



*Scrutiny Review of Anti Social Behaviour in  
the Private Rented Sector*

Draft Report  
January 2012

<b>Contents</b>	<b>Page</b>
Purpose of the report	
Introduction	
Evidence gathered	
Recommendations	
<b>Annexes</b>	<b>Number</b>

## 1.0 Purpose of the Report

The purpose of the report, as outlined in the initial topic brief (at *Annex 1*) is to:

- ◆ Gain an understanding of the powers available to local authorities to tackle poor condition, dereliction and anti social behaviour in the private rented sector.
- ◆ Examine the effectiveness of the approach to the private rented sector in Halton.
- ◆ Consider and make recommendations to the Safer Halton PPB on how best to improve standards and reduce levels of anti social behaviour in the sector.
- ◆ Raise awareness of the services offered in Halton in relation to enforcement and accreditation.

## 2.0 Introduction

### 2.1 Reason the report was commissioned

Since the recent decline of the housing market, the private rented sector is making an increasingly significant contribution to meeting housing need. This has been recognised at a national level with the publication of “The Private Rented Sector: its contribution and potential”<sup>1</sup> (known as the Rugg Review) which found that the sector catered for wide ranging needs, offering flexibility to professionals at one end of the scale and the only option for households unable to buy or access social rented housing at the other. The Halton Strategic Housing Market Assessment 2011 found that locally the sector has grown by around 46% since the 2001 Census and now makes up around 10% of the total housing stock, equating to 5,030 properties.

In the UK, the private rented sector is largely unregulated with currently no statutory registration scheme for private landlords. However, local authorities have powers to intervene if accommodation is found to be sub standard. They can also encourage improvements in the sector through voluntary accreditation schemes, which exists in Halton. As private rented accommodation tends to be in poorer condition than other sectors and the transient nature of households living in the sector can mean that anti social behaviour is more prevalent than in owner occupied stock, the rise in the sector is becoming an increasing cause for concern. Members are also concerned about the number of absentee landlords who frequently show little inclination to deal with problems caused by their tenants.

### 2.1 Policy and Performance Boards

---

<sup>1</sup> The Private Rented Sector: its contribution and potential: *Rugg, Julie and Rhodes, David; Centre for Housing Policy, The University of York, 2008*

This report was commissioned as a scrutiny working group for the Safer Halton Policy and Performance Board.

## 2.2 Membership of the Topic Group

Membership of the Topic Group included:

Members	Officers
Cllr Pamela Wallace (Chair) Cllr Shaun Osborne Cllr Mike Shepherd Cllr Sue Edge Cllr John Gerrard Cllr Ged Philbin Cllr Eddie Jones Cllr Kath Loftus Cllr Marie Wright	Paul McWade, Operational Director Complex Care and Commissioning Mike Andrews, Community Safety Manager John Tully/Rob Barnett, Group Solicitors Steve Williams, Commissioning Manager Yeemay Sung, Divisional Manager Regulatory Services Wendy Salisbury, Principal Enforcement Officer Lucy Willis, Landlord Accreditation Officer Joanne Sutton, Principal Policy Officer

## 2.3 Methodology Summary

This scrutiny review was conducted through a number of means:

- Regular meetings of the scrutiny review topic group;
- Attendance at a meeting of the Halton Private Landlords' Forum;
- Site visit to a local authority with a successful track record of dealing with Anti Social Behaviour, private sector dereliction and empty homes and liaison with private landlords.

## 3 Evidence gathered

3.1 The issue of anti social behaviour in the private rented sector is one which impacts upon a number of different local authority functions including Community Safety, Housing Enforcement, Landlord Accreditation and Legal Services. Consequently, officers from these disciplines were invited to attend meetings of the topic group to respond to Members' concerns and discuss alternative approaches and their contributions are described below.

### 3.2 Private Landlord powers to tackle anti social behaviour

3.2.1 The Community Safety Manager presented a report to the Safer Halton Policy and Performance Board on the 16<sup>th</sup> November 2010 regarding

the responsibilities that private landlords have to tackle anti social behaviour in their properties. The report outlined that as a general rule landlords cannot be held directly responsible for the behaviour of their tenants provided they have not “authorised” the anti social behaviour.

