



GREAT YARMOUTH
BOROUGH COUNCIL

Housing and Neighbourhoods Committee

Date: Thursday, 14 June 2018

Time: 18:30

Venue: Supper Room

Address: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

AGENDA

Open to Public and Press

1 APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2 DECLARATIONS OF INTEREST

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

- | | | |
|-----------|--|----------------|
| 3 | <u>MINUTES</u> | 4 - 10 |
| | <p>To confirm the minutes of the meeting held on 21 March 2018.</p> | |
| 4 | <u>MATTERS ARISING</u> | |
| | <p>To consider any matters arising from the above minutes.</p> | |
| 5 | <u>FORWARD PLAN</u> | 11 - 11 |
| | <p>Forward Plan attached.</p> | |
| 6 | <u>SELECTIVE LICENSING PROGRESS REPORT</u> | 12 - 68 |
| | <p>Report attached.</p> | |
| 7 | <u>COMMUNITY HOUSING ADAPTATIONS POLICY 2018</u> | 69 - 84 |
| | <p>Report attached.</p> | |
| 8 | <u>RECHARGABLE REPAIRS POLICY 2018</u> | 85 - 96 |
| | <p>Report attached.</p> | |
| 9 | <u>ANY OTHER BUSINESS</u> | |
| | <p>To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.</p> | |
| 10 | <u>EXCLUSION OF PUBLIC</u> | |

In the event of the Committee wishing to exclude the public from the meeting, the following resolution will be moved:-

"That under Section 100(A)(4) of the Local Government Act 1972, the public be excluded from the meeting for the following item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 12(A) of the said Act."

Housing and Neighbourhoods Committee

Minutes

Wednesday, 21 March 2018 at 18:30

PRESENT:

Councillor Grant (in the Chair); Councillors Bird, M Coleman, Hacon, Mavroudis, Pratt, Walch, Waters-Bunn & Williamson.

Councillor Annison attended as a substitute for Councillor Bensly.

Councillor A Grey attended as a substitute for Councillor Flaxman-Taylor.

Councillor Jeal attended as a substitute for Councillor Wainwright.

Mr N Shaw (Strategic Director), Mrs J Beck (Head of Property & Asset Management), Mrs V George (Head of Housing), Mr T Chaplin (Interim Deputy Head of Housing), Mrs A Nugent (Rent Manager), Ms D Lee (HRA Service Accountant) & Mrs C Webb (Senior Member Services Officer).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Bensly, Cutting, Flaxman-Taylor & Wainwright.

2 DECLARATIONS OF INTEREST

There were no declarations of interest declared at the meeting.

3 MINUTES

The minutes of the meeting held on 18 January 2018 were confirmed.

4 MATTERS ARISING

There were no matters arising from the above minutes.

5 FORWARD PLAN

The Committee received & considered the Forward Plan.

A Member requested that a report be presented to Committee regarding options for charging mobility scooters safely in Sheltered Housing units and flatted areas. The Head of Housing agreed to add this to the Forward Plan.

6 WELLESLEY RECREATION GROUND - FEASIBILITY STUDY PROPOSALS

The Committee received & considered the report from the Strategic Director.

The Strategic Director reported that the Corporate Projects Group had identified this as a Corporate Project. From a leisure management perspective, the Wellesley Recreation Ground remained a significant cost to the Council. There were a number of opportunities which could be explored for the site including funding for a 3G pitch. Further funding opportunities from Heritage Lottery Fund, Sport England and Coastal Communities Fund could be considered and commercial investment opportunities could also be explored with the aim of bringing in additional investment into the site.

The Strategic Director reported that a feasibility study was required for the whole site which would provide Members with a range of options and outline costs which members could fully consider prior to moving the project forwards. Unfortunately, Sport England have no funding available to support this work strain due to a recent restructure of the organisation.

The Strategic Director reported that Ward Members had been directly engaged with this project but if a feasibility project is agreed, governance arrangements for this project would need to be strengthened by a small Member Working Group consisting of 5 elected Members (politically balanced: 3,1,1).

Councillor Williamson reported that the Football Association had indicated that they were looking to install a 3G pitch into the Yarmouth area and this had been omitted from the report. The Strategic Director reported that Members would need to decide how commercial they wanted this project to become.

RESOLVED:

(i) That funding of up to £25,0000 is allocated from the Council's Special Project's Reserve to fund a Feasibility Study for this project; and

(ii) That a Members Working Group consisting of 5 elected Members, politically balanced, is established to support this project.

7 RESPONSIVE REPAIRS

The Committee received & considered the report from the Head of Property & Asset Management.

The Head of Property & Asset Management reported that the Tenant's Handbook was clear regarding Tenant Repair responsibilities and repair recharges. The Head of Property & Asset Management reported the salient areas from a range of statistics based on the current service delivered by Community Housing Responsive Repairs and this data included information on the top 10 dwellings visited with these properties reporting and receiving between 14 and 40 jobs on average per year.

The Head of Property & Asset Management reported that a significant investment programme had been agreed for the housing stock and that all sock would be classed as Decent by the next Stock Condition survey in 2022. It was therefore essential, that as part of this process, the Council continued to review areas of the business which should incur a recharge as had been identified. This was not a change to the Tenancy Handbook but was a confirmation and verification of our position.

A Member asked for assurances that elderly and vulnerable tenants would be

continue to be assisted by the Responsive Repairs team. The Head of Property & Asset Management assured Members that elderly and vulnerable tenants would receive additional support.

A Member reported that if the Council expected certain standards from its tenants then the Council should reciprocate and at the moment the joint venture with GYN in regard to the replacement kitchens & bathroom programme was failing many tenants. The Strategic Director reported that the nature of the GYN joint venture was at the top of the Council's agenda and a fundamental review was planned for June.

RESOLVED:

That the Committee note the Responsive Repairs statistics for the period 30 March 2015 to 1 October 2017 confirming the policy of recharging for areas of the business identified as Tenant responsibility through The Tenants Handbook (page 11 refers).

8 LONG TERM EMPTY VOID PROPERTIES

The Committee received & considered the report from the Head of Property & Asset Management.

The Head of Property & Asset Management reported that a number of properties were currently classed as long term voids had been empty for between 12 months and ten years. The financial implications for the properties were significant and was one of the reasons why proposals had taken so long to formulate, however, there was a proven need/demand for these properties in the Borough. Costs were estimated costs and all works would be tendered to ensure best value was achieved.

The Head of Property & Asset Management reported that the budget for long term voids 2017/18 was £100k which was unspent and it was proposed to request that this was rolled forward to incorporate the £100k 2018/19 budget totalling £200k with additional funds utilised from the Major Void budget as required.

RESOLVED:

(i) To carry forward the 2017/18 budget to provide funding of £200k in the 2018/19 budget to undertake repair and redevelopment proposals as detailed on the identified properties; 17 West Road, Great Yarmouth, retain 1 bed bungalow, 30 Exmouth Road, Great Yarmouth, refurbish to provide 2 bed house, 2 Coastguard Cottages, Winterton, retain 3 bed house, 38 Admiralty Road, Great Yarmouth, conversion to 2 bed house, 54 Harboard Crescent, Great Yarmouth, conversion to 2 bed house and 103/104 Admiralty Road, Great Yarmouth, conversion of two properties to form one 6 bed house,

(ii) To utilise the major voids budget for any shortfall in funding,

(iii) With the approval of Committee, a full tendering process would commence if costs and works were in line with this report, refurbishments would commence, however, if tenders identified any increase in costs, information would come back to Committee for further consideration prior to works being undertaken; and

(iv) The Committee to agree that 103/104 Admiralty Road, Great Yarmouth, the conversion of two properties to form one six bed house would result in the loss of one property from the Council's housing stock.

9 COMMUNAL AERIAL BRIEFING NOTE

The Committee received & considered the briefing note from the Head of Property & Asset Management.

The Head of Property & Asset Management reported the contract for Community Housing Aerial provision and updated the Committee in relation to the current position.

The Strategic Director assured the Committee that the lack of review clauses and termination clauses in a contract had been a lesson learned and future long term contracts would not suffer the same fate.

RESOLVED:

That the Committee note the report.

10 LEASEHOLDER MANAGEMENT & SERVICE CHARGE ARREARS POLICY

The Committee received & considered the report from the Rent Manager.

The Rent Manager reported the salient points of the two policies which covered leasehold management within the Housing Department and the collection of service charges from leaseholders.

RESOLVED:

That the Committee approve the Leaseholder Management Policy & the Leaseholder Service Charge Arrears Policy.

11 REVISED RENT INCOME AND ARREARS POLICY

The Committee received & considered the report from the Rent Manager.

The Rent Manager reported the introduction of a revised Rent Income & Arrears Policy which outlined the steps that the Council would take when collecting rent and other Housing Revenue Account (HRA) income from tenants.

A Member asked that the Council exert pressure on the Government to ensure that housing rent is paid direct to the landlord and not the claimant.

RESOLVED:

That the Committee approve the Rent Income & Arrears Policy.

12 HRA PERIOD 10 2017/18 BUDGET MONITORING REPORT

The Committee received and considered the report from the HRA Service Accountant.

The HRA Service accountant reported the salient areas of the 2017/18 Housing Revenue Budget monitoring position as at the end of period 10.

A Member asked if Members would be allowed to have access to individual Stock Condition Survey reports to assist them when helping tenants to resolve housing issues.

RESOLVED:

That the Committee note the report.

13 HOUSING & NEIGHBOURHOODS QUARTER 3 PERFORMANCE REPORT

The Committee received & noted the report from the Interim Deputy Head of Housing.

The Interim Deputy Head of Housing reported the salient areas of performance data from the Housing & Neighbourhoods Directorate for Quarter 3 of 2017/18.

RESOLVED:

That the Committee note the report.

14 REVIEW OF HOUSING ALLOCATIONS POLICY

The Committee received & noted the report from the Head of Housing.

The Head of Housing summarised the proposals to revise the Council's current Housing Allocation Policy. The current scheme was adopted in 2011 and revised in 2014, to take account of changes in legislation, e.g. The Welfare Reform Act (2012). It was timely for the Allocations Policy to be reviewed to ensure that it took account of changes in legislation such as the Homelessness Reduction Act (2017) and to ensure the policy still met the Council's priorities in terms of allocating housing.

A review of the policy had been undertaken which included a Member Workshop in January 2018 which concluded that the majority of the existing Allocations Policy was still fit for purpose. Members discussed changing the residency criteria from two to three years and asked the Committee to reach a consensus at the meeting. The Chairman proposed that the residency criteria be raised from two to three years.

RESOLVED:

- (i) To approve the revised Housing Allocations Policy subject to consultation with registered providers and stakeholders,
- (ii) To delegate authority to the Head of Housing to make any minor changes to the policy following consultation with the caveat that any major changes would be presented to a future Housing & Neighbourhoods Committee,
- (iii) To delegate authority to the Head of housing to approve allocations as set out in paragraph 3.2 of the agenda report,
- (iv) To introduce a wider Housing Register to provide the Council with greater depth of information on local housing need; and
- (v) To increase the residency criteria from two to three years.

15 ANY OTHER BUSINESS

The Chairman reported that there was no other business of being of sufficient urgency to warrant consideration.

The meeting ended at: 20:30

Forward Plan for Housing & Neighbourhoods Committee

	Matter for Decision	Report by	Pre Agenda Meeting (PAM)	Housing & Neighbourhoods	Policy & Resources	Council
1	Community Housing Adaptations Policy	Head of Housing	06/06/18	14/06/18		
2	Review of HRA Recharge Policy	Interim Deputy Head of Housing	06/06/18	14/06/18		
3	Selective Licensing Consultation Report	Strategic Director (KW)	06/06/18	14/06/18		
4	2017/18 Outturn Report - HRA	Finance Director	19/07/18	26/07/18		
5	Community Housing Development Opportunities	Head of Property and Asset Management	19/07/18	26/07/18		
6	Long Term Empty Properties - Raleigh Avenue GY	Head of Property and Asset Management	19/07/18	26/07/18		
7	Preventing Homelessness & Rough Sleeper Strategy	Head of Housing	19/07/18	26/07/18		
8	Voids Strategy	Interim Deputy Head of Housing	19/07/18	26/07/18		
9	Year End Performance Report	Interim Deputy Head of Housing	19/07/18	26/07/18		
10	Investment Opportunities - Empty Homes/HMO's	Head of Property and Asset Management	29/08/18	06/09/18		
11	Selective Licensing Decision	Strategic Director (KW)	29/08/18	06/09/18		
12	Wellesley Feasibility Options	Strategic Director (KW)	29/08/18	06/09/18		
13	Anti-Social Behaviour Strategy	Strategic Director (KW)	TBC	TBC		
14	Development Opportunity Update: West Somerton, Filby, Kitchener Road/East Road	Head of Property and Asset Management	TBC	TBC		
15	Update on Public Space Protection Orders	Head of Community Development and Regeneration	TBC	TBC		
16	Update on Sports Play and Leisure Strategy	Head of Community Development and Regeneration	TBC	TBC		
17	Wellesley Football Club: Update on Rent Position	Strategic Director (KW)	TBC	TBC		

Subject: SELECTIVE LICENSING PROGRESS REPORT

Report to: Corporate Project Board – 4th June, 2018; Housing and Neighbourhoods Committee – 14th June, 2018

Report by: Kate Watts, Strategic Director
David Addy, Senior Housing Licensing Officer

SUBJECT MATTER/RECOMMENDATIONS

This report seeks to update Members on the proposal and consultation for a Selective Licensing Scheme. In particular, it presents an update against the original business case, including the potential use of a Service Delivery Partner. The Committee is recommended to:

1. Approve the 'Consultation on Selective Licensing in the Nelson Ward' document and to commence the consultation process which will run from 15th June 2018 – 24th August 2018.
2. To note the proposed use of Community Connectors in the Selective Licensing area to further strengthen the outcomes of this project.
3. To note that Full Council will receive a 'Selective Licensing Recommendation Report', on the 13th of September, following the 10 week stakeholder consultation.

1. BACKGROUND

- 1.1 The Committee Report 'Private Rented Housing; Proposal for a Selective Licensing Scheme within Nelson / Central and Northgate Wards', went to Full Council on the 2nd of November 2017.
- 1.2 Full Council agreed that Officers would further develop a scheme of Selective Licensing covering a geographic area comprising parts of the Nelson and Central and Northgate wards.
- 1.3 The release of £38,788 from the Special Project reserve to fund the development of the scheme, which included the appointment of a Housing Licensing Manager alongside undertaking statutory consultation for the scheme prior to finalising the details of scheme was also agreed.
- 1.4 The Selective Licensing Scheme aims to tackle significant and persistent levels of

Anti-Social Behaviour (ASB), crime, poor housing conditions, low housing demand, and high deprivation, related to the private rented housing sector within these areas.

2. CONSULTATION PROCESS OVERVIEW

- 2.1 Before introducing selective licensing to an area, the Council must conduct a full consultation with all affected people, such as tenants, residents, landlords, managing agents, businesses etc. The consultation should be widely publicised using various channels of communication.
- 2.2 If the designation does not require the confirmation of the Secretary of State because of its extent the local housing authority must consult on the proposed scheme for at least 10 weeks.
- 2.3 Once the consultation has been completed the results should then be published and made available to the local community. This should be in the form of a summary of the responses received and should demonstrate how these have either been acted on or not, giving reasons.
- 2.4 It is proposed that a ten-week public consultation will run from the 15th June 2018 – 24th August 2018. During the week following the end of the consultation, Officers will report upon the consultation responses.
- 2.5 A Recommendation Report would then be submitted to Full Council on the 13th of September 2018 for Member consideration and decision. If a Selective Licensing Designation Proposal is made, and Full Council decides to designate this area for the purposes of Selective Licensing, the Designation Notice would be published on the 14th of September. The designation would become operative on the 14th of December 2018 and be recommended to last for a period of five years until the 13th of December 2023. Please note that these timescales may be subject to change in the event of unforeseen circumstances.

3. INTRODUCTION

- 3.1 The Project Manager/Senior Housing Licensing Officer was seconded into the post on the 31st of January, following interview on the 18th of December. Due to the date of appointment, there has been a significant compression of the timeline, so that a Selective Licensing Area could still be designated during Full Council on the 13th of September, should Members desire it.
- 3.2 Since this appointment a number of things have been done to investigate Selective Licensing, develop the scheme, and gather an evidence base: Landlords

Associations have been engaged, peer Local Authorities have been interviewed and visited, and a data and intelligence consultant appointed. This has enabled the development of the formally required consultation document, which has included a fees and charges review. See Appendix 1 for a copy of this consultation document.

4. DATA AND EVIDENCE GATHERING

- 4.1 Our data and intelligence consultants have collated, and processed the data gathered by the Council and its partners, to create the evidence base to justify Selective Licensing, and rebuff any consultation or legal challenges. The evidence base for Selective Licensing regarding the Central and Northgate Ward and the Nelson Ward demonstrates that the three most challenged areas are within the Nelson Ward. These are proposed for designation within the consultation document (Appendix 1).
- 4.2 For Great Yarmouth, there is clear evidence to make a Selective Licensing Designation for five out of six of the criteria within the two Wards – more than most Designations – though evidencing one criteria would be enough. The exception is migration, as this is for mass migration events.
- 4.3 However, the Private Rented Sector has grown so much between 2011 and 2017, that the extent of the designation needs to be restricted to the three most challenged (and majority privately rented) LSOA areas within the Nelson Ward.
- 4.4 The proposed area covers the most densely populated northern part of Nelson Ward (see Chapter 2.1 of the Consultation Document), except the Middlegate Council Housing area. It also excludes the Dickens Council Housing Estate, and unpopulated South Denes. Such a restricted designation would result in fewer objections from landlords, particularly the Eastern Landlords Association, who identified that they had significant property holdings in Central and Northgate Ward.
- 4.5 A designation within the Nelson Ward would be in line with the initial discussions for Selective Licensing, and is the outcome of the agreed investigation into parts of the two wards. The area proposed for designation is just 0.57% of the Borough area, so well under the 20% threshold where approval would be required from the Secretary of State.
- 4.6 Likewise, this area includes approximately 1,630 privately rented homes, or 18.21% of the Borough total, and is therefore below the 20% threshold for the Secretary of State's approval. It is worth noting that if consent from the Secretary of State is required, it could delay the decision by up to a year, and would almost certainly result in a refusal of the designation.

- 4.7 Should the Council desire a larger Designation in the future, covering parts of Central and Northgate Ward, this could be achieved by a subsequent consultation and designation. Other Local Authorities have done this to get consent from the Secretary of State.

