

Public Report  
Improving Places Select Commission

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**Council Report**

Improving Places Select Commission - 3<sup>rd</sup> January 2018

**Title**

Selective Licensing Mid-Term Review

**Is this a Key Decision and has it been included on the Forward Plan?**

No

**Director Approving Submission of the Report**

Damien Wilson, Strategic Director of Regeneration & Environment

**Report author(s):**

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**Ward(s) Affected**

All

**Summary**

Improving Places Select Commission in April 2017 recommended that a further progress report be brought back to the Commission after September 2017, together with an annual report be submitted to Cabinet each September. In addition, it was recommended that the use of Selective Licensing should be widened where there is evidence to support additional designations.

Selective Licensing is an effective tool where by Council's can ensure that private sector housing in some of the most deprived areas, is safe for tenants to live in. Some of Rotherham's most vulnerable individuals and families live within private rented properties within the Selective Licensing areas.

Through ensuring that properties meet legal requirements, the Council directly affects morbidity and mortality within these deprived areas by ensuring that the properties do not present a risk of harm to the safety and health of tenants.

Additionally, Selective Licensing, through improving the living conditions within the private rented sector, also contributes to reducing tenancy turnover, achieving more stable conditions, reducing numbers of empty properties, and helps to reduce anti-social behaviour.

This report demonstrates the success that the current Selective Licensing designations have achieved. In particular, the scheme has tackled poor housing conditions and management standards of private rented properties, improving the outlook for the safety and health of tenants in both the short and long term put simply, the scheme identified that 89% of private rented properties did not comply with basic legislative requirements designed to protect the health and safety of tenants.

### **Recommendations**

1. Members are asked to note the outcomes of the Selective Licensing scheme and consider benefits that can be delivered to other areas through further designations
2. Members are asked to agree that a report should be presented to Cabinet and Commissioner Decision Making Meeting with options for implementing Selective Licensing into other areas of the Borough

### **List of Appendices Included**

Appendix A – Maps of the designated Selective Licensing areas

Appendix B - Selective Licensing and Housing Inspection Outcomes

Appendix C –Anti-social behaviour, Selective Licensing and enforcement actions

Appendix D – Selective Licensing applications, inspections, occupier turnover and empty properties

Appendix E - Fly Tipping data for Selective Licensing areas and Rotherham

### **Background Papers**

Improving Places Select Commission , *Review of Selective Licensing*, 5<sup>th</sup> April 2017, (item 65)

Cabinet, *Private Rented Housing - Selective Licensing*, 17<sup>th</sup> December 2014 (item 112)

Selective Licensing webpage with landlord guides

### **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

### **Council Approval Required**

No

### **Exempt from the Press and Public**

No

## **Title**

### Selective Licensing Mid Term Review

#### **1. Recommendations**

- 1.1 Members are asked to note the outcomes of the Selective Licensing scheme and consider benefits that can be delivered to other areas through further designations
- 1.2 Members are asked to agree that a report should be presented to Cabinet and Commissioner Making Meeting with options for implementing Selective Licensing into other areas of the Borough

#### **2. Background**

- 2.1. Detailed within a report to Improving Places Select Commission, 5<sup>th</sup> April 2017 (item 65), the Council introduced designations for four Selective Licensing areas, namely Eastwood, Masbrough, Dinnington and Maltby South East. The designations were made in order to address the decline of conditions within the private rented sector in these areas. Maps of the designated areas are shown at Appendix A
- 2.2. The objective of the scheme is to improve conditions affecting the health of tenants within the private rented sector caused by poor management of the stock. Poor housing conditions have a significant impact on the health of tenants, particularly those that are vulnerable particularly the young and elderly. In the long term, Selective Licensing is anticipated to improve morbidity and mortality in the private rented sector by addressing directly the housing conditions that affect the health of tenants, by forcing improvements by landlords.
- 2.3. Additionally, the schemes are expected to stabilise communities through improving the conditions of properties, making private rented accommodation more attractive to longer term tenancies. Subsequently, this is likely to contribute to reduced tenant turnover, low housing demand and anti-social behaviour.
- 2.4. Within designated areas, all privately rented properties must be licensed and comply with a set of licence conditions. The costs of the licensing scheme are borne entirely by the property owners through a licensing fee of £592 per property, covering a five year licensing period. If landlords fail to licence a property or do not comply with licence conditions they can be prosecuted, or face other sanctions including Management Orders and Rent Repayment Orders.
- 2.5. The private rented sector is growing in response to the demand for lower cost housing outside of the social rented sector, and the Council is committed to supporting and promoting private landlords to provide quality and affordable properties. However, there are concerns that the private rented sector is falling below the minimum expected legal standards described in the Housing Act 2004. In some areas the significant increases in the private rented sector, high rates of empty properties, short term

tenancies and anti-social behaviour are having a negative impact on those communities.

- 2.6. In some areas the significant increases in the private rented sector is combined with severe risks to the health of tenants, high rates of empty properties, short term tenancies and anti-social behaviour, which have a negative impact on those communities. Indeed, in some areas the private rented sector accounts for up to 60% of the housing market, becoming a significant part of the overall housing market in the borough.<sup>1</sup>
- 2.7. Revised estimates based upon investigations and a detailed mapping exercise suggest there are 2,400 licensable properties across the four Selective Licensing Areas. So far 1,942 properties are registered with an average of 50 new applications per month. Although significantly higher than initial estimates in 2015, which stood at 1,254 properties based on 2011 data, all the remaining unlicensed properties are expected to be brought within the scheme by mid-2018.
- 2.8. Selective Licensing is a tool to drive long term improvement and it is no surprise that each designation has a five year life time. In 2020 the current designations will end, before which, the Council will need to decide whether the designations have achieved or are on course to achieve their aims, whether the achievements can be sustained without licensing or whether additional licensing designations need to be put in place to ensure the sustainability of improvements.
- 2.9. The critical objective of Selective Licensing to improve housing conditions to protect the health and safety of tenants is fully recognised by Government. Indeed, there have been recent amendments to the criteria that allow Council's to make Selective Licensing designations specifically to benefit deprived areas. The Council will need to consider the benefits that can be brought to improve the lives of some of our most vulnerable individuals and families in deprived areas, through extending the number of areas designated where there is a high proportion of private rented properties.

### **3. Key Issues**

- 3.1. Critically, the Selective Licensing schemes have been developed through two distinctly focused phases:
  - May 2015 to September 2016: Administration of applications; processing of licences; recruitment to essential posts.
  - October 2016 onwards: Continued administration and processing; enforcement; inspections of licensed properties; investigation of unlicensed properties.
- 3.2. Importantly the second phase of the scheme, where enforcement and inspections of properties was mobilised, significant activity has been delivered targeted at the primary objective of Selective Licensing to improve housing conditions to affect health outcomes for tenants.

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<sup>1</sup> Eastwood Village Survey carried out by the Rotherham South Area Assembly

- 3.3. Throughout, the scheme has been measured against corporate performance targets, demonstrating above target achievement and outcome performance. The priorities against applications and compliance are focused on improving the conditions within the private rented sector within designated areas.
- 3.4. Additionally, in the longer term at the end of 5 year scheme, Selective Licensing is anticipated to contribute to stabilising communities and the turnover of tenants; influence the number of empty properties; and contribute to reducing anti-social behaviour. There are early indications, as demonstrated in the following sections, that these measures are being positively impacted upon.
- 3.5. It should be noted that where Selective Licensing is a contributory factor there are often more important influences, for example increased council tax for empty homes and a broader housing strategy will have a more significant impact on empty properties.

