

CULTURE AND COMMUNITIES SCRUTINY PANEL

A meeting of the Culture and Communities Scrutiny Panel was held on Thursday 23 September 2021.

PRESENT: Councillors C McIntyre (Chair), G Wilson (Vice-Chair), R Arundale, C Dodds, L Lewis, L Mason and J Rostron

OFFICERS: S Blood, S Bonner, J Hedgley and L Kelly

APOLOGIES FOR ABSENCE: Councillors S Dean and D McCabe

21/6 **DECLARATIONS OF INTEREST**

There were no Declarations of Interest received at this point in the meeting.

21/7 **MINUTES - CULTURE AND COMMUNITIES SCRUTINY PANEL - 15 JULY 2021**

The minutes of the Culture and Communities Scrutiny Panel held on 15 July 2021 were submitted and approved as a correct record.

21/8 **SELECTIVE LANDLORD LICENSING- UPDATE**

The Chair welcome the Selective Landlord Licensing Manager and the Head of Public Protection to the meeting. The Head of Public Protection firstly outlined that when Selective Landlord Licensing first came into place, the Team sat under Community Safety, however it now sits under Public Protection. The Head of Service was very proud of what the team had achieved, along with partners and hoped this would continue.

The Manager went through a presentation, the main areas covered were as follows:

- What is selective landlord licensing?
- Make up of the team
- Scheme dates/ areas and costs
- Application/ license data
- Inspection visits
- How selective landlord licensing works with partners
- How selective landlord licensing supports landlords
- Summary of findings from North Ormesby report
- Next steps

What is selective landlord licensing?

In 2018, the panel submitted their final report to Executive on Selective Landlord licensing in North Ormesby and were well aware of the scheme, however for clarity the Manager advised that Selective Landlord Licensing was brought in Under Part 3, Housing Act 2004 and the areas of North Ormesby and Part of Newport Ward were designated for Selective Landlord Licensing (SLL).

The criteria for designations were as follows:

- Experiencing low housing demand; and
- Significant & persistent antisocial behaviour

The purpose of the schemes was to improve standards of property management in the private rented sector.

Each occupied privately rented property within the designated areas are required to apply to be licensed including a Fit and Proper check (Fraud, violence, drugs, sexual offences, Illegal discrimination, Breaches of housing/landlord & tenant laws);

The licence lasts a maximum of five years, ceasing to end when the designation ends and failure to apply (unlimited fine) and Breach of conditions (fine up to £5,000).

Team

As mentioned by the Manager, the Team now sat under Public Protection and consists of the following officers:

- Head of Public Protection Service
- 1 SLL Manager
- 2.5 Neighbourhood Safety Officer (dedicated to Newport & North Ormesby)
- 2 Tenancy Relations Officer (one in each area)
- 1 SLL Officer
- 1.5 SLL Assistant
- 2 Environment Health Officers

In terms of the schemes, the Panel heard that the first scheme in North Ormesby came about in 1st January 2016 – 31st December 2020. The cost for the scheme was £580 plus £20 fit and proper check.

The Newport Scheme is from 13th June 2019 – 12th June 2024, however only covers part of Newport as phase 1. The License Fee £730 + £20 Fit and proper check.

Following the success of North Ormesby, the Council went on to re-designate North Ormesby and the current scheme started in 14th June 2021 and will run until 13th June 2026. The License Fee is £745 + £20 Fit and proper check. The reason for the increase in license fee was that during the first scheme, the fees were part funded by the Council whereas the re-designation scheme and Newport and funded by license fees only.

The Manager advised the panel that the License fees are ring-fenced and are only used to deliver the scheme.

Application/ license data

The Manager provided some data to the panel on the application data and license date. In terms of North Ormesby Scheme 1 - 934 licences were issued covering 867 properties. This exceeded the initial estimation of 550 properties covered by the scheme by 164%.

Newport Scheme – 845 licences issued to date, further 107 still to issue. Initial estimation of number of properties to be licensed 800;

North Ormesby re-designation - properties applied 520 to date, 358 outstanding. Estimated properties 878.

The Manager outlined that there had been a relatively low number of legal cases taken against landlords for not licensing their properties. 4 resulted in court hearings and 8 landlords applied for their licence after receiving their court summons.

Inspection visit

As part of the terms of the license, inspection visits are undertaken. 100% of all properties applying for a licence will be inspected by a multi-agency team and Landlords are given the opportunity to attend.

- **Multi-agency inspection team includes:**
 - Tenancy Relations Officer (TRO)
 - Environmental Health Officer (EHO) - Housing Health & Safety Rating (HHSRS) and other legislation.