5. STAKEHOLDER ENGAGEMENT

- 5.1 As part of this process it is very important to engage with landlords associations, to explain plans, and get them on-board with Selective Licensing proposals, as there have been cases where proposals have been challenged, and designations Judicially Reviewed; leading to delays and failures, as with Hyndburn Borough Council.
- 5.2 So very early on, outline proposals were discussed firstly with the Eastern Landlords Association (ELA), and then the National Landlords Association (NLA), through meetings and landlord forums. Despite best efforts, ELA landlords advised that they are likely to oppose any regulation, while the NLA were very constructive, prepared to listen, and offered advice.
- 5.3 Equally, the approaches, successes, failures, and lessons learned by other Councils have been investigated with the National Landlords Association (NLA), through emails, telephone interviews, and also exploratory visits to Selective Licensing peer authorities; these were the seaside resorts of Hastings Borough Council, and Margate (Thanet District Council).
- 5.4 Investigations indicate that most Local Authorities had set the licence fee much too low, and so these Local Authorities have suffered significant financial losses: for example, Peterborough Borough Council have had to increase discounted fees from £50 to £900; Hastings Borough Council made Selective Licensing staff redundant; Thanet District Council only avoided very significant losses through a £500,000 grant from Kent County Council; Thanet and all other authorities have increased fees mid-scheme, or when renewed for another 5 years.
- 5.5 It is worth noting that the licence fee structure in the previous Committee Report was based upon Thanet District Council's in an attempt to keep costs down. However, we were not told that this was not financially sustainable, until later visiting the Council.
- 5.6 A typical sustainable average up-front licence fee is in the region of £650.
- 5.7 The NLA recommended that the Council investigated how Doncaster Metropolitan Borough Council, and West Lindsey District Council have worked with a Delivery

Partner in Selective Licensing: landlords prefer, as independent inspectors visit their property, rather than the Council, because to the considerable landlord benefits, and the low monthly membership fee helps to budget for the costs. We have been very impressed with this approach, and given that we proposing to consult upon using a Delivery Partner,

- 5.8 NLA are being very supportive of our approach – including being broadly supportive of our proposed fee structure – agreeing to undertake media interviews about our Selective Licensing Consultation, and to host a landlords Consultation meeting. Ultimately, they support our aim to improve housing and social conditions for residents, and to create a level playing field for the ethical landlords, by discouraging unethical landlords. This is encouraging and should help to mitigate the risk of legal challenges to the Council.

6. REVISED BUISNESS CASE CHANGES

- 6.1 A number of changes have been made to the original business case issued to Members on 2nd of November 2017. This is as a result of the further development work that has been undertaken on this project, as detailed in the report sections above.

DELIVERY PARTNER OPPORTUNITY

- 6.2 Firstly a delivery partner option has been built into the business case. This option was developed since the report to Full Council, following the advice of the NLA, and feedback other Local Authorities. This option means that The Council would enter into an agreement with a Delivery Partner who would handle online landlord licence applications, collect the application fee, inspect the properties, and deal with complaints about the properties or tenants, under a 'landlord support service' that landlords would join. The Council would still issue the licences, and be the regulator.
- 6.3 The Council would not pay directly for this service, as it is funded out of the landlord's modest £9.50 monthly membership fees, or within the up-front total fees depending on which way the landlord wishes to pay for their licence. As a result, the contract to supply this service is being offered as a concession (through the Consultation Document) for any interested company to apply for as part of the procurement process for such a company. Companies providing this service reinvest their profits within the scheme areas (see 6.6), and so seek to only make limited profits.
- 6.4 With a Delivery Partner undertaking so much of the work on behalf of the Council, The Council's staff time and costs are greatly reduced as there is no requirement to

recruit inspectors, as the Delivery Partner employs them. Therefore, there is only a small licence application fee, which is required to cover the Council's administration costs.

6.5 Benefits of such Delivery Partner Schemes include:

- Free training to landlord members;
- Quarterly landlord forums;
- Discounted mortgage rates from Lloyds Bank;
- Discounted landlord insurance from Lloyds Bank;
- Mediation between landlord and tenant, and between tenants;
- B&Q Trade Point Card with 30% discount on everything;
- Numerous languages available for online application forms;
- Accredited local tradesmen and businesses (good service for landlords, and boosts local businesses);
- Credit & reference checks;

In future, these benefits will expand to include:

- Rent collection for landlords via direct debit (thus solving the Universal Credit issue);
- A tenancy outcome database (it will include data from scheme members and their tenants, thus dealing with the problem of good references for poor tenants, and enabling tenants to identify poor landlords);
- A property marketing portal (a full available stock list of safe rented homes – thus saving on agency fees for landlords);
- New landlords-only insurance products.

6.6 In addition to the aforementioned benefits to the Council, landlords, and tenants, Delivery Partners typically also undertake and promote social investment; for example, construction students repairing boundary walls (to reduce crime) using donated materials, and youths are encouraged to litter pick in exchange for vouchers for free access sporting facilities. Significantly, the above B&Q discount led to £250k of landlord savings in the Doncaster B&Q within just 6 months. Such benefits have meant that ineligible landlords have clamoured to pay to join these schemes.

FEES & CHARGES REVIEW

6.7 The Selective Licensing Fees and Charges that were contained within the previous Committee Report and Business Case were indicative costs, subject to investigation.

6.8 As discussed earlier in this report, upon further investigation through interviewing and visiting other Local Authorities, it was found that the original indicative fees would not cover the cost of the scheme, as the proposed fees would. Therefore, if

the proposed licence fees were reduced, it would effectively mean that the Council is subsidising the licence fees from revenues, rather than the Selective Licence Scheme being self-funding.

- 6.9 The full table of Fees and Charges are contained within the Appendix 1 Consultation Document (see Appendix B of the document). The fees include the 20% VAT that a Delivery Partner would need to pay.

COMMUNITY CONNECTORS OPPORTUNITY

- 6.10 Investigations indicate that all LAs delivering a Selective Licensing Scheme have had to extend it after the initial five years as the original objectives were not met. This even includes the London Borough of Newham, which has the most prosecutions in the country, but only inspected a fraction of licensed properties. It seems most probable that this is because the level, or nature of the resources employed, were insufficient for entrenched issues such as multiple deprivations.
- 6.11 We propose to tackle these deprivation issues by building on the work of the Neighbourhoods That Work Programme by using the current Community Connectors model to redirect some of this resource into visiting licensed properties with the Housing Inspectors (or afterwards following reports), and speak to the residents to identify their needs and the issues facing them, before championing them with other agencies. This may include reporting crime and ASB, or enabling access to healthcare, child support, and training, with the outcomes of increasing their household income, or lead more healthy and active lives. Ultimately the aim is to achieve raising these areas out of the most deprived in the Country.
- 6.12 It would be proposed to redirect some Community Connector resource into this project area for an initial two year period, so that their performance and impact upon deprivations can be measured against KPIs with respect to new data. If an appreciable positive impact can be measured, then this work could then be extended for the full five years of the project.

7. COMMUNICATIONS PLAN

- 7.1 Media and Landlords' Associations engagement regarding the consultation began on the 6th of June, with the publication of the Committee Papers.
- 7.2 Stakeholder Engagement is planned through a NLA Selective Licensing Meeting at the Town Hall, on the 18th of June, and all-day Stakeholder Drop-In sessions on the 18th and 25th of June. Social Media, leaflet and poster materials are also prepared.

- 7.3 The full Communications Plan, with key dates is contained within the 'Consultation on Selective Licensing in the Nelson Ward' document, Appendix 1

8. FINANCIAL IMPLICATIONS

- 8.1 The £38,788 from the Invest to Save Reserve has been essential in investigating and evidencing a financially sustainable Selective Licensing Scheme. The time this afforded has also enabled total project savings of over £27k from the original Business Case, to be found from Software Licensing, and Intelligence and Data costs as the project moves forwards.
- 8.2 With the revised fees and charges and the use of the delivery partner the financial risk of this project have been significantly reduced.

9. RISK IMPLICATIONS

- 9.1 The risk register for this project is updated regularly. Indeed, most of the key risks have been mitigated or controlled with the work so far and present proposals.
- 9.2 A key risk is that the Council could have a legal challenge to a Selective Licensing Designation. However, this is mitigated by the ongoing engagement with landlords, the Consultation evidence base and document, the detailed Communications Plan, and the greater appeal of a Landlord Support Scheme.
- 9.3 The current proposals should mitigate the risk of the Selective Licensing Scheme not being self-funding, as is the Government's intention. However, should the fees be reduced, there is the risk that either the scheme will have to be subsidised by Council Tax payers, and business rates, or the resources would need to be cut, and the Selective Licensing objectives may not be met.

10. CONCLUSIONS

- 10.1 The project is progressing in accordance with the timeline, to go to consultation, allow designation – should Full Council decide this – and commencement of the Selective Licensing Scheme by September and December 2018 respectively, as outlined within the original report to Full Council.
- 10.2 Higher licensing fees are proposed than within the original Committee Report and Business Case. However, these should ensure that the scheme is sustainable properly resourced, and self-funding.
- 10.3 Working with Delivery Support Partner reduces financial and legal challenge risks,

gives benefits to landlords, increases affordability to landlords, and provides the most likely chance of achieving the objectives of Selective Licensing within the 5 year scheme duration.

- 10.4 There is also an opportunity to include Community Connectors within the fees structure, or Invest to Save Budget to work with people to tackle the multiple deprivations affecting their lives and communities.

11. RECOMMENDATIONS

11.1 This Committee is recommended to:

- Approve the 'Consultation on Selective Licensing in the Nelson Ward' document and to commence the consultation process which will run from 15th June 2018 – 24th August 2018.
- To note the proposed use of Community Connectors in the Selective Licensing area to further strengthen the outcomes of this project.
- To note that Full Council will receive a 'Selective Licensing Recommendation Report', on the 13th of September, following the 10 week stakeholder consultation.

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	The Monitoring Officer has been consulted.
Section 151 Officer Consultation:	The Section 151 Officer has been consulted.
Existing Council Policies:	The Housing Strategy has been considered.
Financial Implications:	Yes. Details contained within the report.
Legal Implications (including human rights):	The Monitoring Officer has been consulted
Risk Implications:	Yes. Risk Register maintained for project.
Equality Issues/EQIA assessment:	Considered during stakeholder engagement
Crime & Disorder:	No
Every Child Matters:	No

APPENDIX 1 – Consultation Document



GREAT YARMOUTH
BOROUGH COUNCIL

Consultation on Selective Licensing in the Nelson Ward

Proposal to make a selective licensing designation

Stakeholder Consultation
15th June 2018 – 24th August 2018

Executive Summary

This Stakeholder Consultation document is to inform and consult with all interested parties about Great Yarmouth Borough Council's proposals with regards to introducing a Selective Licensing Scheme.

What is proposed?

Great Yarmouth Borough Council is proposing to designate certain parts of the Nelson electoral ward, as a selective licensing area under section 80 of the Housing Act 2004. It is proposed that the designation would begin on 14th of December 2018 and last for five years.

It is further proposed that a Delivery Partner will be used within the Selective Licensing Scheme.

What is a selective licensing designation?

Local housing authorities, such as Great Yarmouth Borough Council, have the discretionary power to designate an area for the purposes of selective licensing if certain legal tests are met. Once an area has been designated, all privately rented homes within the area must be licensed with the council (unless subject to statutory exemption). A selective licensing scheme requires private landlords to comply with a range of licence conditions to ensure good property management. Selective licensing does not apply to owner-occupied or housing association homes.

Why is the council proposing to do this?

The area in question suffers from a wide range of entrenched problems that arose out of many years of socio-economic change; a situation that is not uncommon in other coastal communities. As one of the most deprived areas in England, it suffers from high levels of crime and anti-social behaviour, low housing demand, multiple deprivations, and poor housing conditions. Selective licensing can provide additional powers to help the council tackle poorly managed privately rented property. As approximately 60% of the accommodation in the area is in the private rented sector (national average 20%), improved management standards in this sector should contribute to an overall improvement in living conditions in the area. This should lead to a better quality of life for residents in all tenures.

How can I have my say?

The council wants your views and comments on this proposal. A ten-week public consultation will run from the 15th June 2018 – 24th August 2018. Go online at www.great-yarmouth.gov.uk

Great Yarmouth Borough Council

yarmouth.gov.uk/have-your-say to respond to the consultation. Alternatively, you can collect and submit a paper version of the consultation document at the following locations:

- Great Yarmouth Borough Council, Town Hall, Hall Plain, Great Yarmouth, NR30 2QF
- Comeunity, 135 King Street, Great Yarmouth, NR30 2PQ
- GYROS, The Books & Beans Cafe in The Central Library, Tolhouse Street, Great Yarmouth, NR30 2SH

A final decision as to whether to make a selective licensing designation, or not, will only be made at Full Council, after the council has carefully considered all the responses received during the consultation.

Table of Contents

Executive Summary	i
What is proposed?.....	i
What is a selective licensing designation?	i
Why is the council proposing to do this?	i
How can I have my say?.....	i
1 Introduction	5
1.1 Background.....	5
1.2 Document structure.....	5
2 Proposal for public consultation	7
2.1 Proposed designated area.....	7
2.2 Why this area? A brief historical context.....	8
2.3 General approval by Secretary of State.....	10
2.4 Legal tests.....	10
2.5 Proposed timescales.....	11
2.6 Proposed Licensing Scheme	11
2.7 Proposed licence fee structure	16
2.8 Licence conditions	18
2.9 Housing strategy	19
2.10 Existing Housing Initiatives	20
2.11 Expected benefits of a designation	21
2.12 Alternatives to selective licensing	21
3 Supporting evidence.....	24
3.1 Overview	24
3.2 Housing stock overview	24
3.3 Low housing demand.....	26
3.4 Anti-social behaviour.....	27
3.5 Housing conditions.....	28
3.6 Migration	30
3.7 Deprivation.....	31
3.8 Crime	33
3.9 Overall ranking.....	33
4 How to make comments on this proposal	35
4.1 How to make representations	35
4.2 Consultation methods	35
Appendix A: Maps of proposed designated area	38

Police ASB Map.....	38
Police CAD Map	39
ASB complaints 3/2014 - 9/2016 by Ward.....	40
Housing complaints 3/2014 – 9/2016 by Ward	41
Appendix B: Selective Licensing fees and charges	42
Appendix C: Evidence Base	45
Appendix D: Maps of proposed designated area	59
Proposed Designated Area Map.....	61
Proposed Designated Sub-Area (LSOA 006B) Map.....	62
Proposed Designated Sub-Area (LSOA 006C) Map	63
Proposed Designated Sub-Area (LSOA 006E) Map.....	64
Appendix E: Roads Affected by the Proposed Designation	65
Appendix F: Selective Licensing Landlord Support Service Delivery Partner	67

1 Introduction

1.1 Background

Great Yarmouth Borough Council (the council) is the local housing authority for the Borough of Great Yarmouth, is situated on the coast, in the south east corner of Norfolk. A mixed urban/rural area, the population of approximately 98,000 is concentrated in the urban centres of Great Yarmouth, Gorleston, Bradwell and Caister-on-Sea, with smaller communities in Hopton-on-Sea, Hemsby, Martham, Ormesby and Winterton on-Sea.

Great Yarmouth is situated on the coast of Norfolk in East Anglia, and includes 15 miles of coastline and is a substantial part of the Broads National Park. The area served by the Council covers 67.2 miles² (174 km²) and includes the towns of Great Yarmouth and Gorleston-on-Sea and a rural hinterland consisting of 21 parishes stretching from Winterton in the north to Hopton in the south. It is about 20 miles east of Norwich.

Local housing authorities are empowered under Part 3 of the Housing Act 2004 to introduce selective licensing schemes in all or parts of their area. Once a scheme has been introduced, all privately rented accommodation situated within the designated area must be licensed, unless subject to statutory exemption. Prior to April 2015, an area could only be designated if it was, or was likely to become, an area of low housing demand and/or it had a significant and persistent problem with anti-social behaviour where the inaction of private landlords was a contributory factor.

A selective licensing designation cannot be made for a period longer than five years.

1.2 Document structure

Chapter 1 briefly introduces the Borough, Selective Licensing, and the document.

Chapter 2 sets out the Council's proposal for a designation, and the key elements of the proposal which is the subject of this public consultation. The chapter also explains how this position was reached, through identifying and investigating the Wards of concern for the Council, before narrowing down to the proposed Selective Licensing Designation Area.

Before making a proposal to designate a selective licensing area, the council must first be satisfied that at least one of the legal tests (or conditions) has been met. Chapter 3 identifies the six criteria for designation and deals with each in turn.

Selective Licensing must be part of a coordinated response to problem areas. Chapter 4 highlights the complementary initiatives currently in place to support regeneration.

Chapter 5 provides information on how to make a response to this public consultation.

It also lists the ways in which the consultation is being widely publicised.

Appendices includes, all of the detailed evidence within maps and tables, that support the Selective Licensing proposals

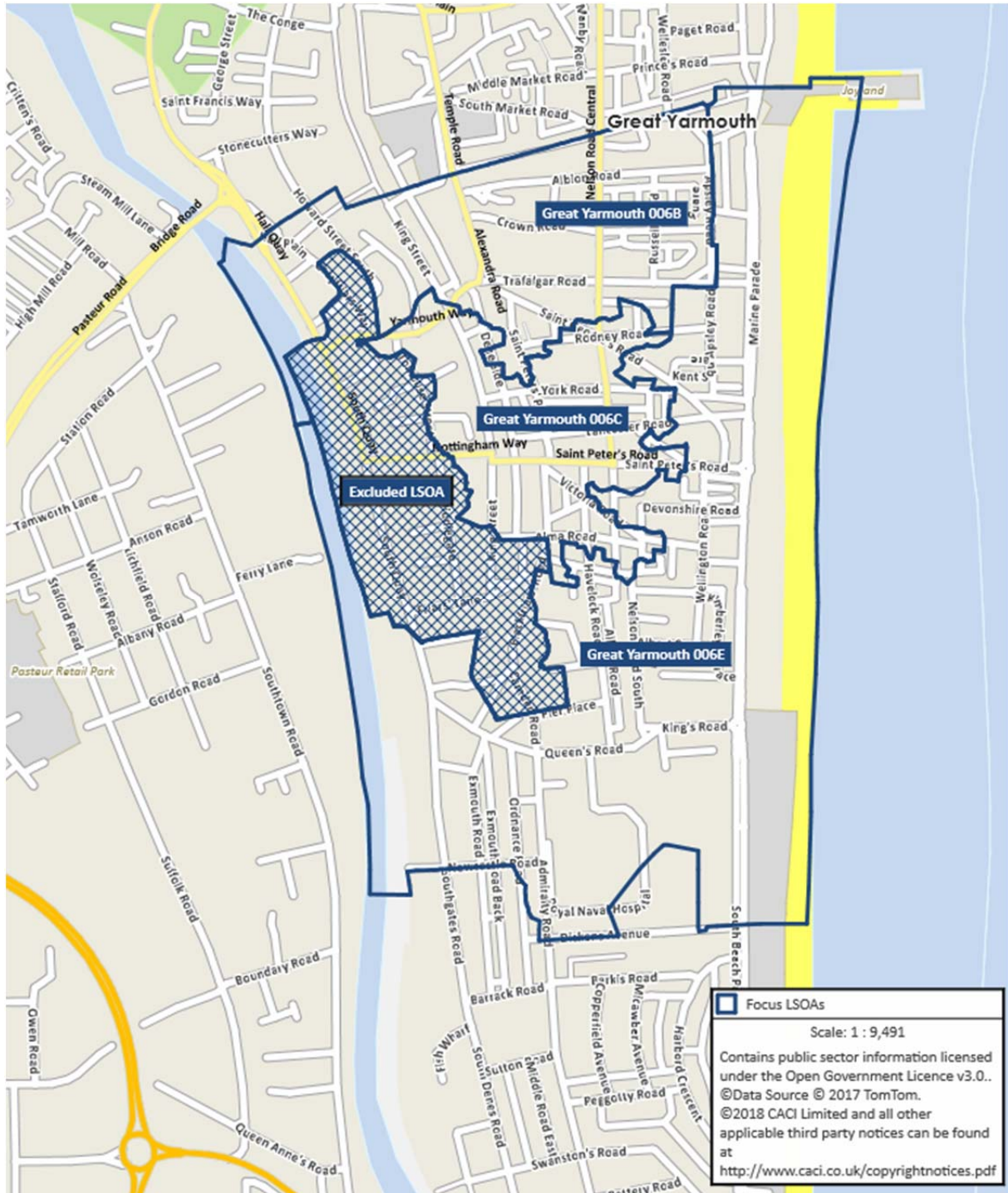
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2 Proposal for public consultation

2.1 Proposed designated area

A map showing the proposed selective licensing designation is shown below. It includes all of the blue outlined area, excluding the cross-hatched area.