#### **4. Enforcement**

- 4.1. Enforcement within Selective Licensing areas, although focusing on making properties safe for tenants through tackling unlicensed properties and inspecting licensed properties and forcing compliance with legal requirements, draws in wider tools and powers to tackle nuisances, anti-social behaviour, illicit tobacco and food safety.
- 4.2. Additionally, significant referrals of issues are made to a wide range of Council teams and partner Agencies from concerns relating to bins through to modern slavery.
- 4.3. Unlicensed Houses
- Ongoing investigations to identify properties which are potentially licensable estimate that some 2,400 licensable properties exist across the four Selective Licensing Areas. So far 1,942 of those properties have been registered, there remains a further 458 properties that potentially require a licence.
  - In the first instance landlords are given the opportunity to licence their properties. The full fee remains in force along with mandatory inspections, thus there is no benefit to avoiding licensing a property. Indeed, avoidance brings with it a significant risk of Court action.
  - The remaining 458 potentially unlicensed houses will face some form of enforcement over the next six months. This begins with a formal invitation to licence with a 'Request for Information' notice, followed by a formal interview and prosecution if they fail to licence. In cases where we have concerns about the housing conditions prior to licensing, an inspection and formal improvement requirements may be put in place before licensing is completed.
  - Fourteen Landlords have been successfully prosecuted so far for failure to licence properties within the designated areas. A further sixteen cases are being drafted or a pending hearing at Magistrates Court. Fines for failing to licence vary, dependant on the number of

properties involved, however the average fine and costs per flat or house is approximately £500. This almost doubles the cost of the licence for the owner. After this there will also likely be significant repairs costs they will need to meet.

#### 4.4. Inspections

- The obligation for a licence for each property within designated areas brings with it a requirement for the property to be inspected in relation to conditions that affect the tenants' safety and health. With each inspection an enforcement process is followed if appropriate, normally beginning with a schedule of works for a landlord to comply with to bring a property up to the required standard. Depending upon compliance, landlords can be later subject to statutory notices, prosecutions, and in extreme cases, loss of licence.
- Between October 2016 and the end of October 2017 some 1,549 properties have had full housing inspections under the provisions of the licensing scheme. The findings of those inspections justify the Council's faith in bringing about improvements to the conditions found within private rented properties, with:
  - Only 9.5% (147 properties) were found to comply with minimum legal requirements
  - 90.5% (1,402 properties) were found to be below basic legal requirements
  - 36% (558 properties) were found to present the highest level of risk to the health and safety of tenants.
- Intervention by the Council in the private rented sector, forcing landlords to bring properties up to minimum legal standards to protect the health of their tenants, is demonstrated in the rapid decline of non-compliance in respect of the increasing numbers of inspections being undertaken. This is graphically expressed at Appendix B.
- Landlords are given between two and eight weeks to make improvements, dependant on the level of risk to the tenant and the complexity of the works. If there are urgent repairs needed and a tenant's safety is imminently at risk, then a formal notice may be issued immediately and properties can be prohibited from occupation straightaway. Tenants affected by prohibition of properties will be supported by the Council's homeless team.
- The vast majority of the properties inspected have been improved quickly. At the end of October 2017, 94% (1,456 properties) of houses inspected, had been brought up to legal compliance through enforcement action.
- The remaining 6% (92 houses) non-compliant properties are subject to ongoing enforcement action to bring about compliance with basic health and safety conditions, which includes:

- 55 Statutory Notices – these require landlords to comply or face prosecution
- 7 Prohibition Notices – these essentially close properties down and prevent them from being used for human habitation given the imminent risks to health that are present.
- It is anticipated that all properties licensed up to the end of December 2017 will be inspected by the end of March 2018 and the entirety of all licensable property will have been inspected by the end of 2018.

#### 4.5. Licence Condition Compliance

- Some 958 License holders have so far received warnings relating to licence conditions. In the main these relate to failures to furnish the Council with a copy of the Gas Safety Certification.
- Whilst the majority of these warnings have been complied with, four have been non-compliant.
- Currently one case of non-compliance with licence conditions has been successfully prosecuted in Court. A further three cases are pending, having been lodged with Legal Services or have files in preparation.

#### 4.6. Gas Safety and Fire Safety

- The Council has adopted a robust approach to Gas & Electrical Safety Certification, Energy Performance and Smoke Alarm regulations. The scheme works pro-actively to ensure that landlords who are failing in these areas, comply. Gas and fire are key and prominent licence conditions where failures to comply could have a devastating effect on the health and safety of the tenants and neighbours.
- All properties requiring Gas Safety Certification are systematically and methodically managed by the scheme, with reminder letters sent around anniversary dates and warning letters where no certificate is shown. Further investigation into property management is invoked where this reminder and warning process fails with a subsequent risk to the landlord of prosecution.

#### 4.7. Electrical Safety and Excess Cold

- Alongside colleagues from the Private Sector Housing Strategy Team, work is underway in engaging Licence Holders to improve Energy Performance assessments of licensed property. This is in readiness for the change in law in April 2018. Properties are graded A-G in terms of energy performance, where 'A' is better. The change to legislation will see properties required to hold a minimum grade of 'E' in order to be sold or rented. Landlords are showing a willingness to invest in the properties to improve them from the focused work. This will ensure tenants are experiencing warmer, more energy efficient homes in areas where tenants are more at risk from suffering fuel poverty.

- By the end of 2017/18, the scheme will tackle those properties requiring Electrical Safety Certification in the same way through enforcing licence conditions. This will ensure Electrical Safety standards are improved across the stock. Deficiencies around Electrical systems, including old wiring, aged and defective consumer boards that don't meet current standards and lack of socket outlets have been a prominent and common contravention identified through the Housing Inspection regime. By tackling the matter pro-actively, the Council will ensure pre-emptive licence condition compliance in this critical area to improve safety for tenants.

#### 4.8. Illicit Tobacco

- Whilst not directly related to the living conditions of private rented tenants, illicit tobacco can adversely affect the health of these vulnerable individuals and tenants.
- Illicit tobacco manifests itself in a number of forms: tobacco that is smuggled to evade tax; counterfeit tobacco; and illegal tobacco which presents heightened risks to the health of the user, particularly around fire safety. Although operations are intelligence led, it is perhaps no surprise that the premises selling these cheap illicit tobaccos can be found in the deprived areas covered by Selective Licensing.
- In November 2017 five premises were entered under warrant based on intelligence received, four of which were found to have illicit tobacco for sale. In total over 6,000 cigarettes were seized, and the four traders will be prosecuted.

