities in the cultural conversation:**

In order to have any chance in the City of Culture bid, community buy in was crucial. The panel were therefore advised that a huge amount of work would be undertaken to ensure all parties were on board and a detailed community engagement plan would be drawn up to ensure all levels of the community were involved. It was paramount that there was a 2 way conversation and the public felt values and listened too.

The Director also stressed that all the delivery was to be done within existing budgets. The comments provided by the panel would be taken on board.

### **Agreed as follows:**

**That the information presented at the meeting be noted**

17/7

## **SELECTIVE LANDLORD LICENSING- AN INTRODUCTION**

At the last meeting of the panel, it was decided to consider Selective landlord licensing in North Ormesby as the panels first topic. The panel welcomed, Marion Walker, Head of Stronger Communities, and Louise Kelly, Selective Landlord Licensing Manager to the meeting.

The Selective Landlord Licensing Manager gave a presentation in relation to the scheme. Firstly the panel were provided with some background information regarding the scheme, these are detailed below:

### **What is Selective Landlord Licencing?**

- Under the Housing Act 2004, Part 3 (Selective Licensing of other Residential Accommodation), all private landlords operating within the designated area are required to obtain a license from the council for each property which is rented out. The conditions of the license ensure that the property is managed effectively, and license

holders will have to demonstrate their compliance. North Ormesby was designated in September 2015.

- The criteria for the designation was as follows:
  1. Experiencing low housing demand;
  2. Significant and persistent anti-social behaviour
- The purpose of the scheme was to improve standards of property management in the private rented sector, over a five year period of designation, when combined with other measures, should lead to improved social and economic conditions.
- From the 1st January 2016 each occupied privately owned rented property within a designated area were required to apply for a license, at a cost of £580 per property plus £20 fit and proper one off fee.
- The license lasts for a maximum of 5 years, with the designation ending on 31st December 2020.

The panel were advised that other factors lead to North Ormesby being designated including for example 118% increase in private rented properties, owner occupation dropped by 18% between 2007-2015 and poorly managed properties led to increased anti-social behaviour and crime.

In terms of applications/ license data, the panel were made aware of the following statistics:

- There was a total of 1785 properties in North Ormesby
- 1033 properties were Exempt from the scheme (Empty, Housing Association, Owner Occupier, Long Term Tenancy over 21 years, Family Members)
- 25 properties had temporary Exemptions (Properties in the process of being sold or in receivership)
- 727 Licensable properties (this figure changes daily)
- 725 Properties applied for licences (125% of the original estimate of 580 properties)
- 681 Properties remained to be licensed (Properties either sold or empty)
- 46 Properties still were to be licensed
- 633 Licences had been issued to date

The panel were advised that the Selective Landlord Licensing Team was a small team of 6 people. The inspection visits consist of a multi-agency team, which included Licensing Officer/Assistant (SLL), Tenancy Relations Officer (TRO), Environmental Health Officer (EHO) and Neighbourhood Safety Officer (if ASB connected to tenant/property).

All properties which applied for a license will be inspected by the team. The officers advised that inspections were carried out of a fortnightly basis by the team and each property was inspected once. This may increase depending on the findings of the Environmental Health officer.

The inspections-

**Check-** to ensure the landlord is compliant with the license conditions (Licensing officer)

**Ensure-** any hazards/ issues are identified and any action taken to remedy (Environmental Health officer)

**Provide** – support to tenants where needed (tenancy relations officer)

**Track-** any criminal activity in the property (Neighbourhood Officer/Police)

The officers stated that to date 376 (55% of those applied) properties had been inspected. It was commented that the team do face barriers when trying to assess a property. If the team do not gain access after 3 attempts they need to consider whether there is a housing benefit fraud case and at a very last resort request a stop of the housing benefit payments.

The panel questioned the severity of this, however the officers advised that this would only happen under exceptional circumstances. Tenants/ landlords are written too giving warning of the visits and the letter clearly states the circumstances if the officers are unable to gain access after the final attempt.

The council has a legal right to advise landlords and tenants of inspections and has a legal duty to deal with category 1 hazards and a power to enforce category 2. The team has completed the first 305 inspections, of which 215 properties contained hazards (72%), 51 category 1 hazards and 401 category 2 hazards. 90 (28%) properties that were free of hazards.

The officers stated that pre selective licensing, a year before the scheme was completed, 6 inspections arising from complaints about houses in North Ormesby. The Council found 2 category 1 Hazards and 21 Category 2 hazards.

Hazards may be for example, electrical fault, issues with damp and falls between levels (uneven stairs/ steep drops).

The officers advised that the team work daily with a multi-agency team, including for example, Middlesbrough Environment city, street wardens, community, local businesses, Big local and fire brigade.