Figure 1: Map of proposed designated area (2018-23)



2.2 Why this area? A brief historical context

This consultation document sets out a proposal for the Council to implement a Selective Licensing scheme in relation to a geographic area comprising parts of the Nelson Ward of the Borough of Great Yarmouth, based on evidence from an investigation of the Nelson and Central and Northgate Wards, in accordance with the provisions of the Housing Act 2004. The scheme aims to tackle significant and persistent levels of Anti-Social Behaviour (ASB), crime, poor housing conditions, and deprivation, related to the private rented housing sector.

Bounded by the seafront to the East and South, Regent Road to the North, and South Quay to the west, Nelson Ward in the centre of Great Yarmouth consists mainly of high density residential areas typically built during the Victorian era.

The Central and Northgate Ward is bounded by Salisbury Road to the North, the Broads to the West, the sea to the East and Regent Road/Street to the South, forming a boundary with Nelson Ward.

The first hotel to service the burgeoning holiday trade in Great Yarmouth, was built in 1759, when visitors came to the seaside to bathe in the salt sea water, believed to have healing powers. The area fast became a seaside resort, propelled forward by the building of three railway stations. Numerous attractions, two piers, and theatres to entertain the tourists, were built along the seafront, many of which remain to this day. Whilst Great Yarmouth still has a successful tourism industry, the demand for holiday accommodation has decreased along with the decline of the traditional English seaside holiday in recent decades, having a profound impact on the area.

Nelson, and Central and Northgate Wards, were once the heartland of small hotels and guest houses. However, the nature of the area has changed as holiday styles have changed, leaving owners of large properties with little financial alternative but to open their rooms up to residents who need living accommodation. Hence the growth in the number of houses in multiple occupation (HMO), bedsits, and small flats (in pursuit of the maximum number of rental units) within the ward. Many of these HMOs are run by irresponsible landlords exploiting the plight of their tenants, some of whom are the most vulnerable in society. Also, as more hotel and guesthouse businesses have closed and owner-occupiers moved out, more private landlords moved in. The private rented sector became the dominant tenure in parts of these Wards, with some landlords owning large portfolios.

Piecemeal interventions by a number of agencies over the years have secured improvements to some of the housing on a generally reactive basis, although it is recognized that attempts at wider area schemes such as the SHARP project (see Chapter 4) have delivered localised improvements to the housing stock.

Coupled with a rise in the number of complaints to agencies such as the police about low level crime and anti-social behaviour, the area has become one of low housing demand where only a significant investment in resources on an area wide basis can secure improvements for residents. As a result, the accommodation offer has largely been aimed at the lower end of the market. With many vulnerable households migrating inwards, the socio-economic shift has led to the area having some of the most deprived neighbourhoods in the country. The area is now characterised by high levels of worklessness, benefit dependency, crime and anti-social behaviour, poor educational achievement (Great Yarmouth has the worst post-16 educational attainment in the Country), and health inequalities.

According to the ONS Indices of Deprivation 2015, the Nelson and Central and Northgate wards are amongst the most 10% deprived wards in the Country with parts of the Nelson Ward ranking 20th out of 32, 844 neighbourhoods in England for multiple deprivations.

Preliminary investigations based upon increased political and police interest in Houses in Multiple Occupation (HMOs), led to an investigation into ASB around HMOs. Though there was no correlation between Mandatory Licensed HMOs and complaints received by the Council, or Police. However, analysis of the data, showed that the majority of Police ASB incidents (see Figure 2), and Police CADs (see Figure 3), ASB complaints to the Police and Council (see Figure 4), and housing complaints to Environmental Health (see Figure 5), demonstrated that the majority of complaints (typically more than the rest of the Borough combined), were centred around Nelson Ward and Central and Northgate Ward, with the former having a greater prevalence. This led to investigation to see if these challenges could be addressed by other forms of property licensing, and therefore Selective Licensing was identified as being the most effective way of doing this. Indeed, analysis the Police and Council data, identified that conditions within the two Wards satisfied five of the six tests for Selective Licensing (see Chapter 2.4), in addition to having the: highest density housing in Borough; greatest regulatory involvement; largest proportion of rented properties; lowest housing standards; very poor health; and very significant deprivation.

While individual private landlords cannot be held responsible for these wider changes and issues, some are perpetuating the deprivation and poor health outcomes by offering poorly managed and unsafe homes. Such landlords are not operating on a level playing field due to their poor practices, and so have been under-cutting their law-abiding competitors. Selective Licensing should make Great Yarmouth a fair place for Landlords to do business, while providing decent homes for tenants.

2.3 General approval by Secretary of State

Prior to 01 April 2010, all selective licensing designations had to be approved by the Secretary of State (SoS). Between this date and 31 March 2015 a general approval, issued by the SoS, allowed councils to designate selective licensing areas without the need for obtaining Government approval, as long as a ten week public consultation had taken place.

However, the 2010 general approval was revoked on 01 April 2015 and replaced with one that includes size restrictions on new schemes. Any new designation that is over a certain size must be approved by the SoS.

Any designation that (either by itself, or in combination with other selective licensing designations made by the council) would cover more than 20% of the geographical area of the district is excluded from the 2015 general approval. Furthermore, any designation that (either by itself, or in combination with other selective licensing designations made by the council) would affect more than 20% of privately rented homes in the district would also be excluded. Great Yarmouth Borough comprises an area of 67.2 square miles (174 square km). The area proposed for designation is just 0.57% of the surface area of the Borough, so well under the 20% threshold, and therefore the proposed designation would not require approval from the SoS owing to its relatively small geographical size.

According to the BRE (2017), there were 8,951 private rented sector properties within the Borough of Great Yarmouth, so Secretary of State's approval would be required for any scheme(s) that included more than 1,790 privately rented homes. The area proposed for designation includes approximately 1,630 privately rented homes, or 18.21% of the total private rented sector, which will include some that are exempt from Selective Licensing anyway, such as those that require a Mandatory HMO Licence for example. Therefore, Secretary of State's approval would not be required for the proposed designation.

2.4 Legal tests

Before any council can consider making a selective licensing designation it must ensure that the area in question meets certain legal tests.

Until 27 March 2015, an area could only be designated for the purposes of selective licensing if it met at least one of the two legal tests (known as conditions) set out in the Housing Act 2004. However, on this date the Government introduced four new sets of conditions. The council may now designate an area if:

- It is, or is likely to become, an area of low housing demand; or

- It has a significant and persistent problem with anti-social behaviour where the inaction of private landlords is a contributory factor; or
- Following a review of housing conditions, it is believed that the area is suffering from significant housing condition problems and the council intends to inspect the dwellings concerned; or
- It has experienced a recent influx in migration, and where the migrants are primarily occupying privately rented accommodation; or
- It suffers from a high level of deprivation which particularly affects the occupiers of privately rented accommodation; or
- It suffers from a high level of crime that affects residents and businesses in the area.

The council is of the opinion that five of the six tests are met in respect of the area proposed for designation. A designation based on migration is not proposed. The evidence to support this opinion is set out in Chapter 3.

2.5 Proposed timescales

Following the ten-week public consultation, the council will carefully review all representations made. A report will then be submitted to Full Council on the 13th of September 2018 for Member consideration and decision.

If the Full Council decides to designate the area for the purposes of selective licensing, the designation would become operative on the 14th of December 2018 and last for a period of five years until the 13th of December 2023.

These timescales may be subject to change in the event of unforeseen circumstances.

2.6 Proposed Licensing Scheme

Whilst preparing for this consultation research was conducted on schemes implemented by other Local Authorities – including visits, telephone and email communication – so that the Council could understand best practice, and what had worked well elsewhere. In conducting this research, the Council became aware of an innovative way of delivering selective licensing that was developed by Doncaster Metropolitan Borough Council in 2014. This delivery mechanism has been used in the delivery of their first two schemes, the latest designation made late last year, and also the designation currently in place at West Lindsey District Council.

In essence, the Local Authority making the designation are the Licensing and Enforcing Authority, as with any other Selective Licensing Scheme in the country, with all the powers to

enforce through the legislation allowing such designations to be made. However, once a designation is made landlords will be encouraged to join a 'Landlord Support Service' scheme, operated by a 'Delivery Partner' contractually approved by the Council, before the Council issues their licence.

This partnership approach provides a Landlord Support Service working closely with Local Authorities and the landlord community, providing support and development in areas designated for selective licensing. Non-compliant landlords will still face the prospect of prosecution but with training, support and development available, underpinned by the legislation, the prospects of improving the sector are much enhanced than through legislation alone.

The Delivery Partner, with professional knowledge of the private rented sector and landlord culture particularly, works with the Local Authority and landlord community to deliver the main objectives of licensing - raising standards and changing landlord behaviour, in a way that Local Authorities alone have traditionally found difficult to do.

Upon designation, landlords must apply for a licence and join the Landlord Support Service via the Delivery Partner's website. Great Yarmouth Borough Council is still the Licensing Authority, which issues landlords with their licence to rent out their properties legally. Landlords can either pay a much reduced licence fee and a monthly membership subscription to the Delivery Partner, or a combined reduced licence fee and lump sum membership fee for the entire term, where the overall the costs will be less (see Chapter 2.7 and Appendix B). As part of their application to join they will need to submit the certificates required for a licence. It will be confirmed to Great Yarmouth Borough Council if acceptable, whereby we will issue the licence at a discounted rate as our time taken to process is less when done this way.

All Managing Agents nominated by Landlord Support Service member landlords, to manage properties in the scheme area, will need to provide evidence of their Fit & Proper Person status and that they are members of an approved Redress Scheme.

Once a member of the Delivery Partner's 'Landlord Support Service', and in receipt of their Great Yarmouth Borough Council issued licence, any issues regarding the property, landlord or tenant are referred in the first instance to the Delivery Partner (notwithstanding the fact that Great Yarmouth Borough Council could enforce immediately if it so chooses). The delivery partner will work with the landlord to resolve the issue whilst compiling the evidence should it result in Great Yarmouth Borough Council legal action. This will take no longer than if we were to resolve and all timescales are agreed at the outset and enshrined in a contract between Great Yarmouth Borough Council and the Delivery Partner.

Membership terms and conditions are clearly laid out to Landlord Support Service's members, along with a code of practice, maintenance mandate and local charters to deal with specific problems such as ASB, waste, tenancy sustainment, etc.

The Delivery Partner offers training, a local point of contact, support and development for licence holders to compliment the more robust legislative approach taken by Great Yarmouth Borough Council. Where necessary the delivery partner will also work with Great Yarmouth Borough Council to provide the evidence required for prosecution cases. If at any time, for whatever reason, licence-holders cease to be members of the delivery partner scheme, the licence lapses (other than where they have sold the licensed property) and they must re-apply directly to Great Yarmouth Borough Council for a licence to be able to continue to legally rent out their property or properties.

The Delivery Partner will conduct an agreed number of property inspections, anticipated to be three, during the designation period, deploying trained HHSRS inspectors to inspect all scheme properties. The cost of this is covered in the monthly subscriptions with no additional costs. Inspection reports are emailed to scheme members upon completion of the inspection. Any issues raised are graded with a high, medium or low priority (consistent with HHSRS) and the membership maintenance mandate gives strict timescales to respond to these follow-up actions all of which are agreed with Great Yarmouth Borough Council.

A contract between Great Yarmouth Borough Council and the Delivery Partner will be in place from the outset with key performance indicators to ensure the scheme objectives are met, if not exceeded. The contract will be awarded as a 'Concession', rather than through procurement, as the Delivery Partner will not be paid anything by the Council. Great Yarmouth Borough Council welcomes any competent party with an interest in being the Service Delivery Partner to submit an application for the Concession. They should read Appendix F for the criteria, minimum standards, and how to apply etc. for the Selective Licensing 'Landlord Support Service Delivery Partner Concession'.

There will be a requirement for the Service Delivery Partner to periodically attend management meetings to provide updates, scrutiny and accountability. As with any contract, where there are reasonable grounds, Great Yarmouth Borough Council can terminate this contract and revert to the traditional form of selective licensing on its own.

In October 2017, The Guardian newspaper published the results of a survey made under The Freedom of Information Act with responses from over 180 Local Authorities. Doncaster Council was the 4th highest Local Authority for the number of prosecutions secured against landlords.

Also, in October 2017, West Lindsey District Council secured the highest fine ever given to a landlord through Selective Licensing. Their Service Delivery Partner had offered support in trying to obtain the landlord a licence but had to reject the application to join due to a lack of engagement.

The Council understands that where a Landlord Support Scheme has been offered, the vast majority of landlords prefer this scheme in preference to full engagement with the Council, where the Council's EHOs would undertake inspections, and formally require works by landlords, under schedules of work or notices. The option of paying a much reduced application fee, with low monthly costs (estimated to be £9.50 for the Great Yarmouth Selective Licensing proposals) instead of the full application fee up front, as in most other Selective Licensing Schemes, is also well-received, meaning that landlords do not need to pay significant sums of money initially, and can budget for the low monthly costs across the term. Also, the monthly costs can be fully offset – even to the extent of making the landlords money – due to the offers, services, and preferential savings that come as part of the Landlord Support Scheme membership package. Examples from the Doncaster and West Lindsey Schemes include:

- Free training to landlord members;
- Quarterly landlord forums;
- Discounted mortgage rates from Lloyds Bank;
- Discounted landlord insurance from Lloyds Bank;
- Mediation between landlord and tenant, and between tenants (including their tenants and other landlords' tenants)
- B&Q Trade Point Card with 30% discount on everything, plus higher discounts on useful items for landlords, which have been identified by the Landlord Support Scheme;
- 18 languages available for online application forms;
- Accredited local tradesmen and businesses (a good local service for landlords, and boosts local businesses);
- Credit & reference checks;

The Council further understands that in future, the Landlord Support Scheme benefits for the the Doncaster and West Lindsey Schemes will expand to include:

- Rent collection for landlords via direct debit (thus solving the Universal Credit issue);

- A tenancy outcome database (it will include data from scheme members and their tenants, thus dealing with the problem of good references for poor tenants, and enabling tenants to identify poor landlords);
- A property marketing portal (a full available stock list of safe rented homes – thus saving on agency fees for landlords);
- A Landlord Support Scheme landlords-only insurance product from Towergate Insurance Brokers.

In addition to the aforementioned benefits to the landlords, tenants, and other stakeholders, these Landlord Support Scheme also undertake and promotes social investment where it works; for example, repairs are made to boundary walls using donated materials, and construction students, or youths are encouraged to litter pick in exchange for vouchers to access sporting facilities for free.

These proposals are therefore a genuine attempt to raise standards in the private rented sector, and to support the communities in which they are based, through training, support and development for landlords, their representatives, and tenants, underpinned with a robust legislative approach.

2.7 Proposed licence fee structure

The council proposes to charge a licence application fee to cover the cost of the administration of the selective licensing scheme. Indeed, the Council has a fiscal duty to do so. This income is ring-fenced and can only be used for Selective Licensing. It cannot be used to raise income for other Council functions.

The council believes that any scheme should minimise the financial burden on landlords. It therefore proposes that licence fees are reduced as much as is reasonably possible, without jeopardising the council's ability to undertake its statutory functions under selective licensing, or any of its other statutory duties.

For the purposes of selective licensing, an accredited landlord is a landlord who is accredited by the National Landlords Association (NLA), or under the Residential Landlords Association Accreditation Scheme (RLAAS), National Approved Lettings Scheme, and have maintained their CPD requirements. There are reduced fees for such accredited landlords, and also for early applications (see Appendix C).

All licence fees would be reviewed each financial year.

A licence would normally be granted for a period of five years and no further fees would be payable during the life of the licence, unless a Landlord Support Service membership is cancelled due to repeated or serious non-compliance, and then a new licence application would need to be made to the Council for the rest of the term. Licences are non-transferrable in accordance with section 91(6) of the Housing Act 2004.

The fees are for the whole period of the Selective Licensing designation, which is for 5 years from December 2018 to November 2023. Fees are based on the running cost and management of the overall scheme. There are a range of fees, which differ for single and multiple unit properties. There are also a range of reduced fees and penalties which relate to certain circumstances.

There are three fee scenarios, dependent on the type of building and ownership, as follows (also see Appendix C):

1. **Single unit properties:** This is for dwellings, which are a single unit, which could be a house, or a self-contained flat or non-self contained flat. The standard licence fee of £100 plus a monthly £9.50 'Landlord Support Service' fee, or lump sum licence fee of £525, applies in this case and this requires only one licence.
2. **Multiple unit properties where the landlord controls the freehold:** Where the landlord has the freehold of a block of flats a single licence will be issued for all the flats owned by the landlord plus the common parts of the building. The licence fee will

be the standard fee of £100 plus a monthly £9.50 'Landlord Support Service' fee for the first flat, plus £90 plus a monthly £9.50 'Landlord Support Service' fee for each extra flat within the same building. Otherwise the lump sum fee of £525 for first flat and then £515 for each additional flat within the same building can be paid. Where applicable, reduced fees will be applied to the total cost of the licence.

3. **Multiple unit properties where the landlord does not control the freehold:** Where the landlord owns multiple flats within a building but does not own the freehold, then each flat will require a separate licence. The licence fee for the first flat will be the standard fee of £100 plus a monthly £9.50 'Landlord Support Service' fee, whilst the licence fee for any extra flats in the block will be £90 plus a monthly £9.50 'Landlord Support Service' fee for each extra flat. Otherwise the lump sum fee of £525 for first flat and then £515 for each additional flat within the same building can be paid. Reduced fees will only be applied to the total cost of the flats to be licensed in the block and will not apply to each individual flat in the block, as the licence fee for the extra flats has already been substantially reduced.

Payment schedule

Licence fees must be paid in full at the time of application, and cannot be paid in instalments. However, the Landlord Support Scheme membership fees, can be paid monthly to the Delivery Support Partner.

2.8 Licence conditions

Each new licence granted would be subject to a series of licence conditions. Licence conditions under selective licensing must include the mandatory conditions set out in Schedule 4 of the Housing Act 2004 and may include additional conditions relating to management, use and occupation. The proposed additional conditions have been drafted, following a conditions review.

