

CULTURE AND COMMUNITIES SCRUTINY PANEL

A meeting of the Culture and Communities Scrutiny Panel was held on 20 November 2017.

PRESENT: Councillors D Davison, J Goodchild, A Hellaoui, L Lewis, D Rooney, Z Uddin, V Walkington and J McGee(As Substitute)

ALSO IN ATTENDANCE: W Jones- Landlord
P Norman- Landlord/ Letting agent
A Mackay- NonDet Community Lettings

OFFICERS: S Blood, L Kelly, J Hill and M Walker

APOLOGIES FOR ABSENCE Councillor R Arundale, Councillor D J Branson.

DECLARATIONS OF INTERESTS

None declared

17/10 MINUTES FROM THE MEETING HELD ON 9 NOVEMBER 2017

The minutes of the meeting held on 9 October 2017 were submitted and approved as a true record.

17/11 SELECTIVE LICENSING- IMPACT ON LANDLORDS

Following the meeting on the 9 October 2017, the Panel had expressed a wish to also hear the views of landlords with respect to the Selective Licensing Scheme.

The Panel welcomed the following landlords:

- W Jones- Landlord
- P Norman- Landlord and letting agent
- A Mackay- Nondet Community Lettings

The Chair welcomed the representatives and proceeded to ask the following questions:

1. When the Selective Landlord Licensing Scheme was introduced in North Ormesby, what were your initial views?

2. In terms of communications from the Selective Licencing team, have you felt included and comfortable to raise issues that may occur?

3. What have been the benefits of the scheme?

4. Have you experienced any issues?

5. Have you seen a difference in the way your property is treated since the introduction of the scheme by tenants?

6. In your opinion, how have tenants reacted to the scheme?

7. Are you part of any Landlord Associations? What benefits do you receive from being part of these schemes?

When the Selective Landlord Licensing Scheme was introduced in North Ormesby, what were your initial views?

Overall there was consensus from the landlords that any measure to improve North Ormesby was a positive, as prior to the scheme some of the properties and living conditions were

deplorable. W Jones addressed the panel, advising that initially she felt penalised for being a good landlord, however understood the reasons behind the scheme. She took pride in being considered a good landlord, with good working relationships with her tenants, however unfortunately she was aware not all landlords operate to her standards and felt the scheme was justified to ensure all the standards of properties were maintained and stopped the so called '£10 key landlords'.

In terms of communications from the Selective Licencing team, have you felt included and comfortable to raise issues that may occur?

A Mackay advised that Panel, that since he joined Nondet 18 Months ago, he has had an excellent working relationship with the Selective Licensing Team. His views were mirrored by the two landlords, who expressed that unfortunately some tenants still do not fully understand Selective Licensing, and the team have worked extremely hard with the tenants. Issues are resolved and communication was efficient and prompt.

What have been the benefits of the scheme?

A MacKay addressed the Panel and expressed that his business was a Local Land and Development Trust for North Ormesby, whose aim was to improve properties within the area. With the introduction on Selective Licensing, he commented to the Panel that the area had improved and the community were excited to see these changes.

P Norman and W Jones, both expressed praise of the referencing service, which was a major benefit of the scheme. P Norman advised that he was accredited through the National Landlords Association and previously referenced through the Association. He applauded the reference service devised by the Selective Licensing Team as it was specific to the individual, quick and has the ability to flag up any issues with a potential tenant. He outlined that the service has made landlords proactive rather than reactive to the area.

W Jones further the following benefits of the scheme:

- Ensure all properties are up to scratch;
- Ensures poor landlords maintain their properties to a good standard;
- Team was approachable and 'on the ground'
- CCTV reports has reduced antisocial behaviour and crime
- Post tenancy visits, and
- landlord training

Have you experienced any issues?

The Panel heard that whilst the landlords had not experienced any issues with the team, they all expressed concern that as the selective license only ran for 5 years, some landlords still believed they did not need to register or comply with the license. The Landlords felt more enforcement needed to be done to ensure all landlords complied.

The former Selective license scheme in Gresham was also referred to, in particular the dismissive attitude of some landlords, who saw the scheme as temporary and therefore avoided the license. The landlords added they would like to see the scheme rolled out for a second phase, and without complete buy-in, the area would go into steady decline. There was concern that quite often tenants of Houses of Multiple occupation (HMO's) were not reference checked and therefore there was no way of monitoring the tenants.