- 3.2.2 The main way in which private landlords can control the behaviour of their tenants is through inserting terms in the tenancy agreement which prohibit unacceptable behaviour, although they are not compelled to do so. Private rented properties are usually let as assured shorthold tenancies which offer very little security of tenure and, provided the initial tenancy period has expired (a minimum of six months) and the required notice has been served, the courts have no discretion but to order possession of the property upon application by the landlord. Should the landlord need to evict a problem tenant within the first six months of the tenancy s/he can seek possession using one of the grounds contained in Schedule 2 of the Housing Act 1988, most likely Ground 12 which offers a remedy where the tenant is in breach of the Tenancy Agreement.
- 3.2.3 The report also described local authority powers to tackle anti social behaviour in the private rented sector including Injunctions, Anti Social Behaviour Orders and Closure Orders. These are considered in more detail in the matrix of local authority intervention tools contained at Annex 2.
- 3.2.4 Currently, the Community Safety Team write to private landlords to offer help and advice if a problem with crime or anti social behaviour has been identified in one of their properties. If matters don't improve the Team take appropriate action against the tenant.
- 3.2.5 Members of the topic group discussed whether landlords could be compelled to include a clause in their tenancy agreements to prohibit anti social behaviour. However, there is no legal requirement to do so and local authorities have no jurisdiction over the tenancies offered by private landlords. One option, however, would be to make it a required criteria of the Landlord Accreditation Scheme, although it was acknowledged that this would be targeting the most responsible landlords, who would be least likely to tolerate anti social behaviour in any case.

### **3.3 Landlord Accreditation Scheme**

- 3.3.1 The Commissioning Manager (Housing) attended the first meeting of the group and gave an overview of Halton's Landlord Accreditation Scheme. This is a free and voluntary scheme that has been running for approximately five years and offers a range of benefits to qualifying landlords including fast tracking of benefit applications, insurance discounts, seminar invitations and general guidance and support. Landlords must meet required minimum standards to be eligible for

accreditation covering the condition of their properties and management standards.

- 3.3.2 56 landlords have applied for accreditation covering 308 properties out of a total of around 5,000 in the sector. Out of these 34 landlords have reached the required standards to be accredited. A database of known private landlords with properties in Halton has been compiled and these are written to periodically to encourage them to seek accreditation. The scheme is also publicised in newsletters and the Council's website.
- 3.3.3 The second meeting of the group was attended by the Landlord Accreditation Officer who gave an overview of the Landlords' Forum which is generally well attended and deals with a wide range of tenancy and benefit related issues. It was agreed that representatives from the group attend a future meeting of the Landlords' Forum to discuss some of the concerns raised.

### **3.4 Housing enforcement**

- 3.4.1 Meetings of the topic group have been attended by the Principal Enforcement Officer and Divisional Manager for Regulatory Services, both of whom provided information about the local authority's powers and duties relating to enforcement of standards in the private sector. The full list of powers is attached as Annex 2, however, the key points are detailed below.
- 3.4.2 The Enforcement Team currently use a number of powers under the Environmental Protection Act 1990 to enforce standards. Under the Act abatement notices can be served on the perpetrators in cases of noise nuisance and in cases of housing and environmental conditions which are prejudicial to health a notice can be served compelling the owner to address the issue. Failure to comply can either result in prosecution or the works being carried out in default and recharged to the owner.
- 3.4.3 Other than for certain types of houses in multiple occupation (HMOs), there is no statutory licensing requirement for private rented properties. Halton has very few licensable HMOs, where landlords must meet certain conditions including a CRB check and pay a license fee to operate.
- 3.4.4 Local authorities have discretionary powers to introduce selective licensing of all private landlords in a designated area if the area is experiencing a "significant and persistent" problem caused by anti social behaviour and some or all private landlords in that area are not taking appropriate action to tackle this and it has reason to believe that the designation in combination with other measures would lead to a reduction in or elimination of the problem.

3.4.5 In all cases Enforcement Officers will try to resolve any issues with landlords on an informal basis as this is usually the quickest and cheapest way to address the problem. Landlords are written to and given up to 21 days to comply (depending on the urgency of the issue) and undertake necessary work and in the majority of cases this approach is successful. However, it is acknowledged that there will always be some owners who refuse to comply and, consequently, the problem can take some time to resolve and may necessitate legal action.

### **3.5 Visit to Wirral**

3.5.1 On 1<sup>st</sup> November Members of the Topic Group visited the offices of Wirral Borough Council (WBC). The delegation was greeted by Councillor George Davies, WBC Cabinet Member for Housing and Community Safety. Presentations were then given by Officers from the Housing Standards Team on Wirral's Landlord Accreditation Scheme, their approach to empty homes and a Healthy Homes initiative that was being piloted in New Brighton. In the afternoon, the Enforcement Manager from Wirral's Anti Social Behaviour Team gave an overview of the service.