In summary, the mandatory conditions would require licence holders to:

- Provide gas safety certificates annually (if gas is supplied);
- Keep any electrical appliances and furniture provided in a safe condition;
- Provide suitable smoke alarms and keep them in good working order;
- Require references from prospective tenants;
- Issue residents with a written statement of the terms of occupation (e.g. a tenancy agreement or licence);

The proposed additional Selective Licensing Conditions would require licence holders –with the support of guidance – to:

- Provide electrical installation condition reports for the fixed wiring installations at intervals of not more than five years;
- Ensure the safety of any furniture and furnishings that are provided;
- Ensure fire safety;
- Provide reasonable terms of occupation;
- Make suitable arrangements for completing routine repairs and maintenance;
- Undertake an energy efficiency assessment if required;
- Limit occupation of the property to the numbers of persons and households specified in the licence;
- Provide adequate security to the property;
- Ensure the proper use of, and provide keys to tenants for any alley gates to the rear of the property;
- Maintain external areas;
- Make suitable arrangements for refuse and waste;

- Appropriately manage anti-social behaviour, should it ever originate from their property;
- Ensure that anyone involved with managing the property is a 'fit and proper person';
- Ensure management arrangement during their absence;
- Comply and cooperate with the Council, and any property inspectors;
- Advise the council of any change in circumstances.

The council believes that such licence conditions are not onerous, and that good landlords are unlikely to find that their practices need be changed.

2.9 Housing strategy

Any proposal to introduce a selective licensing designation must be consistent with the council's overall housing strategy.

The council's overarching housing vision is within its 'Great Yarmouth Borough Council: Housing Strategy 2018 - 2022', echoed from the Corporate Plan 'The Plan 2015-2020', where it is envisaged that there will be *"An attractive mix of housing that will be fit for purpose for all and meet both the borough's existing and future needs. There will be good quality housing for all sectors of the community and workforce. An attractive mix of housing that will meet the Borough's needs"*

The Strategic Objectives of the Housing Strategy include:

- Decent homes: providing a good mix of decent homes across all tenures;
- Healthy homes: meeting the needs of vulnerable households.

The Strategic Aims of the Housing Strategy include:

- Explore a selective licensing scheme for HMOs;
- Target the most hazardous private sector properties and non-compliant landlords through effective preventative and enforcement action;
- Establish a Landlord's Forum to improve dialogue with private sector landlords and better management practice;
- Work with other agencies to target vulnerable households to help improve energy efficiency and reduce fuel poverty;
- Strengthen partnership working opportunities with statutory and voluntary agencies to ensure early intervention and the effective use of resources;

- Improve joint working with and support for private landlords who are looking to improve their property conditions.

The Housing Strategy specifically sets out the aim to explore a Selective Licensing Scheme, which is being done through this consultation, and the evidence gathered to inform the process. The proposal to designate a Selective Licensing Scheme is therefore wholly consistent with the council's Housing Strategy.

Furthermore, the 'Great Yarmouth Borough Council - Research on the Private Rented Sector (PRS)' report by RR Consultancy, advocated: *"To consider implementing either an authority-wide landlord selective licensing scheme or voluntary landlord accreditation scheme, and consider ways in which they can be incentivized e.g. to offer training and support for accredited landlords, or to negotiate discounted rates at local DIY stores and / or with local services (such as builders, joiners, electricians and plumbers) to accredited landlords. The aims of the schemes are to enforce minimum standards, ensure tenant rights are adhered to, provide training and support, and to promote good practice."* This is exactly what the Council is proposing through Selective Licensing, and with a Service Delivery Partner, that can provide the wider benefits and incentives.

2.10 Existing Housing Initiatives

It is important for local housing authorities to demonstrate how licensing will work in conjunction with existing initiatives, and to deal with displacement issues.

Compulsory Purchase Orders

Great Yarmouth Borough Council has used its powers to CPO properties in differing levels as part of all previous projects. 13 CPO's had been completed since 2000 (as of July 2016) as for the majority of owners approached, the threat of a CPO is enough to encourage engagement, or push the owner into action themselves.

Compulsory Purchased Properties have been used for temporary accommodation, and enabled the Council to end expensive leases tied to unsuitable properties without losing the bed spaces.

Landlord Liaison Service (Homeless prevention)

The Council works with tenants, to help secure, or retain, their accommodation, through a 'Personalised Housing Plan'. This is regularly reviewed and support given to tenants.

Deposit Bond Scheme

The Council operates a Deposit Bond Scheme, where they guarantee the deposit for the landlord and tenant. For example, where tenants have a local connection, are homeless or threatened with homelessness, have no other way of securing a private rented property – typically a deposit equivalent to 6 weeks rent – and have a good tenancy history.

Property Officer

The Council has recently recruited a Property Officer in order to communicate with and support landlords and letting agents in finding suitable tenants, and placing them within their properties.

2.11 Expected benefits of a designation

Selective licensing provides additional powers to help the council tackle poorly managed privately rented property. Better management standards in this sector should contribute to an overall improvement in conditions in the proposed designated area. In particular, the council would expect a further designation to contribute to:

- An improvement in the social and economic conditions in the area;
- A reduction in anti-social behaviour;
- An improvement in general housing conditions;
- A reduction in the level of deprivation; and
- A reduction in crime.

Such improvements should lead to the area becoming more desirable. In the longer term, this should reveal itself in higher property and rental values, and a more stable community with less resident turnover.

2.12 Alternatives to selective licensing

As part of the investigation, alternatives to Selective Licensing were looked at to see if they could achieve the aims of reducing crime, ASB, deprivation, and low housing demand, and improving the housing conditions for residents.

Do Nothing

Maintain current reactive strategy in respect of private rented houses in single occupation. Houses in Multiple Occupation (HMO) of three or more storeys rented to five or more persons forming two or more households are covered by Mandatory HMO Licensing under

the Housing Act 2004. The cost of inspection and administration of this scheme is covered by fees according to the size of the building. To do nothing will not bring about wholesale improvements to the area, there being only 62 licensed HMOs within the whole Borough. The numbers of licensed HMOs should increase by the end of October, with the removal of the 'three storeys rule'. However, the increase in Mandatory Licensed HMOs is likely to only be modest, and only make up a small proportion of the entire Private Rented Sector (PRS), meaning that this would only have a minimal impact compared to the aims of a Selective Licensing Scheme.

Landlord Accreditation Scheme

Great Yarmouth Borough Council has previously operated a Landlord Accreditation Scheme, with incentives for membership, in an attempt to improve private rented dwellings and the other issues that Selective Licensing aims to address, as well as support and advise landlords. However, only one landlord signed up for accreditation during the two years that the scheme, so this was not a success, and a similar result would be anticipated if an accreditation scheme was launched again.

Some landlord associations operate their own accreditation schemes, in order to support and train landlords. However these schemes have not been shown to be enough to remove the need for Selective Licensing.

Implement Additional Licensing

This scheme would allow the Council to licence all HMOs throughout a designated area of the Borough, irrespective of number of storeys although person and household tests would still be applicable. Overall costs would be partly recoverable via the licence fees. Whilst this option will provide greater scope to tackle more HMOs, there is a lack of evidence to show that it alone will support the overall aims of the proposed area particularly around ASB and crime. Also, with the expansion of Mandatory HMO Licensing by the end of October 2018 – due to the incoming removal of the 'three storeys rule' – Additional Licensing would licence very few if any additional properties.

Interim and Final Management Orders

In certain circumstances relating to unlicensed premises, the council has the power to make Interim and Final Management Orders. Such orders authorise the council to take control of the residential premises to which the order relates. This power is reserved for the most problematic properties and is only considered as a last resort. It is also not appropriate in this context, as properties would be addressed in a piecemeal property-by-property basis, rather than strategically and systematically addressing issues. Also, a significant number of

properties may need to be managed in this manner, which is too resource-intensive for the potential benefit.

Implement Selective Licensing within a specific geographical area

Selective licensing will allow the Council to introduce a scheme to licence all private rented properties, irrespective of tenure and building size (save for Mandatory Licensed HMOs). This scheme considers the wider health and community issues associated with poor housing and irresponsible landlords, involving a significant multi-agency approach. The general costs of inspection and administration of the scheme are covered by fees levied for each licence depending on the property description and how it is occupied.

In terms of ASB, selective licensing has a wide-ranging impact. All licence holders are required to take reasonable steps to deal with ASB perpetrated by their tenants. While the council and the Police can, and do, intervene when such behaviour occurs, it is on a case by case basis. While the new tools and powers contained within the Anti-social Behaviour, Crime and Policing Act 2014 allow more flexible use of interventions, no other mechanism, apart from Selective Licensing, can have such an immediate and significant impact on an area dominated by the private rented sector and higher than average levels of ASB. Selective Licensing creates a culture in which landlords are more likely to tackle problems, rather than ignore them.

It is therefore considered that a Selective Licensing Scheme will be able to best deliver the Council's and partners aspirations for the area and is the preferred option.

Other courses of action that will contribute to the above-mentioned objectives have already been implemented and are part of the coordinated response to the problems experienced in the area. These are described in Chapter 4: Complementary Initiatives.

3 Supporting evidence

3.1 Overview

The council is of the opinion that the area proposed for designation meets five of the six legal tests set out in the Housing Act 2004 and regulations made thereunder. The designation is proposed on the basis of low housing demand, anti-social behaviour, housing conditions, deprivation, and crime. A designation based on migration is not proposed. Only one test needs to be proved to make a designation lawful.

The council considered data from a wide range of sources, collated and analysed by M·E·L Research (who have undertaken this work for numerous local authorities in support of Selective and Additional Licensing Schemes) before coming to this conclusion. This chapter outlines the key evidence that supports the proposed designation.

For clarity for the reader, and to present evidence regarding the challenges faced by Great Yarmouth's communities, the following evidence will be presented in most cases at the Government LSOA (Local Lower Super Output Area) level. These are basically communities or areas that the UK Government use for Census and Office of National Statistics data and reporting. There are five both in the Nelson Ward, and the Central and Northgate Ward. Each LSOA community has a code e.g. 'Great Yarmouth 006B', which can be used to identify the area on the maps, figures, and tables within this chapter, Chapter 2.1, and Appendix A.

3.2 Housing stock overview

Number of properties and residents

The Nelson, and Central and Northgate Wards are urban areas characterised by a high density of dwellings and occupants, within mostly older 19th and early 20th century terraced housing, flats, and houses of multiple occupation. This is in stark comparison with much of the rest of the Borough, where the housing stock is much less dense, has fewer stories, and is quite often newer. An example of this is where the 006E LSOA community in Nelson Ward has over 300 more residents, and almost 200 more properties than the majority rural 005B LSOA in Central and Northgate Ward, and within an area one-tenth the size of 005B.

The high density housing stock is demonstrated by the fact that Nelson Ward has 9.4% of the Borough's dwellings, and Central and Northgate Ward has 7.8%, with both Wards equating to 17.2% of all all dwellings in the Borough, within just 5.9% of the entire geographic area.

With regard to the high density of residents, 8.9% of the Borough's residents live within Nelson Ward, and 8% of the Borough's residents live within Central and Northgate Ward. Between the two Wards, 16.9% of the Borough's residents live within 5.9% of the land space.

Private rented properties

The private rented sector (PRS) has grown to 20% of all dwellings within the Borough of Great Yarmouth, similarly to the 20% for the whole of England private rented sector (according to the English Housing Survey 2016 to 2017, published January 2018). The PRS within both Nelson, and Central and Northgate Wards is more than double that for England, with both at 44%, and Nelson Ward with 21% of the Borough's entire PRS, and Central and Northgate having 20%.

However, what is very striking, when the localised LSOA areas are examined (see Table 5 and Figure 6), is that three communities within Nelson Ward (006B, 006C, and 006E), and one within Central and Northgate Ward (005D), are dominated by a majority private rented sector – over 60% in three areas. The private rented sector in each of these communities is so large that it includes around 500 or more dwellings, and represents between 5 and 7% of the private rented sector for the whole Borough.

Pre-qualification criteria

The four new tests or “sets of conditions” are set out in The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 (SI 2015/977), hereinafter referred to as the “Order”. However, before they can be applied, there are two initial legal tests that must first be met. They are set out in Article 3(1)(a) and (b), and are:

- (a) that the area contains a high proportion of properties in the private rented sector, in relation to the total number of properties in the area;*
- (b) that the properties referred to in sub-paragraph (a) are occupied either under assured tenancies or licences to occupy.*

The first test has been met, due to the size of the PRS, as discuss in the ‘Private rented properties’ section above, and the second test has been met, as the council is aware that almost every privately rented property in the proposed designated area is the subject of an assured shorthold tenancy agreement (AST).

In the council's opinion, the pre-qualification criteria have been met, and the four new sets of conditions may be applied if appropriate: housing conditions, migration, deprivation, and crime. These conditions, or criteria, will be considered and evidenced, during the rest of chapter 3.

3.3 Low housing demand

This legal test is set out in section 80(3) of the Housing Act 2004. For an area to be designated under this section, the 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.*

Section 80(4) goes on to say:

In deciding whether an area is, or is likely to become, an area of low housing demand a local housing authority must take into account (among other matters) –

- (a) the value of residential premises in the area, in comparison to the value of similar premises in other areas which the authority consider to be comparable (whether in terms of types of housing, local amenities, availability of transport or otherwise);*
- (b) the turnover of occupiers of residential premises;*
- (c) the number of residential premises which are available to buy or rent and the length of time for which they remain unoccupied.*

Property prices

Considering the mean average residential property prices paid within the Nelson, and Central and Northgate Ward LSOA communities for 2017 (see table 6), they are all significantly below the average prices paid for Great Yarmouth as a whole (£198k), and for Norfolk (£269k). Indeed, 6/10 are less than half of the Norfolk average, with the other four, only slightly above this. Furthermore LSOAs 006C, 006E, and 005D are both less than £100,000 and less than half of the Great Yarmouth average, and similar to the prices that would have been paid in Norwich two decades ago for equivalent accommodation. Clearly, low housing demand has depressed property prices with the two Wards, making it an attractive area for the PRS. Figure 7 shows the depressed prices within the LSOAs, compared to 005B, which solely due to the £9M sale of the Premier Inn, is shown as a typical sale price banding for the rest of Norfolk.

Turnover

Turnover data, particularly in the private rented sector, is not readily available, particularly at LSOA level. While anecdotal evidence may be available (e.g. from letting and estate agents), it wouldn't be able to show turnover at the precise LSOA level, so has not been included. Furthermore, such findings would not capture the true picture of informal, unrecorded lettings

that are made directly between landlords and tenants – some of which are made without the legal protection of a tenancy agreement.

Mandatory HMOs

We can see from Table 7 that Great Yarmouth currently has 62 Mandatory Licensed HMOs, with 89% of these within the two Wards; 33 or 53% within Nelson Ward, and 22 or 35% within Central and Northgate Ward. Clearly the depressed property prices that are symptomatic of low housing demand, have helped made these Wards an attractive place for setting up high residential density HMOs. This is evidenced clearly in that the three LSOAs with average prices of less than £100,000, and also less than half of the Great Yarmouth average (see Table 6), all have licensed HMOs in double figures.

Empty residential properties

Great Yarmouth had 271 empty homes on record during April 2018, with 251 of these, or 93% of these found within the two Wards; Nelson Ward had 145 of 54% of the Borough total, whilst Central and Northgate Ward had 106, or 39% of the total. In all but three of the LSOA, the average number of weeks that the homes were empty, were around two-and-a-half to three years. The lowest duration was the Council House dominated 006D, at 68 weeks. The figures are astounding, and also typical of an area with very low housing demand, as may be found within deprived communities in UK seaside resorts.

Empty business properties

Empty business properties can be used as a proxy, to consider low housing demand, as where there is less demand for housing, there will tend to be less disposable income, demand for services, and businesses, thus reducing the success and viability of businesses in the area, and the demand for these premises. During April 2018, Great Yarmouth had 206 empty non-domestic properties. Almost half (94) of these were located within the two Wards, with Nelson Ward having 29% of the Borough total, and Central and Northgate having 17%. This indicates that there is depressed demand for both residential and non-residential premises within the two Wards.

3.4 Anti-social behaviour

This legal test is set out in section 80(6) of the Housing Act 2004. For an area to be designated under this section, the conditions are:

(a) that the area is experiencing a significant and persistent problem caused by antisocial behaviour;

(b) that some or all of the private sector landlords who have let premises in the area (whether under leases or licences) 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.

“Private sector landlord” does not include a registered social landlord within the meaning of Part 1 of the Housing Act 1996 (c. 52).

Nelson Ward had 990 cases of ASB crime that is dealt with by the Police reported in 2017, which is 27.9% of the ASB crime within the Borough. Central and Northgate Ward had 713 cases of ASB crime, which is 20.1% of all ASB crime in the Borough. Together the two Wards account for almost half (48.1%) of all the ASB crime dealt with by the Police in the Borough, which is a worrying statistic given the relatively small geographic area. The ASB crime appears to relate to the densest areas of housing in central Great Yarmouth, and the shopping areas, as seen in figure 8.

The Council's Environmental Services dealt with 151 ASB complaints within the two Wards, during 2017 – 74 in Nelson Ward, and 77 in Central and Northgate Ward. The LSOA with more than 10% on the the ASB complaints, also made up the majority in each Ward: 006B, 006C, 006E had 54 out of 74, or 73% of the complaints in Nelson Ward; and 005C and 005D, had 47 out of 77, or 61% ASB complaints. These LSOA communities therefore have the worst incidence of ASB in the Borough, as we already know from the preliminary investigations in Chapter 2, that these Wards had the greatest ASB demand in the Borough.

When considering the Environmental Crime data (see table 12), we can clearly see that the three most affected LSOA areas are 006B, 006C and 006E within the Nelson Ward, with the 275 crimes amounting to 11% of all Environmental Crime in the Borough.

There were 42 Pest Control requests within the Nelson, and Central and Northgate Wards during 2017, which was 8.3% of all the requests for the Borough. Whilst this is very high for a comparatively small area, it could have been expected to be higher, at a similar level as the 11% of Environmental Crimes, which can provide food and shelter for pests. We presume that the gap is due to the affordability of pest control for people on lower incomes.

3.5 Housing conditions

This legal test is set out in Article 4 of the Order. For an area to be designated under this article (subject to Article 3), the conditions are:

(a) that having carried out a review of housing conditions under section 3(1) of the [Housing Act] 2004 Act, the local housing authority considers it would be appropriate for a significant number of the properties referred to in article 3(1)(a) to be inspected, with a view to determining whether any category 1 or category 2 hazards exist on the premises;

(b) that the local housing authority intends to carry out such inspections as referred to in paragraph (a), with a view to carrying out any necessary enforcement action; 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, including any licence conditions imposed under section 90 of the [Housing Act] 2004 Act, contribute to an improvement in general housing conditions in the area.

The BRE's 2017 report on behalf of the Council found that a significant minority of properties within all LSOAs in the two Wards, would have the very harmful category 1 hazards (see Table 13), under the Housing, Health and Safety Rating System (HHSRS), with a greater prevalence within the Private Rented Sector (PRS). Indeed, the LSOAs 006B, 006C, 006E, in Nelson Ward, and 004A, 005C, and 005D have around the same, or greater than the 20% PRS category 1 hazard rate for the entire Borough. Indeed, this 20% Borough-wide rate is higher than most people would expect, because you would not assume 20% disrepair across the Borough. However, this is heavily weighted by 'excess cold' hazards, due to the poor thermal efficiency of older, rural, and detached properties, though this is less recognised, as residents in the rest of the Borough will tend to be wealthier, and so can afford to heat their rented properties, without being in 'fuel poverty'.