- Neighbourhood Safety Officer (if ASB connected to tenant/property)

Inspections:

- **Check** compliance with licence conditions (Tenancy Relations Officer)
- **Ensure** hazards/disrepair/issues are identified and action to remedy (EHO)
- **Provide** support to tenants where needed (Tenancy Relations Officer)
- **Track** any criminal activity in the property (Neighbourhood Officer/Police)

Within the Licence conditions, the team as landlords to supply an annual gas safety certificates to the Council, evidence that electrical equipment & furniture provided is safe, Fit smoke alarms, Tenant referencing, management and anti-social behaviour addressed. The Manager further went on to show the Panel photographs of a property and provided a case study.

CASE STUDY

Numerous inspection visits arranged, but the tenant repeatedly wouldn't allow access. Tenant was initially angry as he was confused as to who his managing agent was as they kept changing.

Inspection highlighted at least four Category 1 (most serious) Hazards in the property (no boiler heating, no hot water, the bathroom roof falling in), the kitchen was inaccessible and had no cooking facilities.

Prohibition Order was served.

The Landlord has since installed a new boiler, new kitchen (including cooking facilities), new bathroom roof, bathroom suite, new rear windows downstairs, new back door and new carpets the property.

Since the scheme began, the relationship with partners has grown, and the Team have become a face of the designated areas. SLL works with partners to:

- To Referrals/signposting to other agencies;
- Increased reporting of Antisocial Behaviour issues (improved community confidence);
- Landlords/Managing Agents engaging in support plans to tackle Anti- social behaviour tenants;
- Section 8, Section 21 Notices served (possession proceedings) and House closures.
- Dedicated Street Wardens and Neighbourhood Safety Officers;
- Intelligence shared on drug dealing perpetrators, properties and cannabis farms;
- Fire Safety referrals, Smoke alarms fitted, Home Fire Safety Visits offered with every Selective Licensing inspection carried out;
- Walkabouts identifying fly tipping and properties open for access;
- Contact centre referrals;
- Supported with Facelift projects and identifying alleys for makeovers;
- Compliments the work of the locality based approach which is operating out of North Ormesby and Newport (further investigation on locality working would be undertaken by the panel in due course)

Selective landlord licensing support Landlords by:

- Supported landlords with online applications and inspection process
- Empty properties identified and referred to the Rent and refurb scheme within the Council

- 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
- Free empty property advertising;
- Dedicated Neighbourhood Safety Officer;
- Dedicated Tenancy Relations Officer;
- Rent recovery in excess of £5,000;
- Referencing; and
- Post tenancy visits for new and existing tenancies.

As part of the Panel's recommendations to the Executive, they asked for the Panel to have sight of the evaluation document of the North Ormesby scheme 1 report. The panel during their investigation saw the vital necessity for the scheme and were keen to see its affects. The Evaluation scheme was shared to the panel within the agenda pack, however the Manager provided a brief summary for ease of reference:

- House prices started to increase. In 2016 the average house price plummeted to £36,000 and increased by 17% to £42,000 in 2020;
- The turnover of tenants reduced by 50% resulting in a more static population;
- The number of private rented properties inspected has increased and housing conditions have improved. Prior to the introduction of the scheme only 8.4% of the properties had been inspected on complaints from tenants regarding their housing conditions. In 2020 760 properties have been inspected. Serious housing hazards were identified on 1,692 (category 1 & 2) properties and were addressed to protect tenants. Smoke alarms checks were carried out on all housing inspections to ensure they are provided in properties;
- 154 post tenancy visits were carried out to provide support to the tenant on a wide range of issues including substance misuse, parenting skills, unemployment; Anti-social behaviour:
- 1249 early interventions were carried out. These were mainly referrals into other services for support
- 2495 low Interventions. These included telephone call/e-mail, letter drop, diary sheets received, initial warning letters, motorbike warning letter, site meetings and joint patrols.
- 955 medium interventions. These included second warning letters, final warnings, ABC issued, ABC breached, joint interviews and tenancy breach interviews.
- 15 high level interventions. These included Criminal Behaviour Orders, Civil Injunction, House Closures (all for high levels of persistent antisocial behaviour and a last resort after all low and medium level interventions have been exhausted).
- There has been a reduction in personal antisocial behaviour incidents from 233 in 2015 to 118 IN 2019 (-49%)
- There has been a reduction in nuisance antisocial behaviour incidents from 337 in 2015 to 301 in 2019 (-11%).