3.5.2 The full notes from the day are attached as Annex 4, however, in summary:

- Unlike in Halton where Officers deal with a range of enforcement issues (including air, noise and environmental quality), Wirral has a dedicated team dealing with housing standards;
- Although Halton offers many of the services offered by Wirral as part of the Landlord Accreditation Scheme, the approach in Wirral is slightly different, in that it awards accreditation to individual properties rather than accrediting the landlord;
- The team takes a pro active approach, helped by a dedicated team of 4 staff, to bringing empty homes back into use through use of negotiation and, where this fails, enforcement, although it is acknowledged that the problem of empty homes is far greater in Wirral.
- Through its Healthy Homes Initiative the Council works in partnership with front line staff from a range of statutory and voluntary organisations to tackle poor conditions through a targeted, area based approach.
- The Anti Social Behaviour Team (which contains 30 staff) uses its powers to take a tough stance against anti social behaviour for all tenures. In the case of private tenants who are causing anti social behaviour, it does not normally involve the landlord but will offer support and advice to landlords who wish to take action against anti social tenants.

3.5.3 Members found the day extremely useful in helping to develop recommendations that would help to improve Halton's service and the group has written to the Council to express their gratitude.

#### **4. Recommendations**

4.1 Following the visit to Wirral members of the topic group met for a final time and agreed the following set of recommendations. These are also set out in an Action Plan at Annex 5.

4.1.1 Recommend that the Council uses its discretion to charge 90% Council Tax on properties that have been needlessly left empty for over 6 months and that the Council support proposals contained in the Government's consultation on technical reforms of Council Tax to increase this amount to 100% and charge an additional empty homes premium.

4.1.2 It was agreed that a targeted project management approach to the issue be piloted in West Bank and Halton Lodge, which would feature the following:

- An information event for landlords and tenants involving all relevant services with exhibition space;
- Inviting landlords in the areas to register their contact details with the Council;
- Promote the benefits of joining the Landlord Accreditation Scheme;
- Provide advice to landlords on how to deal with anti social tenants;
- Introduce a Healthy Homes approach in these areas making links with relevant organisations with front line staff perhaps through re-instigation of the Safer Homes Group;
- Make full use of relevant enforcement powers in these areas to tackle poor condition;
- Undertake an external inspection of properties in these areas to identify empty properties and establish whether Council Tax or Housing Benefit fraud is an issue.
- Pilot an approach which accredits the property rather than the landlord in these areas.

4.1.3 Explore the possibility of bringing in additional staffing resources to assist with the above either through re-organisation of existing staff, secondment from another organisation, funding bids to external agencies or through use of volunteers or graduate work experience schemes.

4.1.4 Undertake a survey of known private landlords throughout the Borough to gain a better understanding of the types of properties they own, their motivations for being a private landlord, their intentions for the future



and to provide an opportunity to promote their responsibilities as a landlord and Council services that are available to assist.

- 4.1.5 Work with the Cheshire Fire and Rescue Service to support their call for a change in legislation that would require all private landlords to install hard wired smoke detectors in their properties.
- 4.1.6 Via the Council's intranet and Cheshire Police's Looking Glass system, encourage staff whose jobs involve outside visits to report empty properties so that they can be verified against Council Tax details and potential fraud identified.

## TOPIC BRIEF

<b>Topic Title:</b>	Private Rented Sector in Halton
<b>Officer Lead:</b>	Operational Director (Commissioning and Complex Care)
<b>Planned start date:</b>	February 2011
<b>Target PPB Meeting:</b>	January 2012

### Topic Description and scope:

A review of the private rented sector in Halton, focusing on issues of Anti Social Behaviour, poor condition and derelict empty properties.

### Why this topic was chosen:

Since the recent decline of the housing market, the private rented sector is making an increasingly significant contribution to meeting housing need. This has been recognised at a national level with the publication of “The Private Rented Sector: its contribution and potential”<sup>2</sup> (known as the Rugg Review) which found that the sector catered for wide ranging needs, offering flexibility to professionals at one end of the scale and the only option for households unable to buy or access social rented housing at the other. The Halton Strategic Housing Market Assessment 2011 found that locally the sector has grown by around 46% since the 2001 Census and now makes up around 10% of the total housing stock, equating to 5,030 properties.