LSOAs with a low PRS proportion of all dwellings, due to the high concentration of Council Houses, like in 006A and 006D (see Table 5) have the lowest percentage of all stock with Category 1 hazards, and interestingly they have a lower proportion in the PRS. The percentage of PRS Category 1 hazards/'HHSRS failures', can be seen in Figure 9.

The BRE also found within 2017, that at least one in 10 PRS dwellings within 5 of the LSOA had poor housing conditions due to disrepair: 006B, 006C, and 006E in Nelson Ward; and 004A, and 005D in Central and Northgate Ward. These 10% and 11% LSOA rates of disrepair compare with just 7% for the Borough as a whole, highlighting these LSOA as 'hotspots' for poor property conditions within the Borough. Indeed 7 out of 10 LSOAs had worse PRS housing conditions than the whole Borough.

Great Yarmouth Borough Council's Environmental Health investigated 99 private rented sector (PRS) housing complaints during 2017 – this does not include the significant number of complaints that were not progressed, due to tenant fear of retaliatory eviction. 83, or 84% of these complaints were made about properties in the two Wards, with Nelson Ward having over a third of all PRS property condition complaints (34) in the Borough, and Central and

Northgate Ward around half of all the Borough's complaints, with 49. It is astounding the proportion of PRS complaints the Council deals with in these comparatively small areas, and how almost all the the Environmental Health resources for housing inspections are used here. There are obviously very significant PRS housing condition issues within the two Wards, and so there is a major drain on resources dealing with them on a mostly complaint-driven, reactive basis at present.

Prosecutions

There were just three landlord prosecutions in 2015 and 2016 for failure to license and HMO and offences under management regulations. This highlights that though there are clearly housing issues that require regulation, enforcement, and prosecution, there is insufficient access into the worst properties, nor Environmental Health Officer resources to address them at present. Selective Licensing should help address both matters, by giving access to properties on a proactive (to complaints, which tend to close when the residents are evicted, or leave), rather than reactive basis, and increasing Officer/inspection resources.

3.6 Migration

This legal test is set out in Article 5 of the Order. For an area to be designated under this article (subject to Article 3), the conditions are:

- (a) that the area has recently experienced or is experiencing an influx of migration into it;*
- (b) that a significant number of the properties referred to in article 3(1)(a) are occupied by those migrants referred to in paragraph (a); 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, contribute to –*
 - (i) the preservation or improvement of the social or economic conditions in the area;*
and
 - (ii) ensuring that the properties referred to in article 3(1)(a) are properly managed, and in particular, that overcrowding is prevented.*

Great Yarmouth, being a Port Town and coastal Borough has historically had a lot of inward migration, over the centuries, as well as in recent years, from within the UK and abroad. This trend can be observed by the fact that after English, the main first languages within the Borough Poland, Portugal, and Lithuanian. However, the population growth (see Table 16), to the two Wards (20% for Nelson Ward, and 16% for Central and Northgate Ward, compared to 7% for the Borough, and 9% for the East of England) whilst significant, cannot

be used to evidence the Migrations criteria for designating Selective Licensing, as this is long-term, rather than short-term population increases: Government guidance suggests that the migration test should relate to relatively sudden increases in migration (say 15% over a 12 month period), and so a Selective Licensing Designation based upon Migration, is not proposed.

The data available on National Insurance Number registrations goes down only to MSOA level, which is larger than LSOA. These are presented below for the MSOAs that cover the two wards. MSOA 004, is only relevant to the LSOA 004A area in the north west of Central and Northgate Ward, while MSOA 005 covers the rest of Central and Northgate, and MSOA 006 fully covers Nelson Ward.

We can see that in these areas, along with the Borough as a whole, and the East of England, that there has been a fall of between one third and one half in inward migration. Presumably this decrease can be at least partly attributed to Brexit. Nelson ward had 42% of Great Yarmouth's migrant registrations in 2017, and Central and Northgate (if we allocate a proportionate quarter of the MSOA 004 figures) had 24.2%, meaning that approximately one third of all inward migration to the Borough was into these two wards. There are a variety of reasons for this, including exisiting communities and social networks, work and amenities within walking or public transport, cheaper accommodation due to larger buildings allowing shared/multiple occupation or due to a less desirable housing stock. Obviously denser occupation may not be desirable for the residents, legal, or through their own choice, as unfortunately some of these residents are thought to be exploited, or trapped within modern slavery.

3.7 Deprivation

This legal test is set out in Article 6(1) of the Order. For an area to be designated under this article (subject to Article 3), the conditions are:

- (a) that the area is suffering from a high level of deprivation, which affects a significant number of the occupiers of properties referred to in article 3(1)(a); 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 a reduction in the level of deprivation in the area.*

Article 6(2) goes on to say:

- (2) In determining whether an area is suffering from a high level of deprivation, the local housing authority may have regard to the following factors in relation to the area –*

- (a) the employment status of adults;*

(b) the average income of households;

(c) the health of households;

(d) the availability and ease of access to education, training and other services for households;

(e) housing conditions;

(f) the physical environment; and

(g) levels of crime.

The Index of Multiple Deprivation ranks all LSOAs in England, with 1 being the lowest – or most deprived area. These are shown in table 18 below for the LSOAs in the two wards, along with the average rank for all Great Yarmouth LSOAs. Also showing is the decile (where the ranks are placed within 10% bandings based on their national rank) for the LSOA, and the average decile for Great Yarmouth, again with 1 being the most deprived area nationally.

All of Nelson Ward, and four out of five LSOAs in Central and Northgate Ward are amongst the top 10 most deprived area in the country, based on having a decile of one. Based on overall rank, 6 of them are amongst the 340 most deprived places in the country, with three in the top 100, and the LSOA centred around St. Peter's Road is the 20th most deprived place nationally. This is starkly shown in figure 10. In comparison, the Borough as a whole has a more moderate decile of 4, and only ranks 10,676th for deprivation.

Table 19 below, shows the total number of Disability Living Allowance and Employment & Support Allowance cases combined. There was a slight downward trend in the number of people on those benefits with both Wards, but not as significantly as for the whole of Great Yarmouth, and the East of England. During August 2017, Nelson Ward had 394 people on disability benefits (9.3% of the Borough total), while Central and Northgate Ward had 498 people on disability benefits (11.7% of those in the Borough). In total, 21% of the Borough's residents in receipt of disability benefits live in the two wards. This is highly disproportionate, and suggests that due to their lower incomes, people in receipt of disability benefits have no choice but to live in the cheaper, but poorer quality accommodation within these wards.

In both Nelson Ward (47.8%) and Central and Northgate Ward (42.9%) almost half of the Housing Benefit claimants live within the private rented sector (PRS), compared to around one third (36.5%) for the Borough as a whole. The majority of the rest of the claimants would be living in Council, or Social Housing.

With 511 PRS claimants, Nelson Ward has 20.9% of the Borough's PRS claimants, whilst Central and Northgate Ward has 21.4%, or 42% of the Borough's total PRS Housing Benefit claimants.

The figures show how large the PRS is within the two Wards, compared with the rest of the Borough, and the resultant increased deprivation of those on lower incomes.

3.8 Crime

This legal test is set out in Article 7 of the Order. For an area to be designated under this article (subject to Article 3), the conditions are:

- (a) that the area suffers from high levels of crime;*
- (b) that the criminal activity affects those living in the properties referred to in article 3(1)(a), or other households and businesses in the area; and*
- (c) that making a designation will, when combined with other measures taken in the area by the local housing authority, other persons together with the local housing authority or by the police, contribute to a reduction in the levels of crime in the area, for the benefit of those living in the area.*

During 2017 there were 3,170 crimes reported to the Police within Nelson Ward, and 2,591 crimes within Central and Northgate Ward (see table 21). These had respectively 25.2%, and 20.6% of all crime in the Borough, which is nearly half of all the crime (45.8%) within a very small geographic area.

The greatest incidence of crime was in the LSOA 005C, containing the Town Centre and Market, followed by 006B – which has parts of the Regent Road, Regent Street, and King Street shopping areas – then the rest of the northern part of Nelson Ward: 006C, 006D, and 006E, which can be clearly seen in figure 11.

3.9 Overall ranking

The evidence presented above shows the position within two Great Yarmouth wards: Nelson and Central & Northgate. To designate the proposed selective licensing scheme, this report has drilled down to the 10 LSOAs within these two wards.

In designating an area within a selective licensing scheme certain conditions must be met:

- Any area must contain more than the national average of private rented housing if designating on the grounds of property conditions, migration, deprivation or crime. The English Housing Survey 2016-17 (Ministry of Housing, Communities and Local Government, Jan 2018) shows 20% of all households are private rented.
- Local authorities can designate a selective licensing scheme without seeking confirmation from the Secretary of State providing the scheme covers no more than

20% of its geographical area or would affect more than 20% of privately rented homes in the local authority area.

- For schemes introduced because of a high level of migration, the guidance suggests this means a population rise of around 15% or more over a 12 month period. However, the data available in this report shows change over the period 2001 to 2011, not over the past 12 months.

Each of the LSOAs have been ranked from 1 to 10 on each of the relevant indicators (see Table 23 in Appendix C). Those ranked 1 are the worst on each indicator, while those ranked 10 are the best relative to the other LSOAs; ties are ranked at the lowest number.

Based on all the evidence combined, three LSOAs stand out: Great Yarmouth 006B, 006C, and 006E, which are all within Nelson Ward).

As well as scoring the worst rank overall, all three of these LSOAs scored the worst rank in more indicators than any others (11, 10, and 11 times respectively). They are all in Nelson ward. They have considerably more private rented housing than the national figure, up to three times as high in two of the LSOAs. Together, they make up 18.21% of the total PRS stock, so under the 20% limit before needing the Secretary of State's confirmation. These three LSOAs combined make up just 0.57% of the surface area of Great Yarmouth Borough Council, so well under the 20% threshold.

The next two worst ranking LSOAs are Great Yarmouth 005D (overall average rank 4.22) and Great Yarmouth 005C (4.33), both in Central & Northgate ward. However, even adding just one of these LSOAs would push the selective licensing scheme over the 20% threshold of PRS housing, therefore demanding confirmation from the Secretary of State.

Therefore, on the basis of all the collated and analysed evidence presented, we recommend that the most appropriate course of action is to designate a selective licensing scheme, which covers the three identified LSOAs within Nelson Ward. This should bring the greatest benefits for these most challenged communities, and the of Great Yarmouth as a whole, and without the delays and cost to the tax payer that an application to the Secretary of State would involve.

4 How to make comments on this proposal

4.1 How to make representations

To respond to the public consultation, go online at www.great-yarmouth.gov.uk/have-your-say and complete the online consultation.

Alternatively, you can collect and submit a paper version of the consultation document at the following locations:

- Great Yarmouth Borough Council, Town Hall, Hall Plain, Great Yarmouth, NR30 2QF
- Comeunity, 135 King Street, Great Yarmouth, NR30 2PQ
- GYROS, The Books & Beans Cafe in The Central Library, Tolhouse Street, Great Yarmouth, NR30 2SH

If you have a query which has not been addressed by this consultation document, please call 01493 846478 and an officer will be able to help.

The ten-week public consultation will run from the 15th June 2018 – 24th August 2018.

4.2 Consultation methods

We will consult on this selective licensing proposal in the following ways:

Public and social media

The consultation will be fully publicised on the council's website at www.great-yarmouth.gov.uk/have-your-say, where online responses can be made. This document will also be available to download as a pdf document.

Press releases will be issued, and interviews given to TV, radio, and newspapers.

The council's Twitter and Facebook accounts will also publicise details of the consultation:

- @greatyarmouthbc – Twitter, Facebook & Messenger
- www.facebook.com/greatyarmouthcouncil/ - Facebook

Landlord associations

The following landlord associations will be consulted directly by email:

- Eastern Landlords Association (SLA);
- National Landlords Association (NLA); and,
- Residential Landlords Association (RLA).

The Council is also hosting a Landlord Consultation Event on the Selective Licensing Proposals on Monday the 18th of June, between 6 and 7.30 pm, in the Assembly Room, Town Hall, Hall Plain, Great Yarmouth, NR30 2QF.

Member of Parliament (MP)

The Member of Parliament for the Great Yarmouth constituency, the Rt Hon Brandon Lewis MP, will be consulted directly in writing.

Local community groups

Relevant local community groups will be consulted by the most appropriate means. The initially identified groups include:

- The Comeunity Residents Board;
- GYROS;
- Neighbourhood Lunch.

Partner Organisations

Partner organisations, Emergency Services, Health Services, Regulatory Services, service providers, and Charities will be contacted directly, or through the multi-service 'Early Help Hub', at the Council.

Stakeholder drop-in sessions

The council will hold two Selective Licensing Consultation Drop-In Sessions, for all parties who may have an interest in the proposals, including landlords, tenants, letting agents, other residents, businesses, charities, and statutory organisations:

- Monday 18th June 2018, between 9.30 am and 4 pm, in the Assembly Room, Town Hall, Hall Plain, Great Yarmouth, NR30 2QF;
- Monday 25th June 2018, between 9.30 am and 4 pm, in the Rumbelow Gallery, Central Library, Tolhouse Street, Great Yarmouth, NR30 2SH.

No appointments are necessary and everyone will be welcome. Council officers will be on hand to answer questions about the Selective Licensing proposal.

Access to paper copies of this consultation document

Copies of this proposal and associated leaflets will be available to view at the following locations for the duration of the consultation. All locations have internet facilities for public use, which will enable you to complete the online survey:

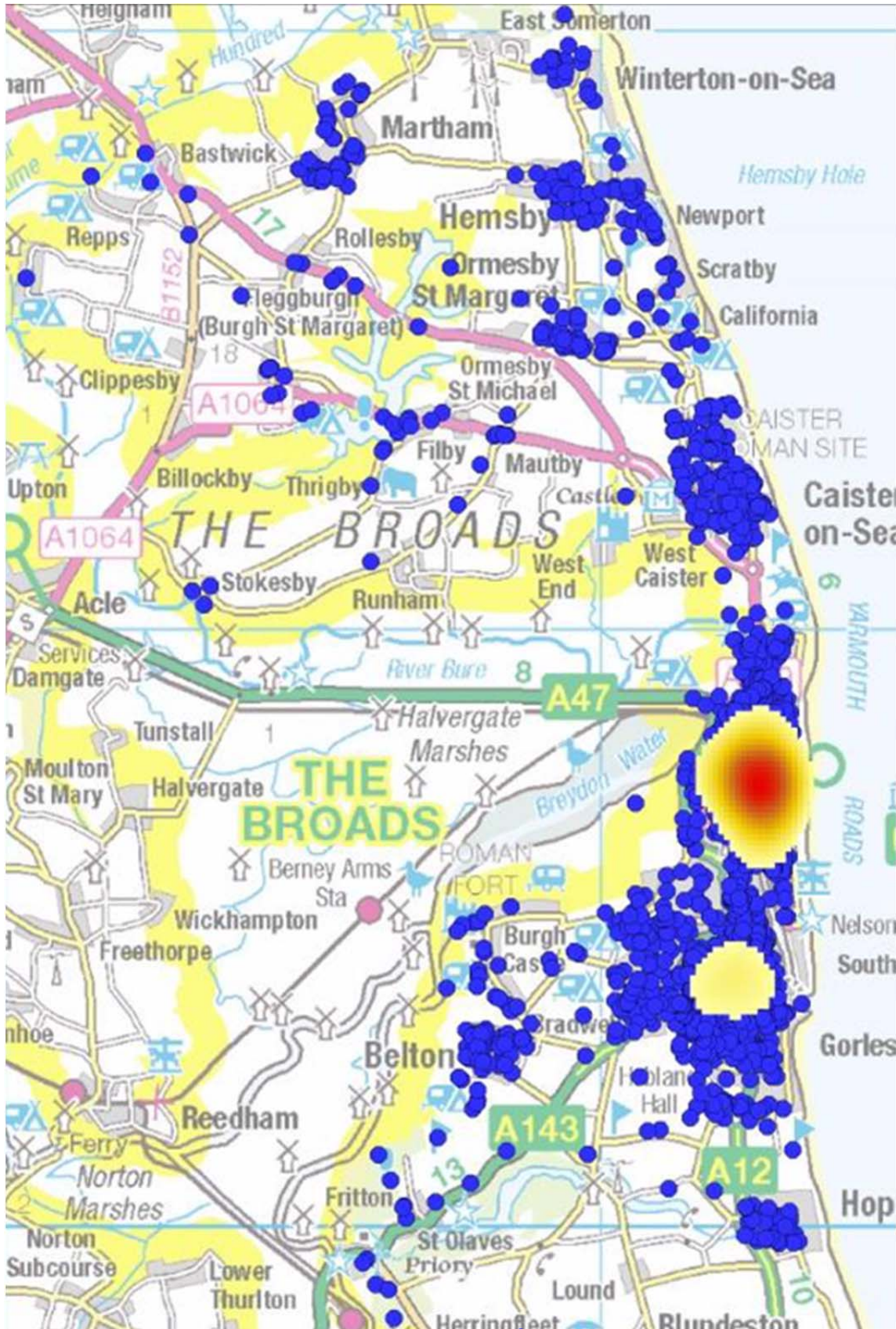
Great Yarmouth Borough Council

- Great Yarmouth Borough Council, Town Hall, Hall Plain, Great Yarmouth, NR30 2QF
- Comeunity, 135 King Street, Great Yarmouth, NR30 2PQ
- GYROS, The Books & Beans Cafe in The Central Library, Tolhouse Street, Great Yarmouth, NR30 2SH