W Jones further added that she initially did feel the scheme was expensive and on one occasion, she felt penalised when a minor fault was discovered with one of her properties. Whilst this was dealt with straight away, she still feels many landlords are slipping through the net as some properties still hadn't been inspected.

In response to the Landlords, L Kelly Selective Landlord Manager alleviated their concerns. She expressed that since the introduction of the scheme, 773 properties had been licensed. Those landlords who had not yet complied had been issued with a letter/ notification and enforcement was used for non-compliance. She advised that Panel that two landlords had

been taken to court and been issued with an unlimited fine in the region of £7,000.

In response to HMO's, although they do not fall under selective licensing, the team would visit any property if there was concerns of antisocial behaviour and work with the relevant team to combat issues.

Have you seen a difference in the way your property is treated since the introduction of the scheme by tenants? and In your opinion, how have tenants reacted to the scheme?

The Landlords acknowledged that prior to the scheme, some of their properties were left in awful conditions, and as a landlord this was soul destroying.

Since the Schemes introduction, the attitude of most tenants had changed, and landlords now have authority to take action if their property was not treated correctly. It has given tenants confidence that they are being looked after and have a team to speak to if they question the standards of their properties. Tenants are positive because they see outcomes in their area.

A Mackay and P Norman did however advise the Panel that some tenants were still unsure the reasons behind referencing. However they commented that once tenants are made aware of the reasons, this builds a sense of trust between the landlord and tenant. If landlords ensure their properties are kept in an excellent condition, they are recommended. They added that without Selective Licensing, this would not have happened.

A Mackay remarked that whilst as a letting agent, they comply with the rules of Selective Licensing, they have their own reference and credit check and do not allow tenants into their properties if they are in rent arrears. He further expressed to the Panel that poverty was a big issue within North Ormesby and they are working with Big Local and the Citizens Advice Bureau to address poverty in general. They had also provided properties with hanging baskets to improve the overall appearance of the area.

W Jones, further commented to the Panel that her tenants have been provided with hope when they see builders vans within the area. The only concern raised was the lack of feedback from the scheme, in relation to number of licences issued, levels of anti-social behaviour etc. L Kelly advised the Panel that initially there were 2 newsletters, 1 regarding Selective licensing and the other regarding the Big Local. Due to the influx of news, it was decided to combine the newsletter but from comments it was evident this was not reaching all landlords. L Kelly advised that this would be rectified and landlords would receive an email with updates in the future.

Are you part of any Landlord Associations? What benefits do you receive from being part of these schemes?

The panel were keen to know whether the landlords were part of any associations and whether there were any benefits from these. W Jones commented that whilst she was not part of a landlord association, she felt her professional work and interest in the topic provided her with the information she needed to remain a good landlord.

A McKay and P Norman both advised that Panel that they were accredited by the National Landlords Association (NLA) and prior to the Selective Licensing scheme have used their referencing system. The panel were made aware that the NLA had publically opposed selective licensing, as they felt it punished the good, law abiding landlords, whilst the rogue landlords slipped through the system. Whilst the landlords present did agree that good landlords were a causality of the system, any scheme to improve North Ormesby could only be seen as a positive.

A panel member queried whether there was any improvement the landlords would like to see to the scheme? In response, they collectively agreed that they would like to scheme to be long- term, and to ensure HMO's are on board with referencing to ensure North Ormesby becomes the vibrant community it once was.

Another Panel member further added that it was evident that Selective Licensing worked, but it was in line with the good work already going on in the area. Landlords are a huge issue

across some parts of the Town, and whilst Gresham was seen as a failed model, it was hoped that in the future this may be seen as a potential area for a second scheme.

The Panel also raised a number of issues into housing and living conditions and the impact this can have on the education of children. J Hill, Community Safety Manager informed Panel members that within North Ormesby there are a number of families with complex needs. Whilst Selective Licensing strives to improve the quality of living, the dedicated team go further in offering early help, addressing these issues and looking at individual needs. The panel had previously commented on the excellent partnership work in North Ormesby and its contribution to social regeneration.

A panel member further added that social regeneration had been put forward as a proposed Strategic Priority for 2018-21 to help deliver the Mayor's Vision for Middlesbrough in 2025- Fairer, Safer, Stronger. Due to the outstanding work being done in North Ormesby, this would be addressed from the Panel within the final reports recommendations.

The Community Safety Manager also advised the Panel that the tenancy referencing scheme was available to all private landlords in Middlesbrough. Referencing was a mandatory condition of the licence but the licence doesn't stipulate landlords have to use Middlesbrough Council's referencing, they just have to prove on request that a reference has been carried out. In other areas where there was no Selective License, use of the tenancy referencing was voluntary.