In the UK, the private rented sector is largely unregulated with, currently, no statutory registration scheme for private landlords. However, local authorities have powers to intervene if accommodation is found to be sub standard. They can also encourage improvements in the sector through voluntary accreditation schemes, which exists in Halton. As private rented accommodation tends to be in poorer condition than other sectors and the transient nature of households living in the sector can mean that anti social behaviour is more prevalent than in owner occupied stock, the rise in the sector is becoming an increasing cause for concern.

### Key outputs and outcomes sought:

- An understanding of the powers available to local authorities to tackle poor condition, dereliction and anti social behaviour in the private rented sector.
- Examine the effectiveness of the approach to the private rented sector in Halton.
- Consider and make recommendations to the Safer Halton PPB on how best to improve standards and reduce levels of anti social behaviour in

---

<sup>2</sup> The Private Rented Sector: its contribution and potential: *Rugg, Julie and Rhodes, David; Centre for Housing Policy, The University of York, 2008*

the sector.

- Raise awareness of the services offered in Halton in relation to enforcement and accreditation.

**Which of Halton's 5 strategic priorities this topic addresses and the key objectives and improvement targets it will help to achieve:**

**A Safer Halton:**

- To investigate and tackle the underlying causes of crime and disorder and respond effectively to public concern by reducing crime levels, with a particular focus on reducing the levels of crime that disproportionately affect some of the more deprived areas.
- We will work together to reduce fear of crime and increase public confidence in the police, council and other agencies to respond to reports of crime and anti social behaviour and tackle any potential tensions within communities, in particular those that may lead to extremist activity.

**Environment and Regeneration in Halton:**

- Provide sustainable, good quality, affordable and adaptable residential accommodation to meet the needs of all sections of society.

**A Healthy Halton:**

- To remove barriers that disable people and contribute to poor health by working across partnerships to address the wider determinants of health such as unemployment, education and skills, housing, crime and environment.

**Nature of expected/desired PPB input:**

Member led scrutiny review of the private rented sector.

**Preferred mode of operation:**

- Scrutiny Working group of selected Members from Safer Halton PPB, involving representatives from relevant partner agencies and relevant Council Officers.
- Attendance at a meeting of the Halton Private Landlord's Forum.
- Site visits including:
  - A local authority with a strong track record in tackling anti social behaviour in the private rented sector
  - A local authority with a strong track record of tackling poor conditions in the private rented sector
  - A local authority with a successful landlord accreditation scheme

## Local Authority intervention tools in the private rented sector

Tool	Legislation	Power or Duty	What's involved	Circumstances in which can be used
<b>Enforcement of minimum housing standards</b>				
Housing, Health and Safety Rating System (HHSRS)	Housing Act 2004	Duty	The Housing, Health and Rating System came into force in 2006 and replaced the old Fitness Standard as the principal means of assessing housing conditions. It is risk based system which takes into account the likelihood and severity of a variety of hazards within the home, with the worst hazards being classed as Category 1 hazards.	<p>A local housing authority (LHA) must keep the housing conditions in their area under review with a view to identifying any action that may need to be taken by them. If, in the course of carrying out their duties or as a result of a complaint, they suspect that category 1 or 2 hazards (under the Housing, Health and Safety Rating system) are present in the property they must inspect the property. If, on inspection, the property is found to contain category 1 hazards the LHA must take appropriate enforcement action from the following:</p> <p>a) serving an improvement notice under section 11;</p> <p>(b) making a prohibition order under section 20;</p> <p>(c) serving a hazard awareness notice under section 28;</p> <p>(d) taking emergency remedial action under section 40;</p> <p>(e) making an emergency prohibition order under section 43;</p> <p>(f) making a demolition order under subsection (1) or (2) of section 265 of the Housing Act 1985 (c. 68);</p> <p>(g) declaring the area in which the premises concerned are situated to be a clearance area by virtue of section 289(2) of that Act.</p>
Statutory nuisance	Environmental Protection Act 1990	Duty	<p>The Environmental Protection Act 1990 makes provision for the control of premises which are considered to be prejudicial to health or a nuisance. A local authority can serve an abatement notice requiring the necessary repairs to be carried out. If an individual fails to comply with a notice the council can either;</p> <p>Carry out the work in default and reclaim the costs or</p> <p>Prosecute for not complying with a notice</p>	<p>The legislation is used routinely and conditions which can amount to a statutory nuisance are defined in s79 of the 1990 Act. The most relevant to housing is;</p> <p>(1) any premises in such a state as to be prejudicial to health or a nuisance</p>
Mandatory HMO licensing	Housing Act 2004	Duty	<p>Owners of large HMOs must apply for a licence from the local authority. A fee is payable which covers the administration of the licensing scheme. In determining whether or not to grant a licence the Council must look at:</p> <ul style="list-style-type: none"> <li>▪ The suitability of the HMO for the number of occupiers;</li> <li>▪ The suitability of the facilities within the HMO, such as</li> </ul>	<p>Applies to HMOs containing:</p> <p>Five or more tenants forming separate households and</p> <p>Accommodation has three or more storeys.</p>