#### 4.9. Nuisance and Anti-social behaviour

- In addition to the Selective Licensing enforcement and inspections of licensed property, Regulation and Enforcement undertake a variety of enforcement interventions in partnership with police colleagues, utilising a range of tools and powers to deal with anti-social behaviour and property conditions.
- In addition to the Selective Licensing enforcement, some 1,480 related investigations carried out since May 2015 have included:
  - 539 Noise nuisance cases
  - 564 Accumulations in yards/gardens
  - 60 Fly-tipping investigations
- Subsequent actions have included:
  - 9,110 visits made
  - 1,262 warnings for nuisance and ASB issued



- 335 Notices served
- All landlords on Leicester Road, Scarsdale Street, and Victoria Street have been issued with written warnings to ensure that landlords are held liable for ASB caused by their tenants.
- 5 tenants causing ASB have been evicted
- Importantly 193 Licence holders have been formally notified of their tenants' alleged anti-social behaviour, requiring them to start an incremental enforcement approach to help the Council deal with complaints of ASB made against them.
- The vast majority of cases where the Landlord is required to assist the Council results in satisfactory closure of the case with no further occurrence of ASB. In 5 cases, the supported action has resulted in Landlords evicting their tenants. This has been particularly important in Dinnington where two individuals were responsible for significant ASB including attacks on emergency vehicles. Both offenders were evicted following actions targeted at the landlords, which in turn ensured that the landlords evicted the tenants.
- Regulation and Enforcement, from a Selective Licensing and wider enforcement perspective, are currently contributing to Neighbourhood Management Partnership Sub-Groups looking at intensive work within Eastwood Village, Leicester Road (Dinnington) and Nelson Road (Maltby). Landlords have shown a willingness to engage with and co-operate with this work.
- Partnership enforcement operations have taken place where there are significant concerns over anti-social behaviour and criminal activity. In Eastwood partnership enforcement operations have resulted in two landlords evicting tenants and one property being prohibited by Council inspectors due to the risks to the tenants. In Maltby a landlord chose to evict a tenant on advice from the Police and Council regarding significant and persistent anti-social behaviour and the impact on people in the area.
- Other partnership enforcement work and intelligence sharing has taken place with South Yorkshire Police to help tackle organised crime, modern day slavery and child sexual exploitation.

## **5. Consultation: Landlord and Tenant Engagement**

- 5.1. Officers regularly attend the quarterly Dinnington and Maltby landlord forum meetings together with regular attendance at the Rotherham and District Residential Landlords Association's meetings
- 5.2. A Selective Licensing Steering Group, chaired by the Cabinet Member for Housing will ensure that the Selective Licensing designations and engagement with landlords continues to be effective, and provides initial discussions about any developments or renewal considerations of the designations prior to April 2020.

- 5.3. In addition to an evolving online presence with the service's website which provided advice and guidance to landlords and tenants, options for a dedicated twitter account to communicate the work of the housing inspectors is being explored.
- 5.4. Landlord, tenant, interest groups and partner workshops are to take place over the coming months, albeit it was initially to take place in 2017, the findings and outcomes from the workshops will form part of the next annual review. This will provide qualitative analysis of:
- Experiences in the private rented sector in the licensing areas.
  - Whether the licensing scheme has influenced landlord or tenant behaviour.
  - The support each group would like to see as part of the licensing scheme.
  - Improvements/developments to the scheme which group members would like to see.
- 5.5. Considering digital solutions for communicating with landlords and tenants on licence conditions, annual gas safety certificates and copies of tenancy agreements

## **6. Performance Measures**

- 6.1. Selective Licensing during 2016/17 reported on two key performance indicators; the number of properties which have applied for a licence; and the number of properties compliant with licensing conditions. The targets set were 95% and 70% respectively, with outcomes achieved of 85% of eligible properties licensed, and 82% of properties compliant. The estimates for the number of eligible properties were revised during quarter 2 of that financial year due to a significantly higher number of privately rented houses being found.
- 6.2. The Council Plan includes a key performance target for 2017/18 in relation to the number of properties compliant with licensing conditions. The target set is for 95% of properties to be compliant and current performance is at 94%.
- 6.3. Outside of Corporate Performance it is important to develop other more local measures which can be viewed as a barometer of the progress and impact of Selective Licensing, which will also allow ward members to identify progress in their own wards.
- 6.4. A local baseline performance management framework has been developed against which to measure improvements within the Selective Licensing areas. These include critical measures to describe whether objectives are being achieved including:
- Compliance with legal standards to achieve long term health improvements
  - Tenancy turn-over rates

- Empty property rates
  - Anti-social behaviour levels, including critical quality of life measures relating to noise and accumulations in gardens and yards
- 6.5. Appendices B and C lay out progress against key baseline data demonstrating performance against the critical objective of achieve compliance with legal standards to deliver protection of tenants, together with contributions to tenancy turnover, nuisance and ASB and empty property rates. These are explored in more detail at Section 7 of this report.
- 6.6. It is also anticipated that by the end of the 5 year scheme, Selective Licensing will contribute to reducing anti-social behaviour, empty property levels and occupier turnover in these areas. There are early indications, as demonstrated in the following sections, that these measures are being positively impacted upon. However there are other measures such as increased council tax for empty homes and a broader housing strategy to which Selective Licensing is minor contributor and cannot directly influence these indicators.

## **7. Outcomes**

### **7.1. Compliance and Health**

- Existing partnerships with the South Yorkshire Police and Children's services are also being enhanced by the scheme, enabling properties to be inspected and checked earlier where partners have concerns, raised through the existing partnership meetings. Information sharing with the Police has improved as they now have access to a wider pool of information. The licence conditions also provide the Police with similar powers to the Council in obtaining information directly from landlords.
- Although landlords of 147 properties so far inspected maintained their properties up to minimum legal standards; some 1,309 have had to be forced to comply with legal requirements. It is a stark statistic that 88.5% of the properties inspected were in reality potentially detrimental to the health or safety of the tenants living in them.
- There is a significant correlation between the number of inspections of properties undertaken and the significant decline in non-compliance. Appendix B details firstly the number of inspections undertaken in comparison to the number of properties licensed. Importantly, the second graph shows the declining trajectory of non-compliance against the number of inspections. From the starting point in October 2016 almost 90% of properties did not comply with minimum legal standards, by December 2017 only 6% did not comply.
- Ultimately, the improvement of private rented housing conditions through enforcement ensures that conditions that would otherwise adversely affect the health of tenants have been removed from some 1,309 properties.

- Additionally, by improving the conditions within private rented properties, the properties themselves become more attractive to tenants encouraging longer term renting and more stable populations.

## 7.2. Anti-social behaviour

- As can be seen in Appendix C, levels of anti-social behaviour have fallen significantly in the Selective Licensing areas, and at a faster rate than the Borough average, both for the last three full financial years and based on the projections for 2017/18. While the Eastwood designation has shown a lower reduction rate than the other licensing areas, small increases in Eastwood East and Clifton West have contributed to this slower reduction. However there has been a consistent fall in the number of incidents of anti-social behaviour in Eastwood Village and the Town Centre.
- In Eastwood and Masbrough there have been significant reductions in noise nuisance reports over the last three financial years. While domestic rubbish cases have grown in Eastwood over the last few years due to increased proactive work identifying and enforcing these issues, there are significant reductions in incidents projected for this financial year. Dinnington and Maltby South East have seen consistent decreases in these measures since 2014.
- It is projected that by March 2018 ASB in the Selective Licensing areas will have fallen by 17% from the position in 2014/15 before the scheme was introduced. This is compared to a projected Borough wide reduction of 2%. In 2014/15 ASB in the designated areas counted for 25% of the ASB across the whole Borough: whilst in 2017/18 ASB in Selective Licensing areas are projected to account for 22% of all ASB across the Borough.
- The causes of the reducing incidence of ASB within Selective Licensing areas are debatable. Nevertheless, there is more enforcement activity and partner presence in those areas that can influence change. Moreover, there are strong indications that the churn of tenants in these areas is reducing resulting in more stabilised communities which in turn are more likely to experience less ASB.