In conclusion to the item, the Selective Landlord Manager advised that Panel that the Selective Licensing Team has been nominated for Outstanding Contribution to Prevention 2017 at the Cleveland Community Safety Awards. The Chair and Panel applauded the team for this excellent recognition.

The Manager also made the panel aware that in January there was to be a Selective License Forum for Local Authorities who run the scheme. This forum was to share best practice and share experiences.

The Chair thanked all the witnesses for their contribution and advised that at the next meeting, the panel would be receiving information from neighbouring authorities to gain a comparison of Selective License Schemes.

Agreed as follows:

1. That the information presented at the meeting be considered in the context of the scrutiny panel's investigations.

17/12

SELECTIVE LICENSING IN GRESHAM- FURTHER INFORMATION

Following a request from the Panel, the Democratic Services Officer provided information on the former Selective Licensing Scheme which operated in Gresham/ Middlehaven area.

The Panel were reminded that Selective Licensing was introduced by the Housing Act 2004 and became operational on April 6th 2006. However, at this stage the government had still not developed the procedures to allow local authorities to formally apply for approval to implement a selective licensing scheme. The Council therefore, successfully engaged with the Department of Communities and Local Government (DCLG) on the matter.

This resulted in Middlesbrough Council being one of only 4 local authorities invited to work with the DCLG to develop the national procedures to be applied by the government for a selective licensing application. There was still no agreed method to allow formal application from local authorities, or indeed for DCLG to approve applications. The participation of Middlesbrough Council in this process resulted in national best practice in the form of case studies and a framework for formal guidance to be produced (the Best Practice Guide was attached for information)

A proposal to introduce Selective Licensing in Gresham and parts of Middlehaven was submitted by Middlesbrough Council to the Secretary of State in January 2007, following approval by the Executive in December 2006.

Gresham/Middlehaven met the criteria of low demand housing and anti-social behaviour to introduce a selective licensing scheme. The areas were among the worst for empty properties, poorly maintained property, crime and anti-social behaviour.

Middlesbrough Council became the second local authority in the country to be receive formal consent from the Department for Communities and Local Government to introduce Selective Licensing. The scheme went live on 6 June 2007 to ensure that anti-social behaviour, poor quality rented housing and irresponsible landlords within the designated area would be addressed, and remained in force until June 2012.

At the time, Selective Licensing proved to be an effective way to assist in tackling many of the problems that affected the Gresham/Middlehaven area, raising the standard of management and conditions of rented property and improving the future for the Gresham Community.

The scheme lasted the full 5 year designation, however during the consultation to introduce Selective Licensing in North Ormesby there was some criticism regarding the scheme (see below)

Executive report on Selective Licensing in North Ormesby , 14 July 2015.

Consultees were critical of the former Selective Licensing scheme that was operated in Gresham. The Council believes that these issues occurred because of a lack of resources and the focus of the scheme being more on property condition. It has since reviewed the previous scheme and analysed its strengths and weaknesses. It has also undertaken research and benchmarking of other successful schemes operating throughout the country, which are modelled to include early help and support to tenants, and has designed the new scheme according to these principles. It is believed that an integrated multi-service approach focussed on early help will resolve the weaknesses of the previous scheme.

The Panel thanked the officer for the information and expressed praise of the current scheme in North Ormesby.

Agreed as follows:-

That the information be noted.

17/13

UPDATE ON STREET BEGGING

The Head of Stronger Communities and Community Safety Manager were in attendance and provided the Panel with an update on Street Beggars.

The former Community Safety and Leisure Scrutiny Panel had their final report on Street Beggars approved by Full Executive on 21 February 2017. The Panel put forward 4 recommendations including, that the multi -agency approach in addressing the issue of street beggars be endorsed and supported, and that the public information campaign to encourage people to 'think before you give' be widely advertised and promoted across Middlesbrough.

The action plan detailing the recommendations, proposed action and update on the

recommendations was attached to the agenda for information.

The Head of Stronger Communities commented that since the Scrutiny Panel's review, work within the town to manage the issue of street begging has developed immensely. The officer advised that whilst in previous years there had been a steer towards enforcement, the approach had changed and there was an emphasis on prevention.

The Head of Stronger Communities outlined that within the town there were 32 prolific beggars who had been identified with a further 10 occasional or transient individuals. With this in mind, Middlesbrough Council and Cleveland Police agreed to establish a multi agency Town Centre Team to tackle these issues, which had been operating since October 2017.