It was advised that in terms of community safety:

497 Referrals have been made to other agencies

- 613 Low level interventions (joint interviews, letter drops, initial warnings)
- 612 Medium interventions (2nd warning letters, ABC's, tenancy breach interviews, parental agreements)
- 26 Landlords/Managing Agents engaging in support plans to tackle ASB tenants
- 8 Notices served (possession proceedings)
- 228 CCTV Incidents, Secured £45K Big Local funding (32 additional cameras), 118 Police tape reviews, 77 Positive results
- Dedicated Street Wardens and Neighbourhood Safety Officers

The officers used Maria Street as an example, where there were persistent high levels of anti-social behaviour. In Maria street, there had been 5 Tenancy Breaches, 2 Evictions, 2 Notices Served, 1 left of own accord, 6 Acceptable Behaviour Contracts (ABC's), Op impact patrols. The council liaised with 3 Social workers and 3 active residents complete diary sheets. They work with the police and street wardens to share information around a property drug dealing.

The officers commented that although statistically the levels of anti-social behaviour appear to have increased, it was due to the increased confidence of the community feeling safe and open to report issues.

The issue of landlords questioning the benefits they received from the scheme was raised. The Head of Stronger Communities stated that they were assured that their properties if properly managed and the tenants referenced would ensure they were reliable secure tenants rather than transient. Improved management and condition of privately rented accommodation would improve values of property in the area and encourage a change to the tenure mix of the area in turn protecting investment in the area. All tenants should be referenced and failure to do so, would result in the team contacting the landlord.

The Landlord Accreditation Scheme was discussed as a possible motive to join the scheme, the officers advised that the scheme was quite costly, however the Council do work alongside the National Landlord Association, who offered part of the accreditation free to landlords. This was publicised to all landlords.

The officers also informed the panel of the close partnership work the with the fire brigade, of which 61 Fire Safety referrals had been made, 209 Smoke alarms fitted and free Home Fire Safety Visits offered with every Selective Licensing inspection carried out. Through

information sharing the Top 10 families who are linked to anti-social behaviour and crime have been identified and the Neighbourhood Safety Officers supported by Police have initiated a Full Family Approach to Tenancy Issues.

In terms of achievements, the panel were keen to hear the outcomes of the scheme and income generated.

The officers stated that:

- £431K in fees had been generated (target was £319K)
- 727 Properties applied (125% of the original estimate of 580 properties)
- 82 contact centre referrals
- Supported landlords with online applications and inspection process
- Supported Big Local with Facelift project
- 2 Successful prosecutions for non-compliance
- Empty properties identified and referred to the empty homes team
- Increased reporting of Antisocial Behaviour issues (improved community confidence)
- Robust measures taken for tenancy breaches
- Increased membership of Middlesbrough Council Tenancy Referencing scheme and reference checks
- Tenancy relations officer supporting tenants with complex issues/supporting landlords with tenancy issues

The panel complimented the team on using their legal duty and power, as the panel heard that those landlords who have not applied for a licence under the scheme are now being actively pursued, via legal proceedings for non-compliance. 1 landlord has pleaded guilty and fined £6000 (£500 per property) + £1000 costs. The officers stated that after prosecution, the Landlord applied for licences.

The officers also provided evidence that:

- 1 landlord has been found guilty in his absence, fined £5,500 (£500 per property) + £775 costs. This landlord has still not applied for licences so we will be applying for a Rent Repayment Order from the date of the offence he was convicted (if successful he will be required to pay back 5 Months (£20,000 approx) housing benefit payments
- 1 landlord due at court on 19th September 2017
- 1 file is with solicitors awaiting a court date
- 7 landlords were summonsed but applied for licences before the court date, we liaised with MBC solicitors and it was decided that it was not in the public interest to continue with these prosecutions

Members were made aware that income generated from the scheme was reinvested into the Selective Landlord licensing.

In terms of the way forward, the panel were very keen to hear whether the selective landlord licensing scheme would be rolled out.

The officers commented that there had been a number of lessons learnt for example, reluctant landlords, Staffing/Resources – small team of 6 who were all new to the role, learning new processes and systems, covering a large area, Process time scales around Antisocial Behaviour tenants – (community expectations) and Reconsideration of standards required for Fit and Proper test (spent convictions)

The officer advised that there would be a full evaluation of North Ormesby in 2020 and from there a decision to the potential of implementing in other geographical areas would be decided. If however a further scheme were rolled out prior to North Ormesby ceasing, funding would need to be sought (before income was generated) and a full consultation exercise within the area would need to be undertaken. The area would need to meet a specific criteria to be designed under the Selective Landlord licensing scheme.

Following the presentation, the panel further outlined the importance of the scheme and the power it has to tackle anti-social behaviour and strengthening our communities. The panel wished to speak to those directly affected by the scheme, including the ward councillor, community members and the neighbourhood officer to assess the impact it has had on those in the area.

The panel discussed the terms of reference, it was agreed that these would be drafted and brought back to the next meeting.

**Agreed, as follows:**

1. **That officers be thanked for their presentation**
2. **That the presentation be noted**
3. **That the meeting on 9 October 2017 be held in North Ormesby**
4. **That the Neighbourhood Officer and members of the community be invited to attend the next meeting**
5. **That the panel undertake a walk about the area of North Ormesby**
6. **That the draft terms of reference be drafted and presented to the next meeting**