



Report to Safer and Stronger Communities Scrutiny & Policy Development Committee Thursday February 13th 2020

Report of: Janet Sharpe, Director of Housing Services

Subject: London / Abbeydale / Chesterfield Road Selective Licensing Update

Author of Report: Peter Ramsay Team Manager, Private Housing Standards

Cabinet gave approval on the 20th June 2018 to designate parts of London / Abbeydale / Chesterfield Road (LAC) for Selective Licensing of private rented properties.

The scheme came into force on the 1st November 2018 and will run for 5 years so will come to an end on the 31st October 2023. There are currently around 420 privately rented properties within the designation area.

Type of item: The report author should tick the appropriate box

Reviewing of existing policy	
Informing the development of new policy	
Statutory consultation	
Performance / budget monitoring report	
Cabinet request for scrutiny	
Full Council request for scrutiny	
Call-in of Cabinet decision	
Briefing paper for the Scrutiny Committee	
Other	X

The Scrutiny Committee is being asked to:

- Consider this update, matters within, comment and/or identify any issues for future monitoring or consideration by this Committee

Background Papers:

Category of Report: OPEN

London / Abbeydale / Chesterfield Road Selective Licensing Update

1. Private Housing Standards Service

There are around 40,000 private rented properties in the city. This is around 19% of the city's housing. The sector has doubled in Sheffield in the last 10 years, and is predicted to reach 25% of all housing by 2025.

The Private Housing Standards service is the regulatory and prosecuting authority as it is the services legal duty to address poor housing conditions in the private rented sector. We currently employ around 30 FTE people in a variety of roles.

2. Project Summary

The Selective Licensing scheme on LAC was approved by Cabinet on the 20th June 2018. The Cabinet Report set out the evidence that shows extensive and wide spread poor property condition in the private rented sector.

Selective Licensing runs for 5 years, this scheme came into force on the 1st November 2018 so will end on the 31 October 2023. Within these 5 years ALL properties will have been inspected, some multiple times, and compliance will be achieved. Where properties do not comply the Private Rented Standards Team will set out the remedial work required and work with the landlords to encourage them to carry out the works. Where compliance is not achieved by working with the landlord we will seek to take enforcement action which can include a financial penalty or prosecution.

The scheme's aim is to ensure that private rented properties within the designation area are safe and well managed.

3. Number of LAC Applications

Overall applications to date: 418 (99%)

The Report to Cabinet in June 2018 which was approved ahead of the implementation of LAC Selective Licensing included an assumption of 650 private rent properties in the designation area (including empties, exemptions, Houses in Multiple Occupation (HMOs) etc.). Based on previous experience, we made clear in the Cabinet Report that around 20% would be exempt (empty properties, HMOs, etc.). That reduced this figure to 520 properties requiring of a Selective Licence.

Officers have now been able to gather more accurate information regarding the tenure of properties within the designation area this and taking into account owner occupied properties, properties empty and / or undergoing renovation works, social rented properties etc we know that currently there are 420 properties that require a selective licence. This new figure is in line with the Cabinet Report's assumption that 20% of private rent properties within the designation would not require a licence.

These numbers will fluctuate throughout the lifetime of the scheme as properties will become empty/let, owner occupied or exempt as per the legislation. Our investigations will allow us to continuously update our database and to monitor the properties in the area to ensure that licences are applied for where required.

We have carried out extensive communications about the start of the licensing scheme and this has resulted in a high number of applications received.

Those landlords that have failed to apply are in breach of the law and investigations into those that have failed to apply are ongoing, with the serving of Civil Penalties already in progress and further detail is in section 9 of this report.

4. Progress to Date (1st November 2018 – 14th January 2020)

Number of inspections carried out:

208 (The first license inspection was carried out 21st February 2019)

No of properties compliant with licence conditions:

141

Number of properties where a serious hazard has been identified:

104

Number of properties where a serious hazard has been removed:

70 (110 serious hazards have been removed across these 70 properties)

5. Landlord Training:

Three Selective Licensing training sessions have now been delivered, run by the Residential Landlord Association (RLA), with 67 attendees. Attending this training or having undertaken similar training which we feel is satisfactory is a licence condition, and not attending the training could result in enforcement action being taken against the licence holder. Sign up has been slow so we will be focusing on working with the RLA to publicise the future training events to ensure all licence holders are fully aware and have the opportunity to attend.

6. Legal Notices Served

C21 Notice – 78 served to date

This is an **informal** letter used when writing to a landlord/manager of a single family dwelling asking them to carry out repairs/improvements. If this is not complied with then a formal notice would be served.

C25 – 6 served to date

This is an **informal** letter which is the same as a C21 but is used when writing to a landlord/manager of a House of Multiple Occupation (HMO) asking them to carry out repairs/improvements.

S16 – 8 served to date

This is a **formal** enforcement notice used to seek information about who is involved in a property e.g. owner, manager, mortgagee. We must establish the correct ownership information to ensure that any future legal notices are served correctly.

S235 – 9 served to date

This is a **formal** enforcement notice used to force people who are involved in a property to provide copies of documents to the local authority. Such as tenancy agreements, rent statements and other documents relating to the property that we may need to see. This could also include safety certificates such as gas safety certificates, emergency lighting, fire alarm systems.

S80 – 3 served to date

This is a **formal** enforcement notice used to resolve cases of statutory nuisance. These notices often relate to cases where properties are causing problems to other properties i.e. water penetration on party walls between properties or to the occupant of a property i.e. mould in a property.

7. Management Breaches

Three management breaches have been identified and all have been resolved. All 3 related to the management of common parts of the building, such as communal lighting in stairwells, loose handrails on communal stairs, trip hazards such as loose fitting carpet / flooring.

8. Referrals

A list of referrals to internal/external partner services:

1 – South Yorkshire Police

1 – Environmental services

1 – Building Control

1 – DWP benefit fraud

9. Enforcement Summary

Number of Financial Penalties Served:

25 Civil Penalty Notices for Failure to Licence have been issued

- So far, 7 have been paid in full, collecting £7,159.50
- A further 7 are currently being repaid through an agreed payment plan
- 1 Civil Penalty Notice was subsequently withdrawn following late submission of evidence by the landlord which supported a claim for exemption from licensing.

Number of Prosecution cases:

None required to date.

Next Steps

To continue to process applications, book and carry out inspections of properties and work with landlords and licence holders to ensure compliance with the licence conditions. Where this can't be achieved then we will take any necessary enforcement action.

In the next two quarters we will be resourcing officers to spend more time proactively investigating failure to licence cases within the licensing area.

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Date: 14/01/2020

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