## 7.3. Empty Properties and Occupier Turnover

- The rates of empty properties and the number of people changing properties in the licensing areas was of significant concern and was a primary indicator of the low housing demand the areas were suffering from.
- Appendix D shows reductions in the occupier turnover levels in each of the areas since licensing came into effect in the first quarter of 2015/16. That reduction has continued across the areas as the property inspections and forced improvements to homes have been embedded. In comparison, the average occupier turnover rate across the borough has fallen by 3% from 13% to 10% over the period, whereas in the Selective Licensing areas rates have fallen by 4% to 6%. Maltby South East shows a similar reduction to the borough average.

- In Maltby South East and Dinnington there are also reductions in the number of empty properties in the area. This does not appear to have happened in Masbrough or Eastwood where there are slight increases, seemingly in response to additional regulation by the Council. It may be that property owners are choosing to leave some properties empty rather than licensing them, however this may change as they are required to pay additional Council Tax fees for keeping them unoccupied.

#### 7.4. Fly Tipping

- Fly tipping incidents across the borough are projected to increase by 5% during the current financial year. Compared to this the levels across the Selective Licensing Areas are expected to fall by 7%. There are some increases expected in Masbrough and Maltby, where relatively small increases have resulted in large changes due to the number of incidents.
- In the Eastwood and the Town Centre designation where there have been more than twice the number of fly tipping incidents than any other designated area, fly tipping has reduced and is expected to continue to fall by 15% at the end of the financial year from its peak in 2015/16. Appendix E

#### 7.5. Additional Funding

- The Council has been successful in a bid for additional funding under the Government's Controlling Migration Fund. This will provide additional grant funding to pay for projects supporting areas which are experiencing high levels of migration and unstable communities, to help reduce some of the community impacts on such changing demographics.
- £220,000 has been provided over two years as part of the award to the Council for additional enforcement activity in the Selective Licensing Areas to help embed the improvements in these areas. This will be on a range of enforcement activity from additional housing inspections and compliance checks so that more landlords face a second round of scrutiny on their management of properties and enforcement staffing and equipment to deter and tackle the high levels of tenancy related fly-tipping areas like Eastwood are suffering from.
- This is supported by other awards to Clifton Learning Partnership (CLP) and the Rotherham Ethnic Minority Alliance (REMA) to support tenants from all backgrounds.

### **8. Options considered and recommended proposal**

- 8.1. The report highlights overall progress towards achievement of the outcomes designed into the scheme.
- 8.2. The current designations end in May 2020. By that time almost two and a half thousand homes will have been inspected with letting practices and compliance managed through follow up inspections and enforcement with the landlords and tenants. Ahead of the end of the licensing scheme the

Council needs to consider the impact of the licensing scheme and whether further designations are required. An annual review of the licensing scheme and its impact is the first step to this decision making process.

- 8.3. The inspections under these designations have demonstrated that the concerns for the private rented sector were well founded with more than 36% of homes having significant hazards to tenant health and safety and very few landlords being proactively or naturally complaint with the law. The additional controls and enforcement tools the scheme has provided are expected to contribute to reductions in anti-social behaviour and is already ensuring landlords take more responsibility for their properties and tenants.
- 8.4. Selective Licensing has proven to be an effective tool in improving the living conditions of tenants. The potential of further designations to protect the health and safety of tenants in other areas, where deprivation is evident in communities, should be considered.

## **9. Consultation**

- 9.1 The original designations were made following a statutory public consultation and there are no consultation requirements for this report.

## **10. Timetable and Accountability for Implementing this Decision**

- 10.1 This progress report will be followed by a report to the Cabinet each September during the scheme and following the end of the designations in 2020 to evaluate progress and outcomes.

## **11. Financial and Procurement Implications**

- 11.1 The income generated from the licence fees funds the administration of the licensing scheme, the inspections of each property and the ongoing compliance monitoring.
- 11.2 As can be seen in the table below it is likely the scheme will generate income of £1.4 million which is to be spent over the 5 years of the licensing scheme.
- 11.3 Income generated is held in a reserve account to pay for the scheme through remaining years. The budget is on course to balance to zero at the end of the 5 years.

## **12. Legal Implications**

- 12.1 The Selective Licensing designations were made under the provisions of Part 3 of the Housing Act 2004, however there are no direct legal implications of this report.

## **13. Human Resources Implications**

- 13.1 There are no Human resources implications of this report.

## **14. Implications for Children and Young People and Vulnerable Adults**

14.1 The report reviews the current progress of the Selective Licensing designations. The success of the scheme will bring benefits to children, young people and vulnerable adults through the greater accountability of landlords, information sharing with partners and robust enforcement activity in some of our most deprived neighbourhoods.

## **15. Equalities and Human Rights Implications**

15.1 The report reviews the current progress of the Selective Licensing designations. It does not contain any direct equalities and human rights implications.

## **16. Implications for Partners and Other Directorates**

16.1 The success of the designations can impact on anti-social behaviour levels within the designated areas. There are also likely to be changes in the ownership of some properties. As such the designations may have implications for the wider Community Safety and Street Scene service, Adult Care and Housing as well as South Yorkshire Police. It also provides greater opportunities for partnership working, some of which are already being exploited.

## **17. Risks and Mitigation**

17.1 The designations continue for almost a further two and half years. At the end of the five year life of the designations the additional regulatory activity and the influence on the private rented sector may be lost if the scheme is not renewed. To mitigate against this the annual review of the scheme will be carried out and a report to Cabinet on the future of the current designations should be submitted to Cabinet by September 2019.

17.2 Although the number of privately rented properties has increased significantly, there are appropriate resources in place to ensure all of the remaining unlicensed properties are brought within the scheme.