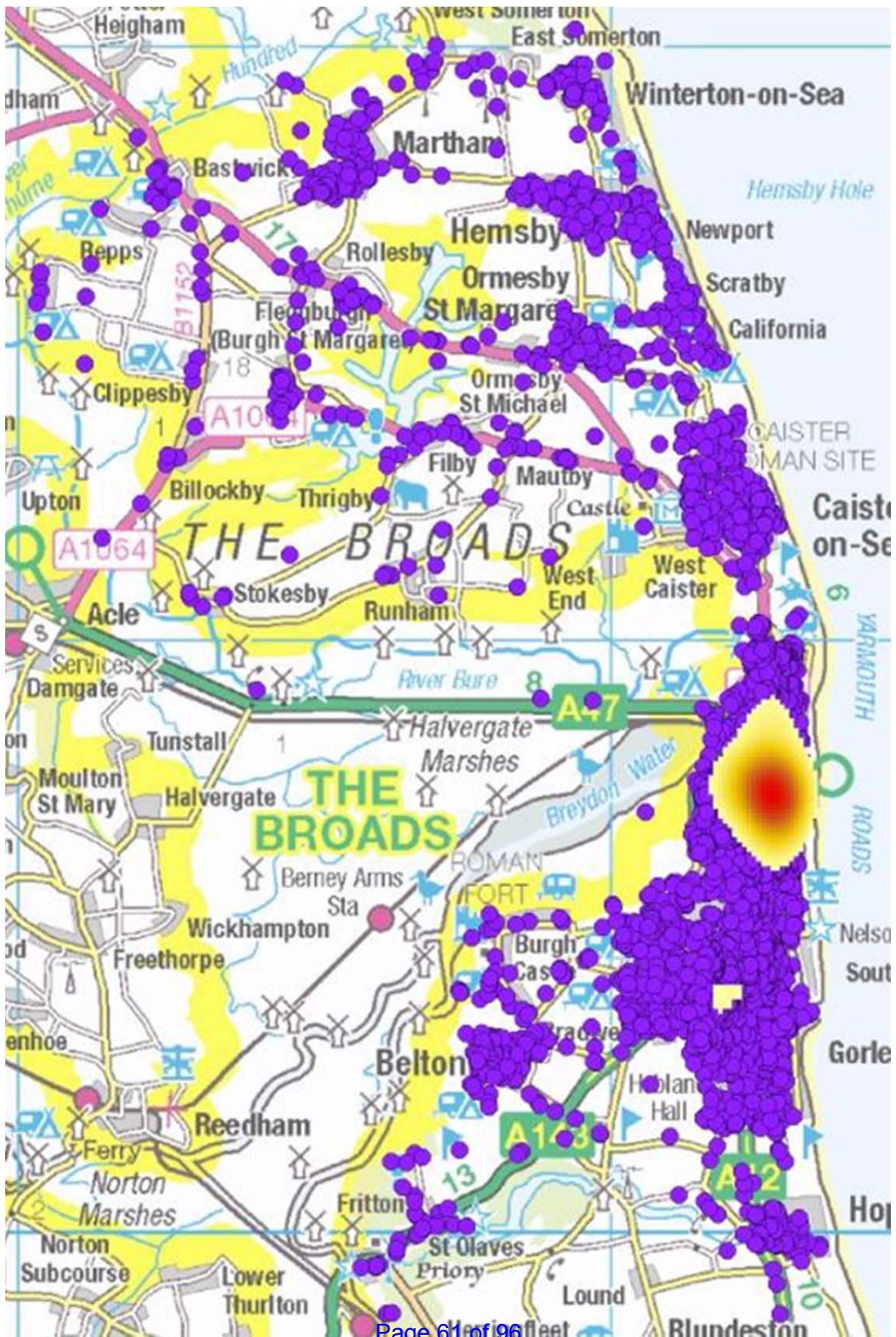
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Appendix A: Maps of proposed designated area

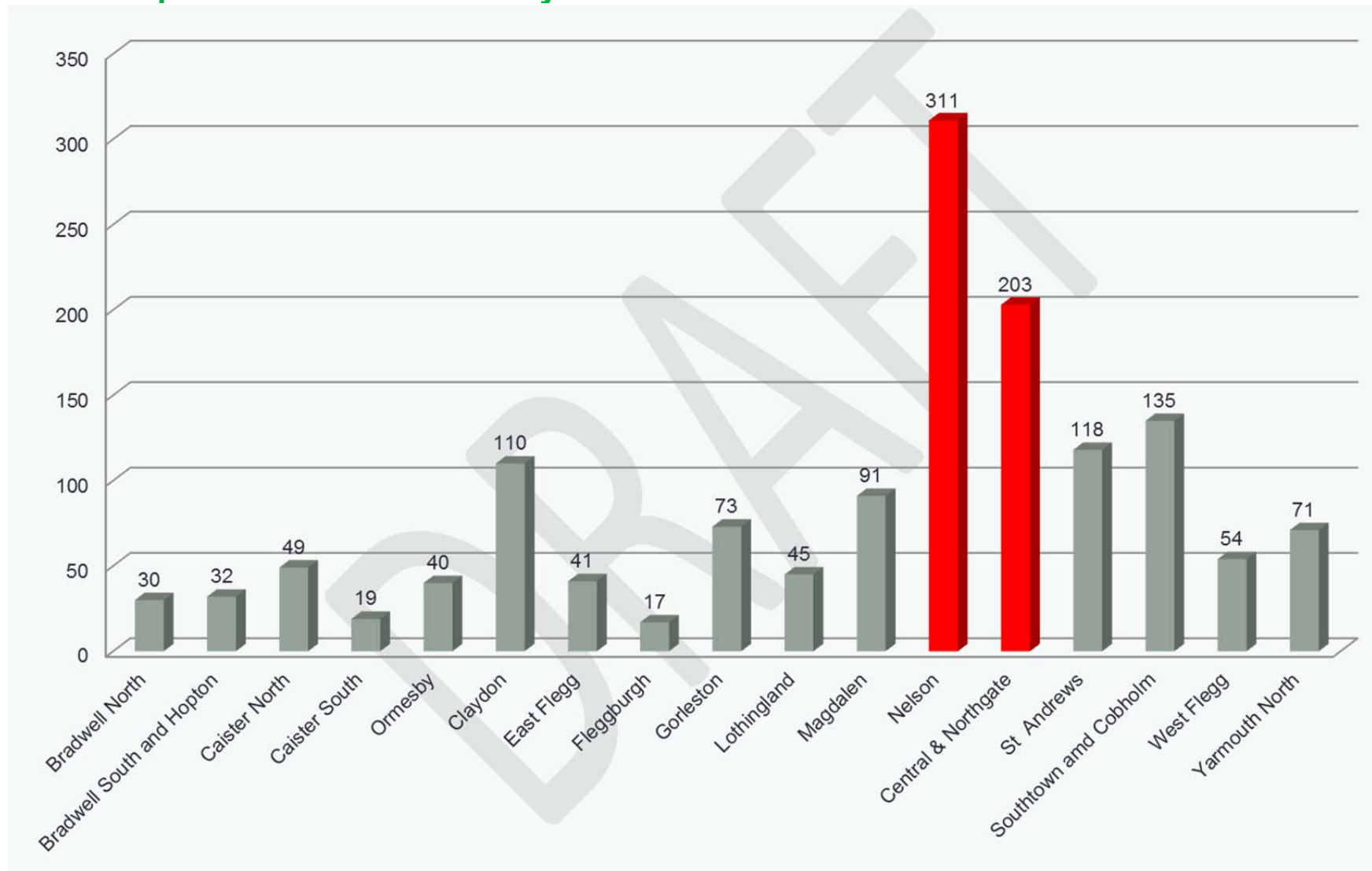
Police ASB Map



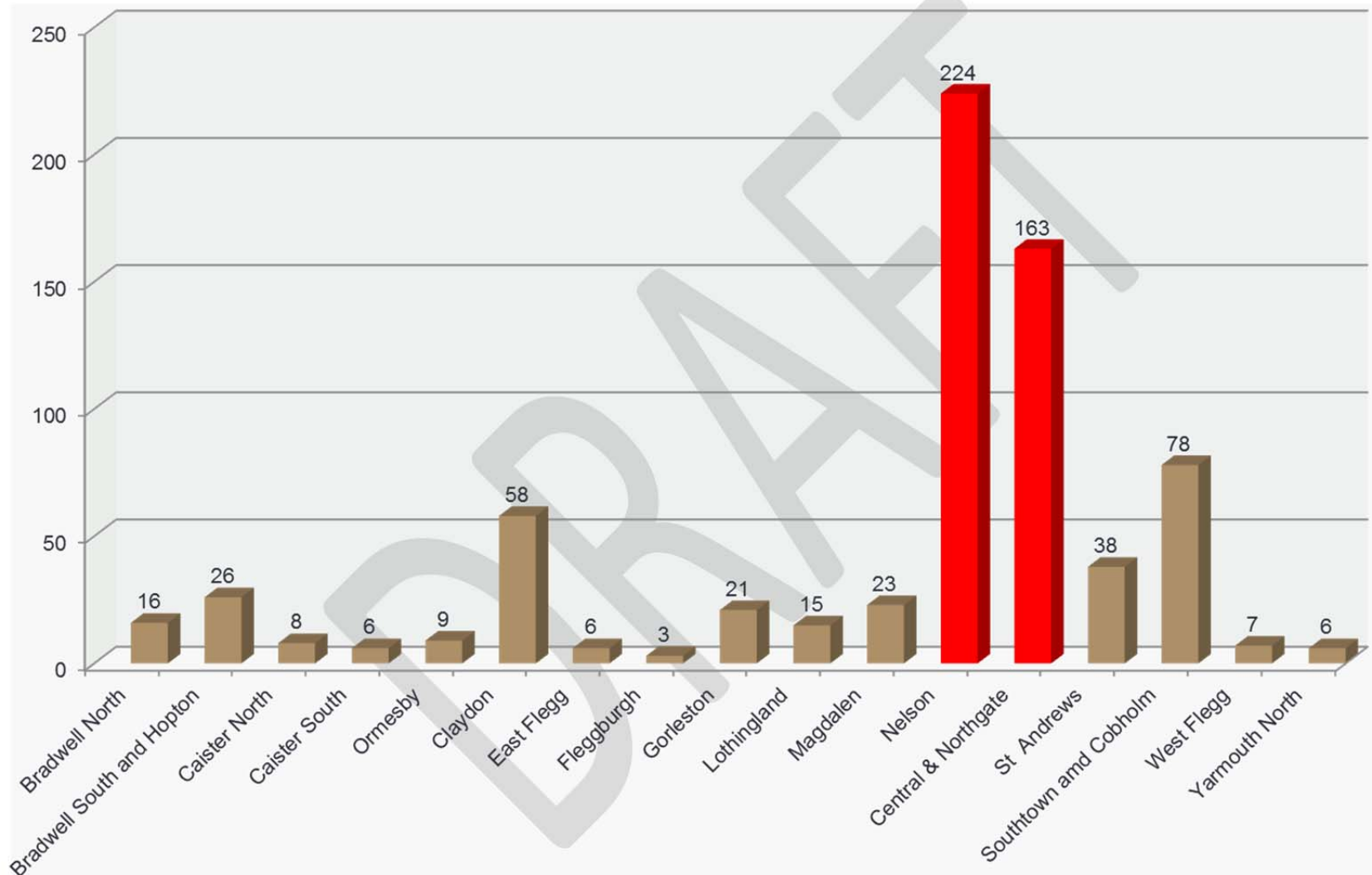
Police CAD Map



ASB complaints 3/2014 - 9/2016 by Ward



Housing complaints 3/2014 – 9/2016 by Ward



Appendix B: Selective Licesning fees and charges

Standard Fees

Property Type	5 year licence fee and payment options	
	Monthly fee – Landlord Support Scheme	Up front – Landlord Support Scheme
Single occupancy household For each dwelling which is occupied by a single household (eg house, self-contained flat or non self-contained flat)	£90 + £9.50/month (which totals £660)	£515
Buildings containing flats where the landlord owns the freehold⁽¹⁾ A single licence will be issued covering all of the flats within the control of the landlord	£90 + £9.50/month for first flat (which totals £660) and then £80 + £9.50/month for each additional flat within the same building (which totals £650 for additional flats)	£515 and then £505 for each additional flat within the same building
Buildings containing flats where the landlord owns more than one flat in a building without owning the freehold As the landlord does not own the freehold, then each flat will require an individual licence	£90 + £9.50/month for first flat (which totals £660) and then £80 + £9.50/month for each additional flat within the same building (which totals £650 for additional flats)	£515 and then £505 for each additional flat within the same building

Great Yarmouth Borough Council

Reduced rates⁽²⁾	Monthly fee (Landlord Support Scheme)	Up front (Landlord Support Scheme)
Accredited membership of selected organisation Reduced fees will apply to accredited members of one of the following organisations: National Landlords Association Residential Landlords Association National Approved Lettings Scheme	£70 + £9.50/month (which totals £650)	£495
Early application reduced fee Applies to all licence applications received and fully completed with all requested documentation by the 14 th of March 2019 (i.e. within 3 months of the designation of scheme).	£70 + £9.50/ month (which totals £650)	£495

Penalties⁽³⁾

Penalty	Amount
Late Application Applications received 6 months after commencement of scheme (e.g. June 2019).	£1000 Applies to each licence application

Finder's Fee Applies where a licensable property is identified by the Council after June 2019 and no application has been submitted. Landlords who have failed to licence any such property may also be subject to prosecution by the Council.	£1000 Applies to each licence application
Incomplete application Incomplete application: e.g. incomplete information, application form not signed, failure to provide certificates and requested documentation within an agreed timescale.	£25 Applies to each licence application

Notes

- (1) This only applies where the applicant is in control of the whole building (e.g. a landlord who owns the whole block). In cases where the applicant has one or more flats within a building, but do not have full control of the block, then the applicant will require individual licence applications for each flat in the block.
- (2) Where applicable, all reduced rates can apply to the same licence application. In the case of multiple flats within the same building where the landlord is not the freeholder, the rate will only apply to the initial application
- (3) Applicants will not be entitled to reduced fees where a penalty fee has been applied.

Appendix C: Evidence Base

Table 4: Properties, residents and areas

Area	Number of residents	Number of properties	% Great Yarmouth surface area
Nelson ward	8,681	4,164	1.71%
Great Yarmouth 006A	1,642	646	0.81%
Great Yarmouth 006B	1,542	826	0.13%
Great Yarmouth 006C	1,798	964	0.08%
Great Yarmouth 006D	1,795	781	0.09%
Great Yarmouth 006E	1,904	947	0.36%
Central & Northgate ward	7,786	3,445	4.2%
Great Yarmouth 004A	1,432	613	0.09%
Great Yarmouth 005A	1,562	634	0.29%
Great Yarmouth 005B	1,577	764	3.31%
Great Yarmouth 005C	1,507	629	0.29%
Great Yarmouth 005D	1,708	805	0.22%
Great Yarmouth	97,227	44,355	100%

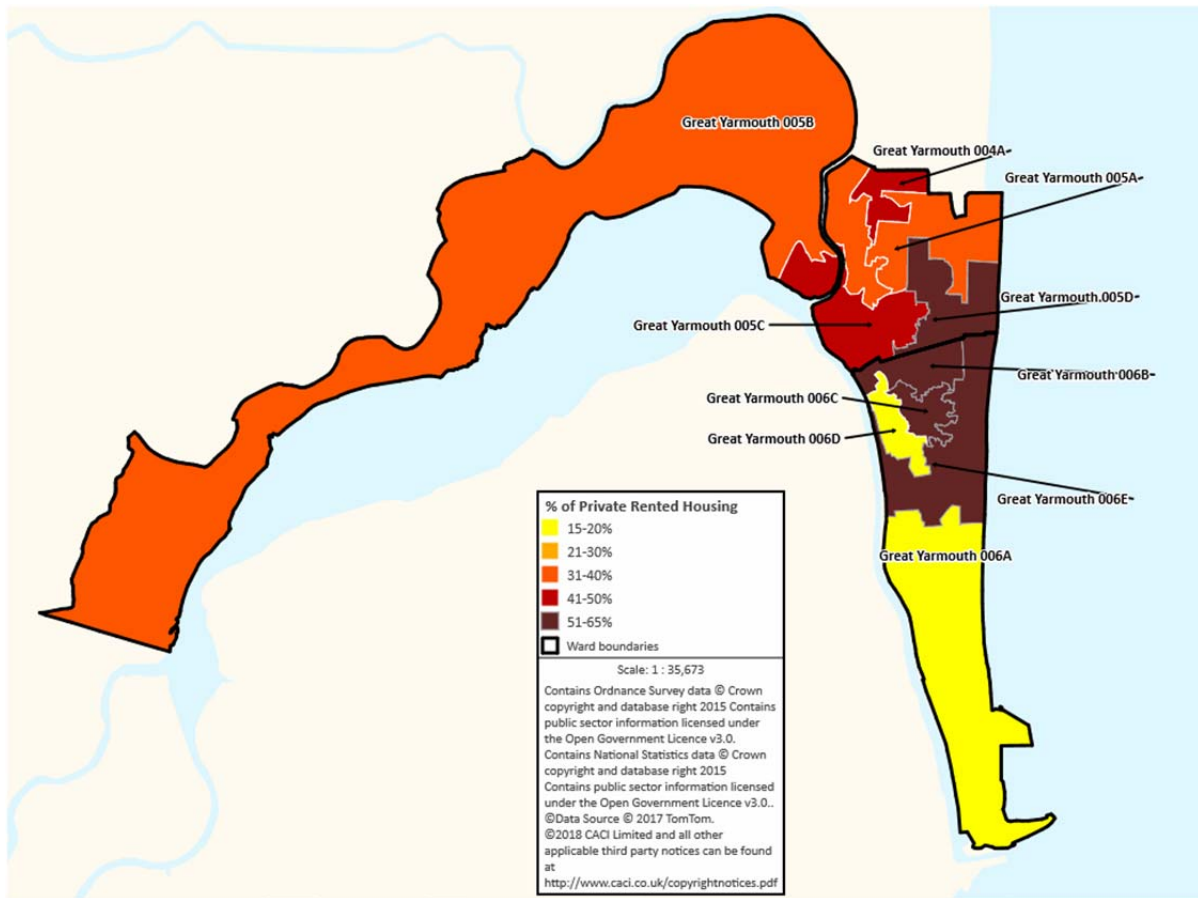
Source: 2011 census; ONS (Oct 2017) Mid-2016 population density for lower layer super output areas in England and Wales

Table 5: Private rented properties

Area	Number of PRS properties	PRS % all stock	% of total PRS
Nelson ward	1,849	44%	20.66%
Great Yarmouth 006A	94	14%	1.05%
Great Yarmouth 006B	486	61%	5.43%
Great Yarmouth 006C	617	62%	6.89%
Great Yarmouth 006D	125	15%	1.40%
Great Yarmouth 006E	527	56%	5.89%
Central & Northgate ward	1,782	44%	19.91%
Great Yarmouth 004A	265	43%	2.96%
Great Yarmouth 005A	283	33%	3.16%
Great Yarmouth 005B	220	30%	2.46%
Great Yarmouth 005C	525	49%	5.87%
Great Yarmouth 005D	489	63%	5.46%
Great Yarmouth	8,951	20%	100%

Source: BRE (2017) Dwelling level stock model

Figure 6: Private rented housing as % of all stock 2017



Subject: Community Housing Adaptations Policy 2018

Report to: Management Team 29th May 2018
Housing & Neighbourhoods Committee 14th June 2018

Report by: Senior Projects Officer

SUBJECT MATTER/RECOMMENDATIONS

Housing & Neighbourhoods Committee are requested to consider and approve the Council's Housing Adaptations Policy 2018.

1. INTRODUCTION

- 1.1 Under Section 8 of the Housing Act (1985) the council has a duty to consider housing conditions in its area and have regard to the particular needs of chronically sick and disabled persons. This includes the provision or adaptation of existing accommodation for its own disabled tenants.
- 1.2 The current policy, which was adopted in March 2016, has been reviewed and the recommended amendments are set out in section 3 of the report.
- 1.3 The purpose of the policy is to set out the council's approach to the provision of aids and adaptations for housing tenants, who are eligible to receive them, and how they will be delivered.
- 1.4 The policy aims to help tenants, and their immediate household, who are disabled or suffer from long-term ill health to live independently in their home. The council is committed to facilitating the provision of aids and adaptations to properties and will endeavour to deal with requests for assistance as quickly, effectively and sensitively as possible. A copy of the revised policy is attached at Appendix 1.