Tool	Legislation	Power or Duty	What's involved	Circumstances in which can be used
			<p>toilets, bathrooms and cooking facilities</p> <ul style="list-style-type: none"> <li>▪ The suitability of the landlord and/or the managing agent to manage the HMO (this is called the “fit and proper” test and is mainly concerned with whether the landlord or manager has any relevant convictions or has acted in a way that would indicate his or her unsuitability to manage this type of residential accommodation and</li> <li>▪ The general suitability of managing arrangements.</li> </ul>	
Additional HMO licensing	Housing Act 2004	Power	Local authorities have discretionary powers to extend HMO licensing to all HMOs in their area.	Before designating an area to be subject to additional HMO licensing, councils must consider that a significant proportion of HMOs in that area are causing problems for tenants or the neighbourhood due to poor management. Local authorities have a general consent to operate selective licensing subject to taking all reasonable steps to consult persons likely to be affected for a minimum of 10 weeks. There is no longer a requirement to seek approval from the Secretary of State.
Selective licensing	s80 Housing Act 2004	Power	<p>Local authorities have discretionary powers to introduce selective licensing of all private landlords in a designated area. Councils have the discretion to set the precise conditions of the licence including conditions relating to the use and occupation of the property and measures to deal with anti social behaviour of the tenants or visitors. However the conditions imposed must relate to the residential use of the property – they cannot, for example, place responsibilities on landlords to act where, for example, tenants may be committing crimes unrelated to the occupation of their property. There are certain mandatory conditions which must be included in a licence as follows. These also apply to HMO licensing.</p> <ul style="list-style-type: none"> <li>▪ present annual gas safety certificates,</li> <li>▪ keep appliances and furniture in good condition,</li> <li>▪ keep smoke alarms in working order</li> <li>▪ supply the occupier with a written statement of the terms of occupation</li> <li>▪ demand references from persons wishing to occupy the house.</li> </ul> <p>If an authority believes that a landlord has breached licence conditions, they can issue a fine of up to £5,000 for each offence. Operating a property without a licence in a designated area can attract a fine of up to £20,000.</p>	<p>Local authorities can designate their entire district or an area within a district. The proposed area must meet one or more of the following conditions:</p> <ul style="list-style-type: none"> <li>▪ The area is one which is experiencing (or is likely to experience ) low housing demand and the local housing authority is satisfied that “designating” an area will, when combined with other measures, lead to improved social and economic conditions in the area.</li> <li>▪ The area is experiencing a “significant and persistent” problem caused by anti social behaviour and that some or all private landlords in that area are not taking appropriate action to tackle this. Moreover, the designation in combination with other measures would lead to a reduction in or elimination of the problem.</li> </ul> <p>Local authorities have a general consent to operate selective licensing subject to taking all reasonable steps to consult persons likely to be affected for a minimum of 10 weeks. There is no longer a requirement to seek approval from the Secretary of State. The maximum period for which selective licensing can run is 5 years during which time its operation must be periodically reviewed.</p>
Interim Manageme	Part 4 Housing Act 2004	Power	An interim management order (IMO) transfers the management of a licensable residential property to the	A LHA must take enforcement action in respect of a licensable property by making an IMO if:

Tool	Legislation	Power or Duty	What's involved	Circumstances in which can be used
nt Orders			<p>local housing authority (LHA) for a period of up to 12 months. It allows the LHA to:</p> <ul style="list-style-type: none"> <li>▪ Take possession of the property against the immediate landlord and subject to existing rights to occupy</li> <li>▪ Do anything in relation to the property which could have been done by the landlord including repairs, collecting rents etc</li> <li>▪ Spend monies received through rents and other charges for carrying out its responsibility of management, including administration of the property</li> <li>▪ Create new tenancies (with the consent of the landlord).</li> </ul> <p>Any surplus on income over expenditure incurred over the period of the IMO must be paid to the relevant landlord. The LHO must also keep full accounts of income and expenditure in respect of the property and make such accounts available to the landlord.</p> <p>The landlord has the right to appeal an IMO.</p>	<ul style="list-style-type: none"> <li>▪ The property ought to be licensed, but is not, and the LHA considers there is no reasonable prospect of it granting a licence in the near future. An IMO may not, however, be made on this ground if an effective application is outstanding with the authority for the grant of a licence or a temporary exemption notice or if such a notice is in force.</li> <li>▪ The LHA is satisfied that the Health and Safety Condition is met and, therefore, it would not have granted an application for a licence.</li> <li>▪ The LHA intends to revoke the licence on grounds of the condition of the property, and upon revocation there will be no reasonable prospect of the property being licensed in the near future e.g. to another suitable person or</li> </ul> <p>The LHA is satisfied that when the license is revoked the Health and Safety Condition test will be met.</p>
Final Management Orders	Part 4 Housing Act 2004	Power	<p>A Final Management Order (FMO) gives the LHA the same powers as an IMO above but lasts for a maximum of five years.</p> <p>The LHA must make a management scheme for a property subject to a FMO. The scheme must set out how the LHA intends to manage the house. In particular the scheme must include:</p> <ul style="list-style-type: none"> <li>▪ The amount of rent it will seek to obtain whilst the order is in force</li> <li>▪ Details of any works which the LHA intends to undertake in relation to the property</li> <li>▪ The estimate of the costs of carrying out those works</li> <li>▪ Provision as to the payment of any surpluses of income over expenditure to the relevant landlord, from time to time</li> <li>▪ In general terms how the authority intends to address the matters that caused the LHA to make the order.</li> </ul> <p>The LHO must also keep full accounts of income and expenditure in respect of the property and make such accounts available to the landlord.</p> <p>The landlord has the right to appeal a FMO.</p>	<p>A FMO can only be made if an IMO comes to an end or is otherwise revoked or it is made to immediately follow a previous FMO and, in either case:</p> <ul style="list-style-type: none"> <li>▪ The property is subject to an improvement notice or emergency remedial action is required and is unable to grant a licence.</li> <li>▪ In the case of a property that is not subject to an improvement notice or emergency remedial action is required, the LHA is satisfied it is necessary to make the order to protect, on a long term basis, the health, safety and welfare of occupants of the property, or persons occupying or having an estate or interest in any premises in the vicinity.</li> </ul>

Tool	Legislation	Power or Duty	What's involved	Circumstances in which can be used
Demolition Orders	Part 9 Housing Act 1985 as amended	Power	<p>A local authority may serve a notice compelling the owner to vacate the premises and demolish the property at their own cost and within the time period specified in the order.</p> <p>The authority must serve a copy of the order on every person who, to their knowledge is an owner or occupier, is authorised to permit occupation or is a mortgage lender in relation to the whole or part of the premises, within 7 days from the date the order was made. The requirement in relation to occupiers is met if a copy is fixed to a conspicuous part of the premises. An aggrieved person may appeal against a demolition order to the residential property tribunal within 21 days from the service of the order. It is possible to substitute a demolition order with a prohibition order if proposals are submitted for the use of the premises other than for human habitation.</p>	<p>In deciding whether to serve a demolition order the local authority must:</p> <ul style="list-style-type: none"> <li>▪ Take into account the availability of local accommodation for rehousing the occupants</li> <li>▪ Take into account the demand for and sustainability of the accommodation if the hazard was rectified</li> <li>▪ Consider the prospective use of the cleared site</li> <li>▪ Consider the local environment, the suitability of the area for continued residential occupation and the impact of a cleared site on the appearance and character of the neighbourhood.</li> </ul>
Clearance areas	Part 9 Housing Act	Power	<p>An authority can declare an area a clearance area if it is satisfied that each of the residential buildings in the area contain one or more category 1 hazards (or that these buildings are dangerous or harmful to the health and safety of the inhabitants as a result of their bad arrangement or the narrowness or bad arrangement of the streets); and any other buildings in the area are dangerous or harmful to the health of the inhabitants. In a building containing flats, two or more of those flats must contain a category 1 hazard before a clearance area can be declared.</p>	<p>A local authority should consider the desirability of clearance in the context of proposals for the wider neighbourhood of which the dwelling forms part and shall have regard to:</p> <ul style="list-style-type: none"> <li>▪ The likely long term demand for residential accommodation;</li> <li>▪ The degree of concentration of dwellings containing serious and intractable hazards within the area;</li> <li>▪ The density of the buildings and street pattern around which they are arranged;</li> <li>▪ The overall availability of housing accommodation in the wider neighbourhood in relation to housing needs and demands;</li> <li>▪ The proportion of dwellings free of hazards and other, non residential, premises in sound condition which would also need to be cleared to arrive at a suitable site;</li> <li>▪ Whether it would be necessary to acquire land surrounding or adjoining the proposed clearance are; and whether land can be acquired by agreement with the owners;</li> <li>▪ The existence of any listed buildings protected by notice pending listing – listed and protected buildings should only be included in a clearance area in exceptional circumstances and only when building consent has been given;</li> <li>▪ The results of statutory consultations;</li> <li>▪ The arrangements necessary for rehousing the displaced occupants and the extent to which occupants are satisfied with those arrangements.</li> </ul> <p>Clearance may be a feature of plans to redevelop areas where there is low demand for housing or other reasons for development. Where the reasons for redevelopment are not primarily related to housing condition, the powers in the Act will not be the most appropriate. Local authorities may therefore have to make a compelling case that clearance is necessary for the “well being” of the residents. As</p>