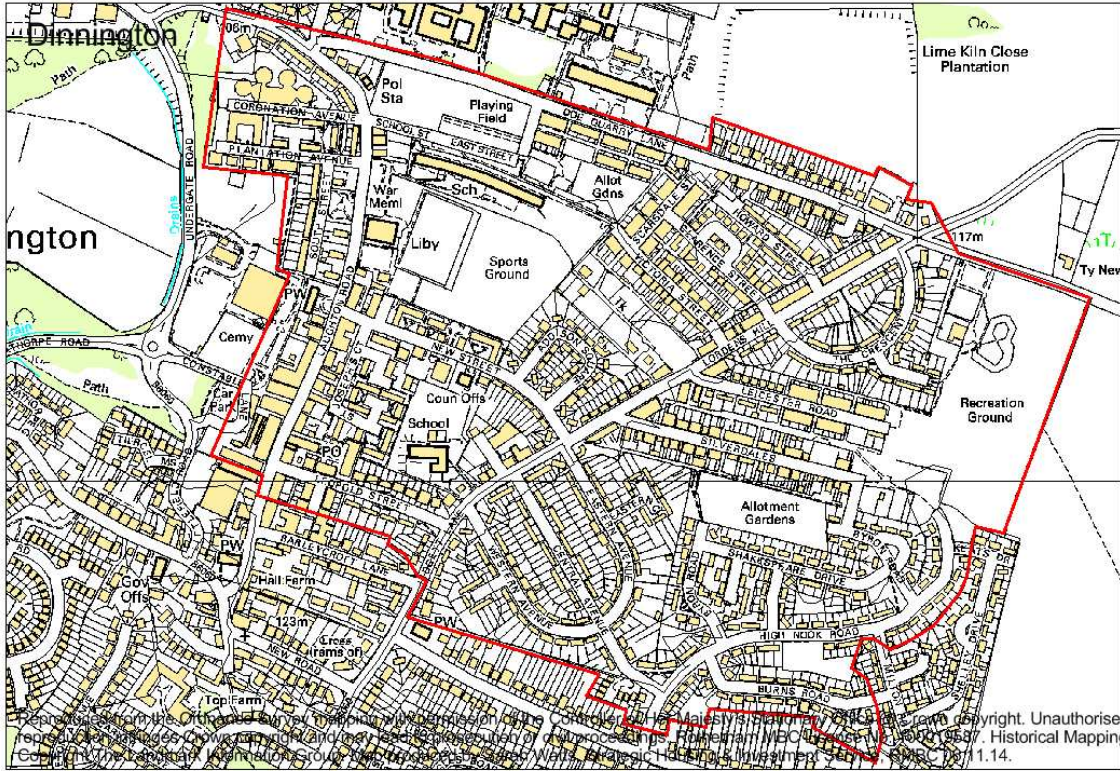
## **18. Accountable Officer(s)**

Damien Wilson, Strategic Director, Regeneration & Environment  
Ajman Ali, Interim Assistant Director, Community Safety & Street Scene