2 FINANCE

- 2.1 Great Yarmouth Community Housing (GYCH) provides funding each year for the provision of aids and adaptations to enable its tenants to remain in their home for as long as it is safe and reasonable to do so. This funding comes from the housing revenue account and the budget for 2018/19 is £530,000 (£210,000 revenue, £320,000 capital)
- 2.2 The table below provides an overview of the number of adaptation requests received, the number of jobs completed and the cost for the last two financial years

Year	Service Requests	Works Undertaken	Net Expenditure
2016/17	234	215	£271,423
2017/18	245	226	£373,181

- 2.3 Since 2016 there has been an increase in the number of requests for complex and high cost adaptations, including those requiring the construction of sizable extensions to properties in order to make the property accessible for the tenant. The cost of the works has steadily increased in line with the complexity of the works being recommended by the Occupational Therapist.
- 2.4 Minor works and non-complex adaptations such as level floor showers and ramped access are covered by the contractor framework which operates on an agreed schedule of rates for prescribed works. The framework was tendered for a four year period and is due to be retendered in 2019. Extensions and more extensive works comprising of a number of adaptations are subject to open tender and are procured in accordance with the Council's Contract Standing Orders. Any contractor can tender for these works providing they register with the Council's e-procurement portal or the governments 'Contracts Finder' website.
- 2.5 Officers have investigated the use of Disabled Facilities Grant (DFG) to fund tenants' adaptations in the Council's own stock. It was found that whilst the DFG framework and mandatory aspect of the grant applies across all tenures, the DFG budget cannot be used for the funding of adaptations to local authority properties as an allowance is made in the self-financing model that was applied to all housing revenue accounts from 2012. Therefore the responsibility for funding of disabled adaptations in its own properties remains with the Council.

3. SUMMARY OF KEY POLICY UPDATES

- 3.1 The policy has been reviewed and updated to capture the issues relating to funding and provide clarity to how applications for adaptations are determined. The following are the key updates:
- 3.2 **Section 6.2 & 8.** These sections deal with decisions relating to whether the adaptation is reasonable and practical and the cost of the adaptations. The policy will be amended to set a maximum cost adaptations to a property that can be funded at £30,000. This is in line with current maximum limit for Disabled Facilities Grant (DFG). However it is recognised that there will be some cases where significant works are required and in those cases the Head of Housing will have discretion to approve works up to the value of £50,000. This discretion will only be used in exceptional cases where:
- Suitable alternative accommodation is not available in the current social housing stock, or;
 - Where an applicant has been waiting in excess of a year for something more suitable to become available that is either adapted or can be adapted at a lower cost, and;
 - Alternative funding cannot be identified. This would include making representation to NCC Social Services for top up funding or approaching charitable organisations, and;
 - Where discussions with the Occupational Therapist to find an alternative less costly way of meeting the tenants needs have been exhausted.
- 3.3 Adaptations costing in excess of £50,000 will not be approved and officers will work with the tenant and the Occupational Therapist to consider alternatives. This could include moving to more suitable accommodation that is adapted or can be adapted, working with the Occupational Therapist to bring down the cost of works or seeking alternative funding as detailed above.

- 3.3 **Section 6.2.** This section deals with decisions relating to whether the adaptation is reasonable and practical. The policy will be amended to clarify that adaptations will only be considered where the household is under-occupying the property by a maximum of one bedroom. This will clarify for tenants how under-occupation will be treated. In cases where tenants are under-occupying by more than one-bedroom they will be encouraged to consider a move to more suitable accommodation. This ensures the Council is making best use of the stock available.
- 3.4 **Section 8.** This section deals with means testing. The policy will be amended to withdraw the means test from the application process. This rationale for this that only a very small number of tenants each year who go through the means test are required to contribute to the cost of the adaptations. In 2017/18 only 4 tenants had a contribution to make and of those only 2 wanted to proceed with the works. Removing the means test simplifies the application process for tenants and means that resources previously utilised to confirm receipt of benefits and process the means test can be put to better use arranging minor works and dealing with tenant enquiries.

4. RISKS

- 4.1 A small number of tenants may not receive the adaptations that have been requested by an Occupational Therapist because they are either under-occupying their home by more than one bedroom or because the cost works being requested exceeds the maximum limit. The steps outlined in section 3 above will minimise this risk with officers working with tenants to seek alternative solutions.

5. RECOMMENDATION

Housing & Neighbourhoods Committee are requested to consider and approve the council's Housing Adaptations Policy 2018

6. BACKGROUND PAPERS

None

7. APPENDICES

Appendix 1: Great Yarmouth Community Housing Adaptations Policy

Area for consideration	Comment
Monitoring Officer Consultation	N/A
Section 151 Officer Consultation	29 th May 2018
Existing Council Policies	Community Housing Adaptations Policy (2016)
Financial Implications	Contained in the report
Legal Implications (including human rights)	DFG – Consideration of the Housing Grants, construction and Regeneration Act 1996 Housing Revenue Account Self-financing Determinations 2012

Risk Implications	Contained in the report
Equality Issues/EQIA Assessment	Meeting the needs of some of the boroughs most vulnerable residents
Crime & Disorder	N/A
Every Child Matters	Service provides for families with children



GREAT YARMOUTH
COMMUNITY HOUSING

GREAT YARMOUTH COMMUNITY HOUSING ADAPTATIONS POLICY

Document created	March 2016 (Revised April 2018)
Agreed by Housing & Neighbourhoods Committee	June 2018
Review date	June 2020

1	Background
2	Purpose of the Policy
3	Policy Aims
3.1	Definitions
4	Relevant Legislation
5	Determining Eligibility for Assistance
5.1	Eligibility
5.2	Adaptations for Children
5.3	Adaptations to Facilitate Hospital Discharge
5.4	Who is not Eligible
6	Assessment Process
6.1	Necessary and Appropriate
6.2	Reasonable and Practical
7	Types of Assistance Available
7.1	Equipment
7.2	Minor Adaptations
7.3	Major Adaptations
7.3.1	<i>Assessment Process</i>
7.3.2	<i>Restrictions</i>
8	Cost of Adaptations
8.1	Means Test
9	Tenants Installing Own Adaptations
10	Removing Adaptations
11	Moving or Buying After Adaptations are Complete
11.1	Mutual Exchange
11.2	Right to Buy
12	Change of Needs
13	Appeals
14	Complaints
15	Monitoring & Review of the Policy

1 BACKGROUND

Under section 8 of the Housing Act 1985 the council has a duty to consider housing conditions in its area and have regard to the particular needs of chronically sick and disabled persons. This includes the provision or adaptation of existing accommodation for its own disabled tenants.

Great Yarmouth Community Housing (GYCH) provides funding each year for the provision of aids and adaptations to enable its tenants to remain in their home for as long as it is safe and reasonable to do so. This funding comes from the housing service's capital and revenue budget.

The adaptations Policy specifically refers to adaptations carried out for tenants of GYCH

2 PURPOSE OF POLICY

The purpose of the policy is to set out the council's approach to the provision of aids and adaptations for GYCH tenants, who are eligible to receive them, and how they will be delivered.

The assistance available through this policy aims to provide an efficient, practical and cost-effective adaptation service, taking into account the health and well-being of the tenant and household.

3 POLICY AIMS

The policy aims to help GYCH tenants, and their immediate household, who are disabled or suffer from long-term ill health to live independently in their home.

The council is committed to facilitating the provision of aids and adaptations to properties and will endeavour to deal with requests for assistance as quickly, effectively and sensitively as possible. Applications are dealt with using a priority system combined with date order. Any exceptions to this will need approval from a senior officer.

3.1 Definitions

The policy refers to 'disabled' persons. A person is defined as 'disabled' under the Housing Grants, Construction and Regeneration Act 1996 if:

- their sight, hearing or speech is substantially impaired
- they have a mental disorder or impairment of any kind
- they are physically substantially disabled by illness, injury, impairments that have been present since birth or otherwise.

Generally the impairment of the applicant must have lasted or is likely to last for at least 12 months.

4 RELEVANT LEGISLATION

Chronically Sick and Disabled Persons Act 1970

Section 1 of the act imposes a duty on the council to provide adaptations or special equipment needs in the home to help with convenience or for safety. Any provision of resources is dependent upon an assessment of need under the NHS & Community Care Act 1990.

Disabled Persons Act 1986

The Disabled Persons Act 1986 strengthens the provisions of the Chronically Sick and Disabled Persons Act 1970 and requires Local Authorities to meet the various needs of disabled people, including provision of aids and adaptations.

Housing Act 1985

Under section 8 of the act the council has a duty to consider housing conditions in its district and the needs of the district for the provision of further housing accommodation.. This may include the provision or adaptation of existing accommodation for its own disabled tenants.

Housing Grants Construction and Regeneration Act 1996

Under this act the council has a duty to provide disabled facilities grants to eligible applicants.

Equality Act 2010

The Equality Act 2010 prohibits discrimination against people with the protected characteristics that are specified in section 4 of the Act. Disability is one of the specified characteristics.

5 DETERMINING ELIGIBILITY FOR ASSISTANCE

5.1 Eligibility

Consideration will be given to secure tenants of GYCH or their partner, or member of their immediate family, who is permanently resident in the household and who have an impairment which has a significant or serious long-term effect on their ability to:

- carry out normal day-to-day activities in and around their home
- and / or access essential facilities within their home.

Works for others living at the property such as lodgers, will only be carried out in exceptional circumstances and only if they have been resident with the tenant for more than 12 months.

An applicant who is not a named tenant on the tenancy agreement, must be registered as living at the property for council tax purposes, and if aged over 18 years, they should be registered at that address on the electoral roll. Adaptations will only be considered if the property is the main residence of the individual and they do not hold another tenancy or own another property.

5.2 Adaptations for Children

In cases where a child is disabled and the parents are separated, adaptation works will usually only be completed at the property of principal residence (normally the residence of the parent who is in receipt of child benefit for that child).

5.3 Adaptations to Facilitate Hospital Discharge

Adaptations will be considered where the applicant is waiting to be discharged from hospital and requires their home to be altered.

5.4 Who is not Eligible?

Circumstances where requests to adapt a property may be refused include:

- Where an individual has no recourse to public funds
- Where major adaptations are required and the applicant is waiting for medical procedures, which will improve their mobility. This can be reviewed once their recovery time is complete. Temporary or minor adaptations may be considered during this interim period.
- Requests for major adaptations will not normally be approved where a Right to Buy application has been received by the council. Following completion of a Right to Buy sale, adaptations could, however, be considered under the council's Private Sector Policy by way of a Disabled Facilities Grant.

Reasons for refusal will be provided to the customer in writing and each case will be considered on individual merits. GYCH recognises that there may be occasions where applications for adaptations fall outside of this policy and these will be assessed on an individual basis.

6 ASSESSMENT PROCESS

The policy in respect of adaptations to GYCH dwellings reflects the statutory requirements for disabled facilities grants in the private sector.

Before an application for adaptations can be considered, Norfolk County Council Social Services need to confirm that the applicant is either registered or registerable disabled under the National Assistance Act 1948.

6.1 Necessary and Appropriate

An Occupational Therapist will also submit a recommendation of what is required and advise whether the proposed work is '**necessary and appropriate**'. Although there is a duty to consider Social Services advice the formal decision as to whether the proposal is 'necessary and appropriate' is for Great Yarmouth Community Housing to take.

If the application relates to a condition which is medical rather than functional, Social Services will still need to confirm that the applicant is registered or registerable as disabled. However, they will then need to arrange for the applicants medical practioner to provide the relevant clinical information to GYCH to assess whether the work is necessary. This may involve a referral to a medical advisor.

To qualify as an adaptation, the work must be designed to:

- Enable a disabled person to gain access to and from their home
- Make the dwelling safe for the disabled person and other occupants
- Enable access to a room which is used as the 'principle family room'
- Facilitate access to and from a room used for sleeping
- Enable access to a toilet, bathroom or shower room and facilitate the use of the facilities
- Facilitate the preparation and cooking of food
- Improve or provide a heating system to meet the needs of a disabled person
- Facilitate the use of a source of power, light or heat by altering the existing means of control or providing additional ones
- Enable a disabled person to have access and movement around the home in order to be able to care for someone else living there

6.2 Reasonable and Practical

Once the Occupational Therapists assessment is received and the proposed work is deemed as necessary and appropriate, GYCH must then decide whether the work is '**reasonable and practical**' before proceeding.

The following factors will considered as part of that assessment process to establish the overall suitability of the property for the works being recommended:

- The cost of the adaptation. The upper limit is £30,000, however, in the cases of an extension the limit may be increased to £50,000 at the discretion of the Head of Housing.
- The age and structural condition of the property to establish whether the adaptations can be carried out safely without having an adverse effect on the fabric of the property.

- The suitability of the property for the size of household. An adaptation will be considered where the household will be under occupying the property by a maximum of one bedroom.
- Whether there is suitable alternative accommodation within the social housing stock that is likely to become available within 12 months
- Whether there are any competing needs of family members that need to be met in that particular property
- The impact of the adaptation on the property and its future use
- the availability of the household's existing support network and carers
- The household's intentions regarding the long term use of property
- Whether the adaptations will meet the long-term needs of the applicant
- Whether external adaptations, such as ramping would adversely affect the area for other residents e.g. Ramping will not be provided in a communal area.
- Where the tenant is in breach of their tenancy agreement e.g. rent arrears or substantiated reports of anti-social behaviour.

If an adaptation is refused on the grounds of it being not reasonable and practical the tenant will be offered the option of transferring to more suitable alternative accommodation. Transfers are dealt with in accordance with the Council's Allocation Policy.

Tenants can request a review of the decision to refuse the works and this should be done in writing within 28 days of receiving written notification of refusal. Section 13 sets out the review process.

It is important for GYCH to consider all these factors to ensure it makes the best use of its financial resources whilst meeting the needs of the applicant.

7 TYPES OF ASSISTANCE AVAILABLE

There are three categories of aid and adaptations

- Equipment
- Minor Adaptations
- Major Adaptations

The most appropriate solution will be sought in all cases and will aim to offer the best value for money whilst meeting the needs of the household. This will be achieved by ensuring that the works are **necessary and appropriate** to meet the needs of the disabled person and are **reasonable and practical** depending on the age and condition of the property, prior to authorising the works as outlined in the legislation guidance (Housing Grants Construction and Regeneration Act 1996)

7.1 Equipment

Portable or temporary equipment is available to help with those who have difficulties with daily living activities such as

- Reaching down to put on socks, stockings or shoes
- Turning the taps on and off or generally managing in the kitchen
- Getting in and out of the bath
- Getting up from a low toilet
- Getting up out of an easy chair
- Carrying things between rooms

Applications for equipment should be made to Norfolk County Council who will then assess and recommend what equipment is required. In some circumstances equipment may be provided free of charge to those people who meet the eligibility criteria although this is not guaranteed. Further information is available on Norfolk County Council website. [Norfolk County Council Support to Stay at Home](#)

7.2 Minor Adaptations

GYCH recognises that the timely provision of minor adaptations can often postpone the need for more substantial adaptations.

The type of work carried out includes:

- Lever taps
- Stair rails
- External grab rails
- Internal grab rails
- ½ steps
- Small ramps

Requests for minor adaptations will normally be made on behalf of the tenant by an Occupational Therapist but they can also be made by a GYBC staff.

7.3 Major Adaptations

Major adaptations can include:

- Bathroom works
- Kitchen works
- Extensions where remodelling the existing layout is not possible and a move has been considered as not appropriate.
- Internal access – door widening, stair-lifts, through floor lifts

- Property access – ramps, car hard-standing (but not the cost of providing the dropped kerb this is met by the tenant).

Requests for major adaptations are recommended to Great Yarmouth Community Housing by an Occupational Therapist following an assessment.

7.3.1 Assessment Process

- An occupational therapist will carry out an assessment of the needs of the applicant (this may include working with other health professionals, such as a medical consultant or GP)
- In conjunction with the tenant the options will be considered in line with this policy, to establish the most appropriate solution, which will aim to offer best value for money whilst meeting the needs of the tenant.
- The occupational therapist's recommendations will normally form the basis of any scheme of works, which may include moving to more suitable accommodation.
- In cases where a move to more suitable alternative accommodation is recommended, the move will take place as soon as reasonably practicable.

7.3.2 Restrictions

Major adaptations will only be carried out following a recommendation from an occupational therapist, for eligible tenants and in suitable properties.

8 COST OF ADAPTATIONS

The cost of adaptations is met by GYCH from its Housing Revenue Account. The maximum cost of adaptations that can be funded by GYCH is £30,000. There will be a small number of cases where this maximum is exceeded, for example extensions to create downstairs living. GYCH will consider these applications on a case by case basis to determine whether to fund all or part of the works that exceed the limit, which may be increased to £50,000 at the discretion of the Head of Housing. This discretion will only be used in exceptional cases where:

- Suitable alternative accommodation is not available in the current social housing stock, or;
- Where an applicant has been waiting in excess of a year for something more suitable to become available that is either adapted or can be adapted at a lower cost, and;
- Alternative funding cannot be identified. This would include making representation to NCC Social Services for top up funding or approaching charitable organisations, and;
- Where discussions with the Occupational Therapist to find an alternative less costly way of meeting the tenants needs have been exhausted.

8.1 Means Test

A means test is not applied to tenants and therefore no financial contribution is required.

GYCH reserve the right to review whether a financial contribution should be sought from tenants at a future date.

9 TENANTS INSTALLING THEIR OWN ADAPTATIONS

Secure tenants of GYCH may be able to organise their own adaptations at their own expense. In all cases, the tenant must obtain written agreement from GYCH before carrying out alterations or adaptations to their property. GYCH will only refuse permission with good reason, such as if the work:

- Would interfere with any maintenance to the property
- May cause a potential health & safety risk
- Would breach regulatory requirements

The written request will need to state what works and adaptations the tenant wishes to carry out and who will be undertaking the works. A tenant must not start works without first gaining written permission from GYCH. GYCH may inspect completed works to ensure they are carried out satisfactorily.

GYCH will also advise the tenant prior to approval of an adaptation that they may be required to remove any adaptations and make good any damage to the property at the end of their tenancy.

The tenant may be responsible for the maintenance and repairs of adaptations that they have arranged themselves for the duration of the tenancy. In addition GYCH will not generally be liable for any damage or injury caused by the adaptations not installed by them.

The amount of rent charged will not be affected by installing privately funded adaptations to the property.

At the end of the secure tenancy, tenants who have carried out adaptations at their own expense and with the approval may be eligible for some compensation in accordance with legislation (Housing Act 1985 Part 4 Section 99A ' Right to compensation for improvements)

If adaptations have been carried out at the tenant's own expense without permission then:

- GYCH may agree to take over the ownership of the adaptations
- The tenant may be required to remove the adaptation and make good the damage to the property

- If GYCH has to repair any damage after a tenancy has ended, the former tenant may be liable for the cost of the works.

10 REMOVING ADAPTATIONS

Where adaptations have been carried out to a GYCH property and a new tenant moves in, the adaptations will not normally be removed.

The Council makes every effort to let adapted properties to those tenants who require them.