The officers advised that the strategy to tackle street begging and street drinking builds firmly on the work undertaken and the principles of a dual approach of police enforcement together with provision of outreach services to engage people into services. The action plan was endorsed by Middlesbrough's Community Safety Partnership.

The Head of Stronger Communities stated that the multi-agency team new approach, considered every beggars 'journey', understanding their story and their needs. The approach has moved to addressing a personal centre approach of understanding:

- intelligence gathering (victim, offender, location)
- preventative measures
- enforcement , and
- communication

The multi-agency team was co-located at Middlesbrough Police station and the team is made up of the following officers:

- 1x PC
- 3x PSCOs
- 1x LA manager
- 1x LA Neighbourhood Safety Officer
- 1x Breaking the Boundaries Practitioner
- 1x LA Street Warden
- 1x Environmental Enforcement Officer

Alongside the development of the team, a 12 page operational delivery plan had been produced to ensure the town centre team and relevant partners were aware of the actions and how these would be delivered. A detailed confidential beggars' action plan had also been developed, containing all relevant information regarding the individual.

The Panel were interested to hear about the new approach and that communication within the team, with external service users (businesses) and the beggars themselves had been reported as excellent. The members were advised that the Breaking the Boundaries practitioner played a key role in ensuring the safeguarding and wellbeing of the beggar was paramount. All members of the team were aware of the beggar, their story and the steps that needed to be done to help that individual. Daily intelligence and data sharing was taking place, including for example, CCTV logs and street warden reports.

A panel member mentioned the new changes facing the Data Protection Act in 2018 and how this might effect the current data sharing under the new model. The Head of Stronger Communities informed members that there was an information sharing policy and protocol, which all parties, including the beggars were aware of. The referral forms had been amended to ensure consent was provided by the individual to share their personal data. The team were mindful of the new legislation and would assess each individual case before sharing data. The Panel commented that they had noticed beggars moving towards Linthorpe Village as

well as the known Town Centre locations. The Head of Stronger Communities ensured the panel that these 'hotspots' were being addressed. It had been noted that beggars predominantly appeared on a night-time.

The team had also had initial meetings with Teesside University, with the intention of having an office base, due to the increased level of begging along Southfield Road.

In terms of achievements to date, members were pleased to hear that businesses had seen an improvement since the introduction of the team. One businesses who was one of the most affected, had reported a significant reduction.

The Community Safety Manager further advised the panel, that wherever possible, enforcement was the last resort, as they did not believe in criminalising the individual was the correct method.

The Community Safety Manager advised the panel of some of the work achieved by the team, including:

- Securing accommodation for 8 individuals
- 1 individual had been offered secured private tenancy and supported through community award for household items and clothes
- Signposting and referrals to support agencies, and
- 1 individual supported work through the Big issue

The officers also raised profile of a new campaign, 'Make your small change, make a big change', which encouraged the community to give money to the charities rather than the individuals.

In terms of the scrutiny panel's action plan, the officers advised that all recommendations had been met, bar one, which referred to the Chair of the panel attending the multi-agency meetings. Due to the sensitive and confidential nature of issues discussed, it was not considered appropriate.

The chair thanked the officers for the informative update and praised the team for the excellent work being undertaken.

**Agreed as follows:
That the information be noted.**

17/14 OVERVIEW AND SCRUTINY BOARD UPDATE

The Chair presented an update on the matters that were considered at the meeting of the Overview and Scrutiny Board, which was held on 7 November 2017. Members were advised that the Board had considered the following items:

- Tees-wide Safeguarding Adults Board (TSAB) Annual Report - 2016/2017
- Attendance of Director Public Health and Public Protection -who discussed the information contained in the Budget and Balanced Scorecards Q1 2017/18 pertaining to Public Health and Public Protection
- Final Report - Social Care and Adult Services Scrutiny Panel - Aster Care (formerly Belle Vue Care Home)

- Scrutiny Panel Progress Reports

AGREED as follows:

That the update be noted.

17/15 **DATE OF NEXT MEETING- 18 DECEMBER 2017**

The Chair advised at at the next meeting, the Panel would be considering terms of reference 3:

To consider how the costs of the Selective Landlord Licensing Scheme and the incentives offered to landlords compare against other local authorities who have selective landlord licensing designation.

The Chair advised that representatives from Hartlepool Council would be in attendance.