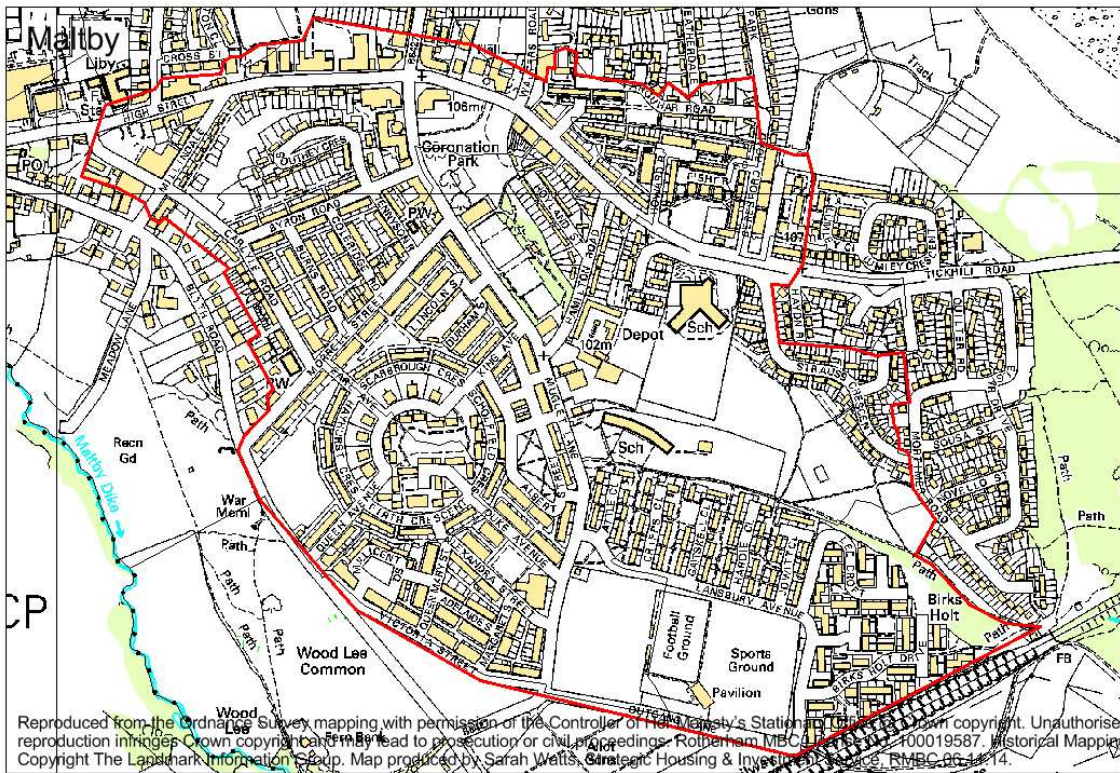






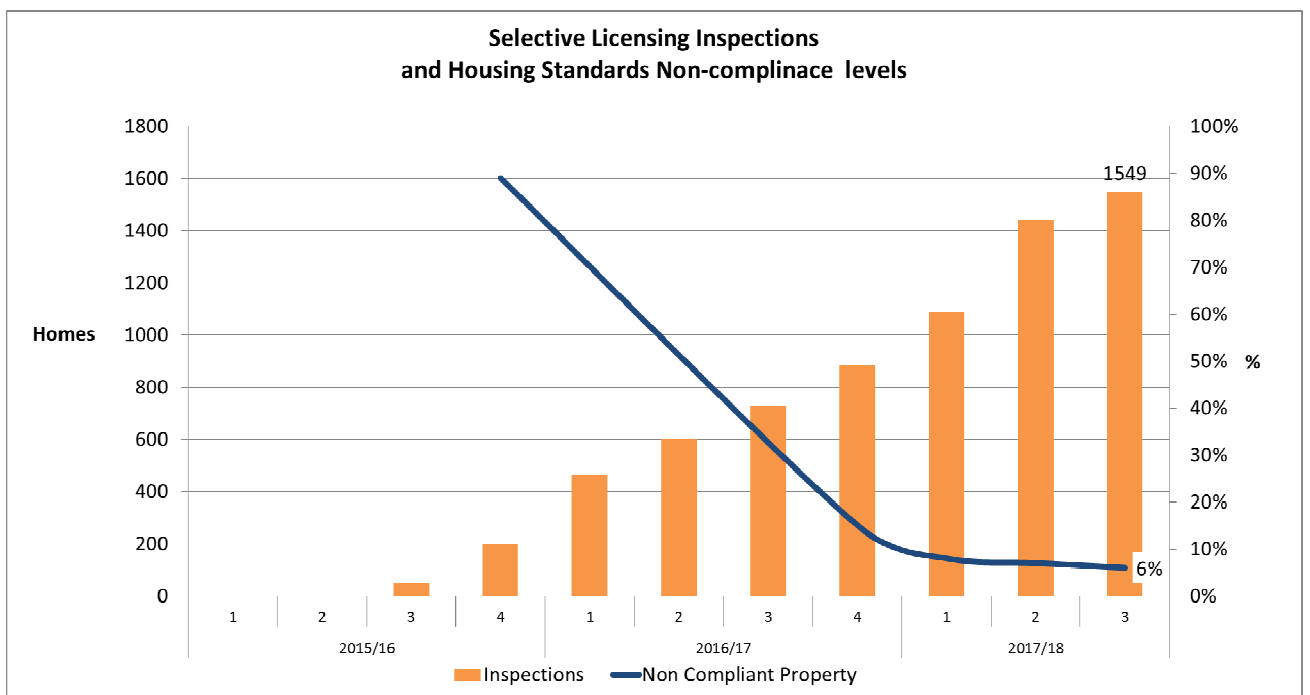
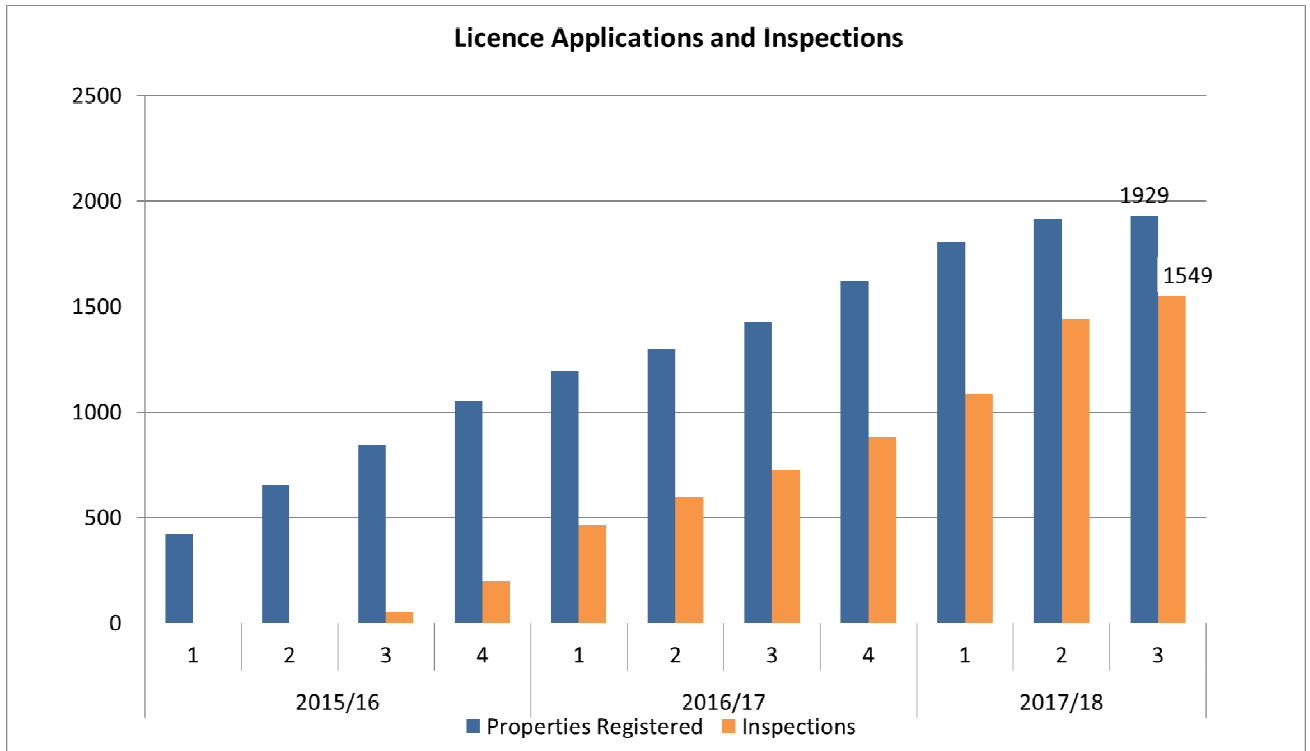


Maltby South East Selective Licensing Designation Area



## Appendix B

### Selective Licensing and Housing Inspection Outcomes



## Appendix C

### Anti-social behaviour, Selective Licensing and enforcement actions

All ASB recorded by Rotherham Council

Selective Licensing Designation	Super Output Area	2014/15	2015/16	2016/17	3 year change	2017/18 Half Year	2017/18 projection	Projected 4 year change
<b>Eastwood &amp; Town Centre</b>	Clifton West*	69	48	98	42%	41	82	19%
	Eastwood Central	128	152	131	2%	54	108	-16%
	Eastwood East	31	27	43	39%	16	32	3%
	Eastwood Village	232	189	173	-25%	98	196	-16%
	Town Centre*	67	30	59	-12%	29	58	-13%
	<b>Total</b>		<b>527</b>	<b>446</b>	<b>504</b>	<b>-4%</b>	<b>238</b>	<b>476</b>

\* Areas where only a small part is within the designation

<b>Masbrough</b>	Masbrough East	67	48	32	-52%	17	34	-49%
	Masbrough West	105	115	115	10%	59	118	12%
	<b>Total</b>	<b>172</b>	<b>163</b>	<b>147</b>	<b>-15%</b>	<b>76</b>	<b>152</b>	<b>-12%</b>

<b>Dinnington</b>	Dinnington Central	66	52	53	-20%	18	36	-45%
	Dinnington East	54	54	46	-15%	38	76	41%
	<b>Total</b>	<b>120</b>	<b>106</b>	<b>99</b>	<b>-18%</b>	<b>56</b>	<b>112</b>	<b>-7%</b>

<b>Maltby South East</b>	Maltby East - Maltby Main	67	65	45	-33%	21	42	-37%
	Maltby East - Muglet Lane	159	80	108	-32%	50	100	-37%
	Maltby East - Town Centre	31	14	18	-42%	6	12	-61%
	<b>Total</b>	<b>257</b>	<b>159</b>	<b>171</b>	<b>-33%</b>	<b>77</b>	<b>154</b>	<b>-40%</b>

<b>All Designations</b>	<b>1076</b>	<b>874</b>	<b>921</b>	<b>-14%</b>	<b>447</b>	<b>894</b>	<b>-17%</b>
<b>Rotherham</b>	<b>4207</b>	<b>3639</b>	<b>3949</b>	<b>-6%</b>	<b>2059</b>	<b>4118</b>	<b>-2%</b>

## Domestic Noise Nuisances

Selective Licensing Designation	Super Output Area	2014/15	2015/16	2016/17	3 yr % change	2017/18 Half Year	2017/18 projection	Projected 4 year change
Eastwood & Town Centre	Clifton West*	42	16	22	-48%	21	42	0%
	Eastwood Central	43	31	37	-14%	24	48	12%
	Eastwood East	12	16	17	42%	8	16	33%
	Eastwood Village	90	77	71	-21%	43	86	-4%
	Town Centre*	37	18	32	-14%	24	48	30%
	<b>Total</b>	<b>224</b>	<b>158</b>	<b>179</b>	<b>-20%</b>	<b>120</b>	<b>240</b>	<b>7%</b>

\* Areas where only a small part is within the designation

Masbrough	Masbrough East	42	24	14	-67%	12	24	-43%
	Masbrough West	47	41	41	-13%	20	40	-15%
	<b>Total</b>	<b>89</b>	<b>65</b>	<b>55</b>	<b>-38%</b>	<b>32</b>	<b>64</b>	<b>-28%</b>