11 MOVING OR BUYING AFTER ADAPTATIONS ARE COMPLETE

Following a major adaptation the council would normally expect the tenant to remain in the adapted property for a minimum of five years. However, there may be exceptions where the individual's needs have changed and, with agreement from the occupational therapist and the council, a move to a suitable alternative property will be considered. Should the new home require any adaptations to meet specific needs, these will be assessed in accordance with the terms of this policy.

11.1 Mutual Exchange

Mutual exchanges will be considered in line with legislation (Housing Act 1985 Schedule 3: Grounds for refusing a mutual exchange). Therefore permission may be refused if the property:

- Has been adapted or has features that make it suitable for a disabled person
- Is a property owned by a landlord which lets properties to particularly vulnerable people or
- Is for people with special needs (supported housing) and if the mutual exchange took place there would no longer be such a person living in the property

11.2 Right to Buy

Applications to exercise the Right to Buy by tenants who have had adaptations carried out by the council may be refused in line with legislation (Housing Act 1985 Schedule 5 Exceptions to the Right To buy) All applications will be assessed on a case by case basis.

12 CHANGE OF NEEDS

If a tenant's needs change after adaptations have been installed for example they can no longer do something that they could manage before, the council, upon request will arrange for the tenants needs to be reassessed.

13 REVIEW OF DECISION

It is important that tenants are able to request a review of a decision in a clear, fair and efficient process. Tenants may request a review of a decision to refuse works on the grounds that it is not reasonable and practical (section 6.2) Reviews should take place as soon as possible in order not to disadvantage an applicant.

The review process is as follows:

- a) A review request must be made by the tenant within 28 days of the decision regarding their application. But we may extend the time limit in exceptional circumstances.
- b) The review must be conducted by another council officer who was not involved in the original decision and is senior to the officer who made the original decision.
- c) The review process will normally be based on written representations.
- d) The review officer may make further inquiries and interview applicants and other interested parties but there will be no requirement to hold a full oral hearing.
- e) The review should be concluded within 8 weeks of the review request or as soon as reasonably practicable afterwards.
- f) The decision on review will be and communicated in writing to the tenant and give reasons if the review outcome is against the tenant.

14 COMPLAINTS

Any complaints about this policy or its implementation will be addressed through the council's corporate complaints system.

15 MONITORING AND REVIEW OF THE POLICY

The policy will be monitored and be subject to bi-annual review unless there is a fundamental change of legislation.

Subject: Rechargeable Repairs Policy

Report to: Management Team 29th May 2018
Housing & Neighbourhoods Committee 14th June 2018

Report by: Amanda Nugent – Rent Manager

SUBJECT MATTER/RECOMMENDATIONS

Members are asked to approve the council's Rechargeable Repairs policy.

1. INTRODUCTION

1.1 On 21st March 2018 the Housing & Neighbourhoods Committee approved a report confirming the policy of recharging repairs as identified as tenant responsibility in the Tenants Handbook.

1.2 The handbook is clear around the tenant repair responsibilities and the following is an extract from the current handbook (page 11)

‘As a tenant you are expected to make sure that your home, garden and balcony (if you have one) are kept clean and tidy and free from rubbish and not neglected.

You are responsible for minor repairs, internal decoration and deliberate or accidental damage. This includes:

- Minor repairs such as replacing bath and sink plugs, replacing light bulbs (except sealed units), internal door handles, unblocking sinks, cleaning windows, etc.
- Internal decoration within your home, this does not include shared areas such as landings and entrance halls.
- Maintenance on your garden as included in your tenancy agreement, not including communal areas.
- Deliberate or accidental damage by tenants, children or visitors such as broken glass or damaged doors. This does not include criminal damage that has been reported to the police and has a crime reference number.
- Lost security entrance door keys and fobs which can only be purchased from the council

Repair Recharges – We are committed to being clear about what work we are responsible for and any work residents are responsible for. Being consistent regarding the way decisions are made about recharging helps us to manage the repairs and maintenance budget. This money can be spend on looking after and improving residents homes’

- 1.3 The council does currently recharge tenants and leaseholders for work that is their responsibility as outlined above. Tenants and leaseholders are made aware when requesting a repair if there is a charge for the repair. These charges are then billed and collected once the repair is completed. In 2017/18 £8,500 was billed in rechargeable repairs.
- 1.4 This report introduces a refreshed recharge policy that brings together a number of elements to provide a more consistent approach that tenants and leaseholders can understand. For tenants the policy builds on what is currently contained in the tenant’s handbook.

2. RESEARCHING WHAT OTHER AUTHORITIES DO

- 2.1 In refreshing the recharge policy officers considered what approaches other neighbouring stock holding authorities take.
- 2.2 Norwich City Council recharges their tenants for repairs similar to those listed we have listed in the tenant’s handbook. Norwich tenants are charged a standard fixed rate of £97.76, which tenants are asked to pay when the repair is ordered. If the repair completed exceeds £250 the tenant is liable for the full cost minus the fixed amount already paid. Norwich also lists other fees in respect of failed gas safety visits, gas and heating repairs and digital TV / service calls.
- 2.3 Waveney District Council makes the statement that some repairs to tenants home will only be undertaken if paid for in advance and refer to repairs that occur as a result of misuse or accidental damage.

3. SUMMARY OF THE RECHARGEABLE REPAIRS POLICY

- 3.1 The refreshed policy clearly sets out tenant and leaseholders responsibilities in respect of maintaining their homes, the repairs that they will be recharged for and the mechanisms for collecting those recharges.

- 3.2 Section 4 of the policy explains in detail the tenant's responsibilities relating to repairs. This section reflects the tenant's handbook and also sets out in section 4.2 examples of repairs that will be recharged for in respect of wilful damage, neglect, misuse and accidental damage. At present there are some repairs being undertaken that fall within the tenants responsibility such as calls to unblock sinks and toilets due to inappropriate use. The policy is clear that where this occurs as a result of misuse i.e. pouring hot fat down the sink the responsibility for that repair, is the tenants.
- 3.3 The policy introduces the option of pre-payment for rechargeable repairs and sets a minimum value for a rechargeable repair of £45, which covers the cost of the call-out and any initial work.
- 3.4 Tenants or leaseholders will be advised that should the work required exceed £45 they will be recharged for the full cost of the works.
- 3.5 By being clear with tenants and leaseholders about what repairs attract a recharge they can if they wish arrange for the work to be dealt with privately or they could undertake the work themselves for example unblocking a sink. These options could be cheaper than paying the minimum charge.

4. INTRODUCING THE POLICY

- 4.1 The policy reaffirms the council position in respect of rechargeable repairs as contained in the tenant's handbook and provides greater clarity in respect of responsibilities of tenants, leaseholders, officers and contractors. As such much of the policy is already being implemented however there are sections that are new.
- 4.2 The option of pre-payment and a minimum charge of £45 will be new for tenants and leaseholders. In preparation tenants will receive information about the policy, the changes and how it may impact them in the Tenants News and Views newsletter. There will also be a series of articles on how to resolve minor repairs that are the tenants responsibly such as unblocking sinks, dealing with condensation, etc.

- 4.3 Officers will work with Great Yarmouth Norse to produce information for tenants on how to deal with a range of minor repairs from unblocking sinks to combatting condensation. Tenants will be referred to this information which will be available in hard copy and posted on the Council's web page. A copy of the Rechargeable Repairs Policy is available as part of the background papers for this report.

- 4.4 The revised policy will be implemented from 1st October 2018

5. FINANCIAL IMPLICATIONS

- 4.1 Encouraging tenants and leaseholders to take responsibility for repairs as detailed in the policy will ensure that repairs budgets are spent on repairs caused by genuine wear and tear and reduce the number of repeat requests for minor issues.

6. RISK IMPLICATIONS

- 5.1 The major risk regarding the recharge policy is that tenants and leaseholder fail to report repairs or do the work themselves resulting in deterioration to the property. This can be mitigated by using data from the repairs system to understand demand, look at the impact the policy has had on previously frequent users of the service and if necessary undertake visits to ensure that repairs are not being left.

7. CONCLUSIONS

- 6.1 It is important that the Council has an effective repairs service that meets the needs of tenants and leaseholder and is fair and equitable to all and the rechargeable repairs policy is integral to this. The council also needs to balance its responsibilities as a good landlord with the requirement for tenants to take responsibility for their homes.

8. RECOMMENDATION

Members are asked to approve the council's Rechargeable Repairs policy

9. BACKGROUND PAPERS

Rechargeable Repairs Policy

Areas of consideration: e.g. does this report raise any of the following issues and if so how have these been considered/mitigated against?

Area for consideration	Comment
Monitoring Officer Consultation:	N/A
Section 151 Officer Consultation:	Via Management Team
Existing Council Policies:	N/A
Financial Implications:	Yes
Legal Implications (including human rights):	Yes
Risk Implications:	Yes
Equality Issues/EQIA assessment:	Yes
Crime & Disorder:	N/A
Every Child Matters:	N/A

RECHARGEABLE REPAIRS POLICY

1. Introduction

- 1.1 Great Yarmouth Borough Council recognises the importance of operating an effective repairs service. We are committed to ensuring our properties and neighbourhoods remain sought after as places to live, and we carry out any repairs resulting from fair wear and tear.
- 1.2 We are committed to being clear about what work we and residents are responsible for. We will encourage residents to take responsibility for keeping their home in a good state of repair, ensuring the repairs budget is spent on repairs caused by genuine wear and tear. Being consistent regarding the way decisions are made about recharging will help us manage the repairs and maintenance budget
- 1.3 The service outlined in this policy applies to all Great Yarmouth Borough Council tenants, licensees, (referred to as tenants in this document), leaseholders plus contractors, staff members and out-of-hours service operators.
- 1.4 This policy draws together various existing arrangements already identified in the Tenancy Agreement, Tenants Handbook and aspects of the Repairs Policy under which some recharges are made. It provides guidance on recharging the cost of repairs undertaken by Great Yarmouth Borough Council (through our repairs partner GYN).
- 1.5 Repairs may result from resident damage, neglect or carelessness and we expect them to pay for the cost of carrying out this work. Alternatively they may carry out the repair themselves in accordance with the Tenants Alteration & Improvement process.
- 1.6 Charging for repairs caused by resident damage, neglect or carelessness allows more money to be invested in improving neighbourhoods. GYBC may request up-front deposits and/or payments.

2. Our Service Standards

- We will operate a timely and effective repairs service
- We will ensure our neighbourhoods and properties remain desirable areas to live
- We will charge residents for damage caused by neglect or carelessness
- We will be clear about the charges residents are expected to pay

3. Aims

We will;

- Provide advice and guidance on how residents should look after their homes
- Protect & support vulnerable people
- Provide an excellent service, be fair and equitable
- Listen to our residents
- Engage and create healthy, vibrant communities
- Be proactive and use measures which prevent and minimise rechargeable repairs
- Work with our partners to provide advice and assistance to residents and former tenants to receive budgeting advice
- Collect all rechargeable debts due; ask for payment in advance where possible
- Take prompt and appropriate action to recover debts
- Be committed to using legal action, but only as a last resort and when reasonable alternative measures have been exhausted
- Remain aware of new initiatives to support residents in maintaining their homes

4. Responsibilities of GYCH Tenants

4.1 Tenants are responsible for minor repairs, internal decoration and deliberate or accidental damage. This includes:

- Minor repairs such as replacing bath and sink plugs, replacing light bulbs except sealed units, internal door handles, unblocking sinks etc.
- Internal decoration within the home, this does not include shared areas such as landings or entrance halls.
- Maintaining garden in accordance to tenancy agreement, not including communal areas.
- Deliberate or accidental damage by residents or visitors, such as broken glass or damaged doors. This does not include criminal damage that has been reported to the police and has a crime reference number.
- Lost security entrance door keys and fobs which can only be purchased from the council.

4.2 In addition to the tenant responsibilities listed above there are repairs which would attract a recharge to the current or former tenant of the property where the damage has been caused. This list is not exhaustive.

- Wilful damage – e.g. replace smashed door or window, DIY which has damaged the structure of the property
- Neglect – e.g. repairs required further to rubbish removal, missing keys (including window locks), clear blocked sink, bath or WC (e.g. nappies, toilet fresheners, etc.) removal of fire doors, frozen/burst pipes etc.
- Misuse – e.g. replace tiling, repair to walls (graffiti)
- Accidentally damage – e.g. to fixture and fittings that require repair or replacement.
- Restoring any damage caused, locks changed and clearance of items following repossession, transfer or mutual exchange

5 Emergency Repairs Including Out of Hours Work

5.1 Emergency repairs are anything where time or health safety and security are the most important aspects. This also includes repairs the council is obliged to carry out under 'Right to Repair' legislation.

5.2 Emergency works will consist of the following:

- Making a dwelling safe and secure following fire, flood, impact or forced entry to ensure there is no risk of injury to the residents, neighbours, visitors or passers-by
- Undertaking work to restore essential services to a property in the event of unexpected failure to ensure the health, safety and welfare of the residents
- Making a dwelling safe to minimise further damage to the property, or neighbouring premises

Examples of the above will include:

- Insecure external door/window
- Loose or detached banister/handrail
- WC not flushing (where no other available)
- Leaking water or heating pipe, tank or cistern that cannot be contained
- Total or partial loss of water, heating or electricity
- Blocked WC, foul drain or stack
- Blocked flue to open fire or boiler
- Any gas related emergency
- Exposed live or sparking electrical cables

This is not an exhaustive list.

5.3 Depending on circumstances leading to the emergency the repair maybe recharged.

- 5.4 Where our contractors have visited a property to carry out a standard (non-emergency) repair and discover the work is rechargeable, this will not be undertaken until the resident is informed.

6 Tenant Contents Insurance

- 6.1 It is recommended that tenants take out Home Contents Insurance for their personal property and any losses for which the council is not responsible.
- 6.2 The council runs a scheme to provide insurance specially tailored to tenants at a reduced cost.

7 Tenants Opting to Undertake Repairs

- 7.1 Tenants have the option of employing their own tradesmen to carry out repairs that they are responsible for. The Tenants Alteration and Improvement Guidance is available which outlines when permission is required to undertake works.
- 7.3 If the repair relates to gas or electrics the work must be completed by a NICEIC qualified/competent electrician or Gas Safe Registered engineer. The tenant must provide a copy of the completion certificate.
- 7.4 If the repair is classed as an emergency the council will carry out the repair to ensure tenant safety.

8 Tenancy Sustainment

- 8.1 Our tenancy services team delivers a comprehensive support service to tenants to assist them to sustain their tenancy and avoid rechargeable repairs. This includes:
- Undertaking Tenancy Sign Up Meeting – Overview of tenant responsibilities is provided including how to obtain permission to undertake an alteration to their home
 - Visits to Introductory Tenancies - Within 4 weeks of tenancy commencing and at 3 and 9 months.
 - Offering Advice to Secure Tenants – How to maintain their home and monitoring the condition of their property ensuring issues are resolved at an early stage
 - Conducting Regular Tenancy Audits – Scheduled on risk to the property and vulnerability of the household to provide support as per new home visit

9 Void Properties

- 9.1 Pre-void inspections will be carried out before tenants leave their properties, including mutual exchanges, to identify any repairs that are required and advise tenants if any of these are rechargeable. This will also give the tenant the opportunity to rectify the repair before leaving the property.
- 9.2 When the property becomes void, if there is any clearance of belongings, garden works, or repairs to return the property to a standard condition the work will be carried out. Tenants will be recharged for the cost.

10 Responsibilities of Leaseholders

- 10.1 Repairs to a leasehold property are the responsibility of the leaseholder and the council will not usually undertake this work. However where the repair has an effect on the communal areas or other residents and:
- The leaseholder is unwilling or unable to employ their own contractor, or
 - The repair is classed as an emergency
- 10.2 The council will order the works and recharge the leaseholder after the work is carried out.
- 10.3 The need for emergency work to make safe a potentially dangerous situation will over-ride any requirement for leaseholder consultation. Consultation may be necessary for any subsequent, follow-up work.

11 Equality & Diversity

- 11.1 The policy will take into consideration the Equality Act 2010, Public Sector Equality Duty to protect from discrimination and will be regularly reviewed. We will assess each case on its own merits.
- 11.2 Vulnerability is not defined as someone's ability to pay for services due to low income or level of deprivation, therefore a tenant's financial status or income will not be a qualifying factor.

12 Collection of Rechargeable Repairs

- 12.1 Tenants unwilling to pay for the repair the matter will be referred to the tenancy services team to investigate a potential breach of tenancy. If the repair remains outstanding when the property becomes void the repair will be recharged.
- 12.2 GYBC will seek to collect all rechargeable debts in an efficient manner and we will
- Identify "vulnerability" and offer to work with other agencies to provide a supportive and holistic service.
 - Treat all our customers with respect and consideration of their individual circumstances

- Work pro-actively to signpost service users to other agencies that can maximise their income.
- Work closely with any advice agency or authorised person acting on their behalf of the debtor.

12.3 Where a tenant or leaseholder is to be recharged after the works are complete an invoice will be sent detailing the actual cost and any payments made against the balance owed.

12.4 When dealing with recharges we will:

- Ensure our letters are clear, customer friendly and designed to encourage payment.
- Ensure tenants or leaseholders are able to discuss their debts in a confidential setting so that we can provide assistance.
- Take into consideration a customer's ability to pay for services and will confirm any payment arrangements and record these on our accounting system.
- Seek to recover all debts owed and be committed to using legal action, but only as a last resort and when reasonable alternative measures have been exhausted.
- Provide a variety of payment options available, reviewing these methods regularly to ensure value for money, accessibility and customer satisfaction.

13 Charges

13.1 The cost of a rechargeable repair will be a minimum of £45, this covers the cost of the call-out and any initial works. Where a completed repair costs are greater than £45 the actual cost of the repair will be charged.

13.2 Tenants will be encouraged to make an advanced pre-payment of £45 to cover the call-out and initial works. Tenants who are unable to make the pre-payment will be billed for the cost of works on completion

13.3 Where a tenant has an existing recharge that has not been paid, pre-payment from the tenant will be required before a non-emergency repair is carried out.

14 Related policies and procedures

14.1 This policy should be read in conjunction with the following:

- Repairs and Maintenance Policy
- Gas Servicing Policy
- Rent and Income Collection Policy
- Equality & Diversity Statement
- Safeguarding Policy

15 Responsibility

15.1 Responsibility for the various stages is set out below.

15.2 The Tenancy Services Manager is responsible for:

- Deciding whether a rechargeable repair is a breach of tenancy.
- If there are any exceptional circumstances apply and the recharge should be waived.

15.3 GYN is responsible for:

- Assessing whether a repair is rechargeable
- Ordering rechargeable repairs
- Deciding if a repair is an emergency
- Assessing any immediate health and safety risk and ordering temporary repairs

15.3 The Rent Income Manager is responsible for:

- Taking payments in advance
- Pursuing debts owed on recharge accounts
- Collection of arrears in accordance with our agreed debt recovery procedures. All debts will be considered when determining the level of an acceptable repayment agreement.

16 Complaints

16.1 Customers who are not satisfied with the way in which their service has been delivered may use the GYBC Complaints Procedure as detailed in the Complaints Policy. This can be found at;

<https://www.great-yarmouth.gov.uk/commentscomplimentsandcomplaints>

17 Review of Policy

This policy shall be reviewed bi-annually and amended as required.