Finally, the Manager provided the next steps in terms of Selective Landlord Licesning. The team will:

- Continue with the current schemes and monitor progress and outcomes.
- Consider of the need for additional schemes in the town. The team are possibly looking Newport Phase II – as this meets the housing stock, crime and ASB criteria. The process for implementation would be:
 - Consultation – 10 week consultation;
 - Consider and report on consultation outcome;
 - Seek approval;
 - Designation of scheme - scheme comes into force (3 months after approval);
 - Formal notification of scheme;
 - Carry out recruitment and training for any additional staff required for Licensing Team;
 - Cost to implement a Selective Licensing scheme calculated by how much an officers time costs to complete preliminary checks, procedural checks, granting of a licence, compliance checks, pre application, annual and ongoing costs.

During the questions, a panel member mentioned the issue with gangs of youths in the area, however the Manager outlined that they were on the team's radar and outlined steps that were being taken.

A member queried about the 5 year license and how many times can you re-designate an area, as we would hope after 5 years you would see considerable change.

In response, the Manager stated that scheme 1 in North Ormesby was a new scheme and a lot of lessons were learnt during this time. At the end of the 5 years, the areas had improved but we did not want to stop the scheme and allow the area to go back to what it was- the team and residents wanted it to flourish.

A panel member also outlined that she felt extending the scheme to central ward would be beneficial, however the Manager outlined that at present, they Council was only looking at Newport phase 2 (due to the tumble weed effect), however it didn't mean in the future Central ward or any other ward could not be considered (depending on criteria)

The Manager also stated that in terms of designating an area, if the areas are kept at 20%, scheme can be approved by the Executive, but anything above the 20% would require Secretary of State approval.

Following the presentation, the Chair and members thanked the officers for their time and valuable information.

AGREED:

That the information be noted.

21/9

DRAFT FINAL REPORT- CULTURAL EVENTS IN MIDDLESBROUGH: IMPACT AND FUTURE

On behalf of the Chair, the Democratic Services Officers presented the final report regarding Cultural events in Middlesbrough.

Following discussions, the panel agreed to recommend the following to Executive:

- 1) To enhance and strengthen community cohesion, cultural events traditionally held in the town centre should be delivered within communities where possible. Ideally this should take place with at least some elements of the Christmas 2021 celebrations.
- 2) Given its growing cultural and financial significance the Council should work with relevant third parties, including charities and the private sector, to introduce eSports as a regular and high profile cultural event. Where possible this should relate to wider leisure initiatives the Council is currently involved in.
- 3) Future leisure developments in the town centre should look to include opportunities for associated hospitality venues, such as an eSports business.

4) In order to attract a wider audience; the Council should continue to work with Teesside University so that the Town Hall can be used as a venue for the Animex Festival, ideally for the event held in 2022.

5) To attract audiences that sit outside Middlesbrough's local boundaries; the events team should explore how to exploit virtual event delivery by having an on-line component.

AGREED- That the final report on Cultural events be agreed and forwarded to Overview and Scrutiny Board and then referred to Executive to approve the recommendations.

21/10

DRAFT TERMS OF REFERENCE- TOUGH ENOUGH? ENFORCEMENT IN MIDDLESBROUGH AND ITS IMPACT ON CRIME AND ANTI-SOCIAL BEHAVIOUR.

The Democratic Services Officer outlined that following agreement of the Panel's work programme, it had been agreed to look at Tough enough? Enforcement in Middlesbrough and its impact on crime and anti-social behaviour.

The panel considered some draft terms of reference for the review.

The Chair also outlined that he saw merit in undertaking the ward councillor survey devised by the Police and Crime Task and Finish group with regard to communications with Cleveland Police as a separate item, and the Democratic Services Officer would amend and circulate this questionnaire in the next few months.

AGREED-

- That the following terms of reference be agreed:

1. To examine the powers set out in the Crime and Disorder Act 1998 and how this has shaped Middlesbrough's partnership working to tackle crime and anti-social behavior in the Town.
2. To understand the nature and levels of anti-social behavior and crime across the town. Has there been improvement or decline over the past 2 years?
3. To understand perceptions and impacts of crime and anti-social behavior in the town on residents.
4. To gain an understanding of the locality model and understand the impact this has made on residents and anti-social behaviour within these two areas and merits of wider roll out.

- That the ward councillor survey in respect to communication with Cleveland Police be circulated in the next few months.

21/11

CHAIR'S OSB UPDATE

The Chair provided a verbal update to the Board on the issues raised at the Overview and Scrutiny Board on 8 September 2021. These included:

- The Mayor's attendance at the Board to discuss his aims and aspirations, progress made to date and to highlight any emerging issues relating to his portfolios.
- Scrutiny Chairs update
- Final report of the Children and Young People's Learning Scrutiny Panel regarding Behaviour, discipline and bullying in schools.
- Executive Forward Work Programme
- Chief Executive's Update.

AGREED

That the update be noted.

21/12

ANY OTHER URGENT ITEMS WHICH IN THE OPINION OF THE CHAIR, MAY BE CONSIDERED.

No items.