Dinnington	Dinnington Central	13	10	11	-15%	7	14	8%
	Dinnington East	11	12	11	0%	9	18	64%
	<b>Total</b>	<b>24</b>	<b>22</b>	<b>22</b>	<b>-8%</b>	<b>16</b>	<b>32</b>	<b>33%</b>

Maltby South East	Maltby East - Maltby Main	27	26	28	4%	14	28	4%
	Maltby East - Muglet Lane	25	29	35	40%	14	28	12%
	Maltby East - Town Centre	6	8	6	0%	1	2	-67%
	<b>Total</b>	<b>58</b>	<b>63</b>	<b>69</b>	<b>19%</b>	<b>29</b>	<b>58</b>	<b>0%</b>

<b>All Designations</b>	<b>395</b>	<b>308</b>	<b>325</b>	<b>-18%</b>	<b>197</b>	<b>394</b>	<b>0%</b>
<b>Rotherham</b>	<b>2290</b>	<b>1919</b>	<b>1951</b>	<b>-15%</b>	<b>1107</b>	<b>2214</b>	<b>-3%</b>

## Domestic Rubbish in Gardens/Yards

Selective Licensing Designation	Super Output Area	2014/15	2015/16	2016/17	3 yr % change	2017/18 Half Year	2017/18 projection	Projected 4 year change
<b>Eastwood &amp; Town Centre</b>	Clifton West*	19	28	65	242%	15	30	58%
	Eastwood Central	80	111	117	46%	27	54	-33%
	Eastwood East	18	10	18	0%	6	12	-33%
	Eastwood Village	129	109	137	6%	51	102	-21%
	Town Centre*	24	12	21	-13%	4	8	-67%
	<b>Total</b>		<b>270</b>	<b>270</b>	<b>358</b>	<b>33%</b>	<b>103</b>	<b>206</b>

\* Areas where only a small part is within the designation

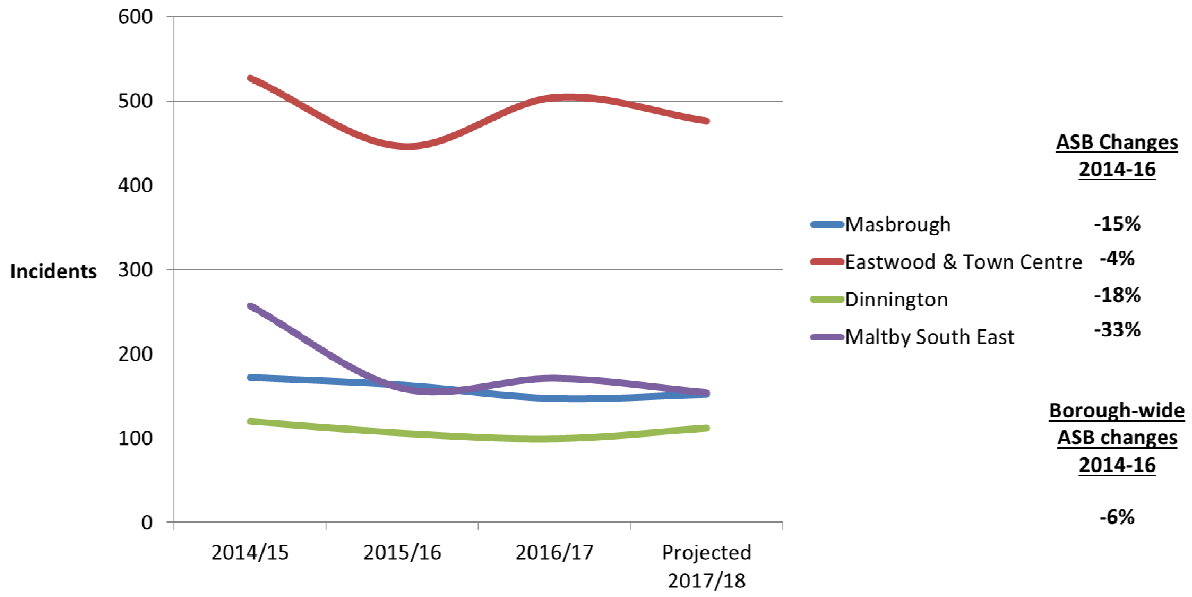
<b>Masbrough</b>	Masbrough East	22	17	12	-45%	6	12	-45%
	Masbrough West	53	61	68	28%	32	64	21%
	<b>Total</b>	<b>75</b>	<b>78</b>	<b>80</b>	<b>7%</b>	<b>38</b>	<b>76</b>	<b>1%</b>

<b>Dinnington</b>	Dinnington Central	41	33	25	-39%	11	22	-46%
	Dinnington East	36	29	31	-14%	27	54	50%
	<b>Total</b>	<b>77</b>	<b>62</b>	<b>56</b>	<b>-27%</b>	<b>38</b>	<b>76</b>	<b>-1%</b>

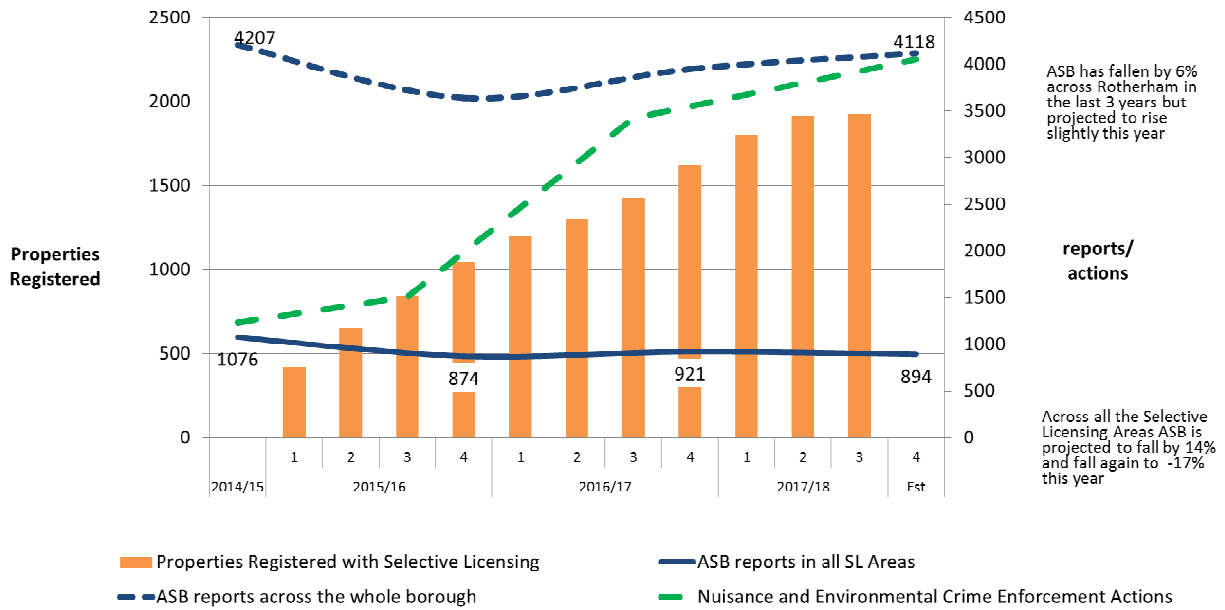
<b>Maltby South East</b>	Maltby East - Maltby Main	21	29	8	-62%	6	12	-43%
	Maltby East - Muglet Lane	111	38	54	-51%	28	56	-50%
	Maltby East - Town Centre	17	5	5	-71%	3	6	-65%
	<b>Total</b>	<b>149</b>	<b>72</b>	<b>67</b>	<b>-55%</b>	<b>37</b>	<b>74</b>	<b>-50%</b>