Tool	Legislation	Power or Duty	What's involved	Circumstances in which can be used
				an alternative to declaring a clearance area, and authority could consider use of compulsory purchase powers.
<b>Powers to tackle Anti Social Behaviour</b>				
Anti Social Behaviour Orders (ASBOs)	Crime and Disorder Act 1998 as amended	Power	<p>ASBOs are community based orders that involve local people in collecting evidence and in helping to enforce breaches of the prohibitions in the order. They are designed to encourage local communities to become actively involved in reporting crime and anti social behaviour, thus building and protecting the community.</p> <p>Breach of an ASBO is a criminal offence which can result in prosecution.</p>	<p>ASBOs are tenure neutral and can be used to prohibit the anti social behaviour of owner occupiers or those in private rented accommodation as well as social housing tenants.</p> <p>An order can be sought against any individual over the age of 10, who has acted in an anti social manner. The local authority seeking the order must satisfy the court that the order is necessary to protect a person or persons against anti social acts or conduct.</p>
Local Government Injunctions	S 222 Local Government Act 1972	Power	<p>Local authorities can apply to the civil courts for injunctions to restrain anti social behaviour that constitutes a public nuisance. The injunction can prohibit the individual, either absolutely or at specific times of the day or night, from entering the area where the nuisance has been committed and may contain other prohibitions designed to restrain the type of anti social behaviour that has caused the public nuisance.</p>	<p>To prove a public nuisance, the local authority must show that:</p> <ul style="list-style-type: none"> <li>• The behaviour materially affects the reasonable comfort and convenience of a class of Her Majesty's subjects;</li> <li>• The area affected by the nuisance behaviour can be described as the neighbourhood; there are sufficient numbers of people within the local community affected by the nuisance behaviour to constitute a class of the public. It is not necessary to prove that every member of the class has been affected – a representative cross section will be enough; and</li> <li>• It is within the proper action of a local authority to put an end to all public nuisances to protect and promote the interests of their inhabitants.</li> </ul>
Anti Social Behaviour Closure Orders	Part 1A Anti Social Behaviour Act 2003	Power	<p>Local authorities and the police have the power to seek a closure order in respect of premises that are associated with persistent disorder or nuisance.</p> <p>Once a closure notice has been issued, an application for an order must be made to a magistrate's court within 48 hours. If the court makes a closure order, the premises concerned will be closed completely or partially for a maximum of three months. No access can be made to the property by any persons, even those with rights of abode or ownership.</p>	<p>Closure orders are tenure neutral and so can be used to close homes that are privately owned. They are aimed at tackling excessive noise and rowdy behaviour related to frequent drunken parties or high numbers of people entering and leaving a property at all times of the day or night.</p> <p>These orders can also be used where anti social residents are intimidating and threatening their neighbours and criminal families are running illegal business from their properties.</p> <p>These orders should only be used as a last resort, when all other options have been tried and failed.</p>





## **Safer Halton Policy and Performance Board**

**Anti Social Behaviour in the Private Rented  
Sector Scrutiny Topic**

**Visit to Wirral Borough Council**

**Tuesday 1<sup>st</sup> November 2011**

**Anti Social Behaviour in the Private Rented Sector Scrutiny  
topic  
Visit to Wirral 01/11/11**

**INTRODUCTION**

The Group was welcomed by Councillor George Davies, Wirral Borough Council (WBC) Cabinet Member for Housing and Community Safety.