<b>All Designations</b>	<b>571</b>	<b>482</b>	<b>561</b>	<b>-2%</b>	<b>216</b>	<b>432</b>	<b>-24%</b>
<b>Rotherham</b>	<b>1233</b>	<b>1051</b>	<b>1271</b>	<b>3%</b>	<b>588</b>	<b>1176</b>	<b>-5%</b>

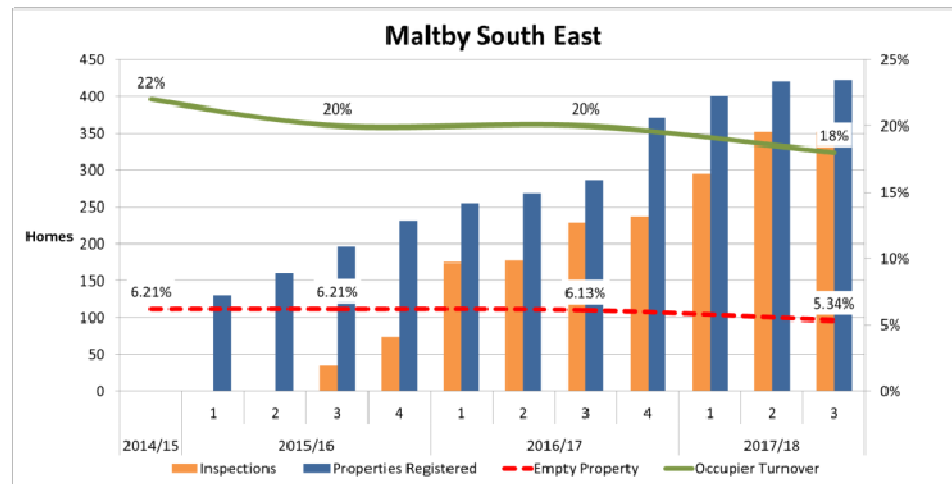
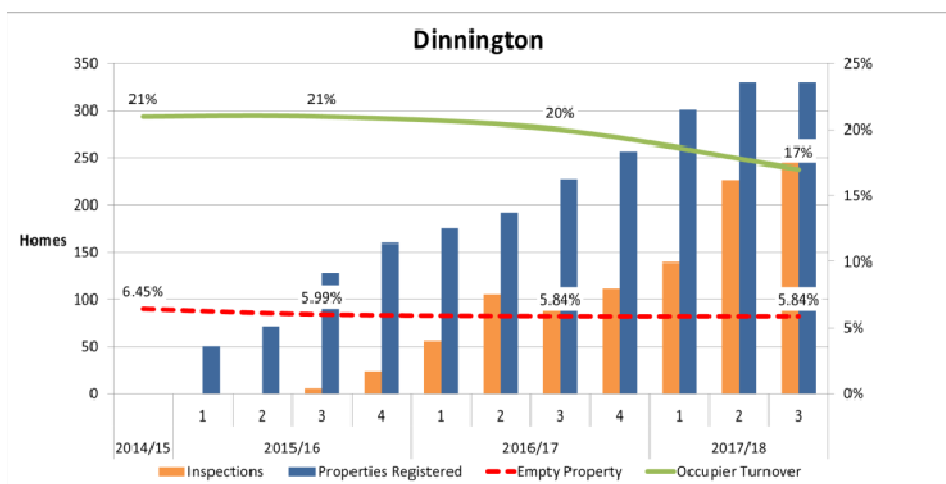
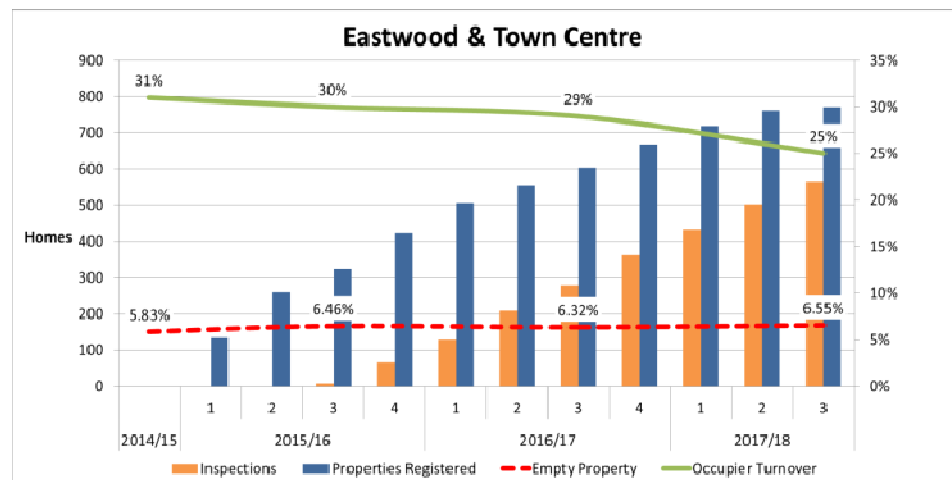
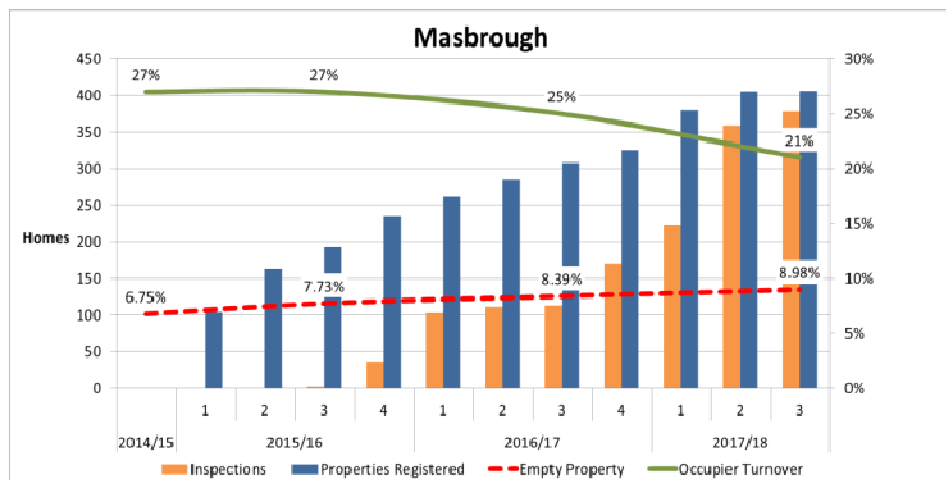
### RMBC Recorded Neighbourhood Anti-social Behaviour in Selective Licensing Areas



### Relationship between licensing of properties, enforcement and ASB incidents



## Appendix D Selective Licensing applications, inspections, occupier turnover and empty properties





## Appendix E Fly Tipping data for Selective Licensing areas and Rotherham