Councillor Davies gave an introduction to the topic and explained that WBC introduced a Landlord Accreditation Scheme using Housing Market Renewal Initiative (HMRI) funding in 2002 as a means of engaging with landlords in the HMRI area and encouraging improved standards in the private rented sector (PRS). Councillor Davies acknowledged that there is predicted to be significant growth in the sector in the coming years (up to 20% increase) due to proposed Housing and Welfare reforms and that this is likely to impact on the workload of the Housing Standards Team.

**THE HOUSING STANDARDS TEAM**

Emma Foley, Manager of the Housing Standards Team, gave an introduction to Housing in Wirral and an overview of the work of the team. Her presentation is attached as Appendix A. Key points were:

- Wirral's population is approximately 312,000 and the area contains around 144,000 properties, of which approximately 17,000 are in the private rented sector.
- The sector is concentrated in the Eastern part of the Borough with large numbers of Houses in Multiple Occupation (HMOs) in New Brighton and Hoylake.
- The Housing Standards Team comprises 22 staff dealing with Landlord Accreditation, HMOs, Empty Properties, Healthy Homes Initiative, Area Based Renewal (HMRI) and the Home Improvement Team. Due to budget cuts, Housing Standards Officers have recently become generic and now deal with a range of assistance and enforcement powers.
- Challenges include the expanding PRS, poorer conditions in the sector, funding reductions and the impact of forthcoming welfare reforms.
- The Team works closely with partner agencies e.g. Police, Fire, Health, voluntary organisations and Adult Social Services as a means of boosting resources in "hotspot" areas. These agencies form a "virtual" team and act as a steering group which oversees delivery of Action Plans.
- The Team uses intelligence mapping to identify hotspot areas to target including empty homes and health data.
- In the future the team is looking to use Private Sector Leasing to bring empty homes into use, start charging for more services, and develop a Social Lettings Agency approach.

**Responses to Questions**

### **What is the tenure split in Wirral?**

Approximately 70% of the stock is owner occupied, 16% social rented and 14% privately rented.

### **How does the Housing Standards Team engage with tenants?**

The team works closely with a wide range of services and organisations who have front line access to vulnerable people who may benefit from the services offered by the Team e.g. Children's Centres, Drug and Alcohol Team, Community Centres etc. This results in referrals from the front line staff to the Housing Standards Team.

### **Is homelessness a problem in Wirral?**

Homelessness levels in Wirral exceed 400 per annum and there are around 14,000 households on the Council's housing waiting list.

### **Does the service exclude RSLs?**

Although technically parts of the service are available to RSLs and their tenants, there are very few issues and any problems are dealt with quickly, helped by the positive relationship that the Team has with RSLs.

### **Is there a problem of agencies bringing in problem tenants from other areas?**

Yes, this is something the Team needs to start looking at, perhaps by developing information sharing protocols.

### **Where does the information to enable mapping of empty homes come from?**

Officers receive monthly reports from the Council Tax register and after some negotiation have recently been given direct access to the Council Tax database.

### **Does Wirral use selective licensing?**

The Council has not found a need to use selective licensing since no correlation has been found between anti social behaviour and "problem" properties. Under previous rules the Council would need to prove that landlord accreditation was not working in order to be given powers to use selective licensing. It is also felt that the resources required to operate selective licensing outweigh any potential benefits.

### **Have landlords found a problem with tenants consistently being 6 or 7 weeks in arrears (before the 8 weeks at which rent can be paid direct to the landlord)?**

The team will help landlords to receive Rent Direct where tenants are classed as vulnerable. The Housing Benefits team is also pro active in encouraging landlords to flag up any arrears straight away (before it reaches 6 or 7 weeks). Halton's Landlord Accreditation Officer advised that Halton's Housing

Solutions Team has a dedicated Rent Arrears Officer who will also assist landlords in this way to prevent potential homelessness. Wirral also hold dedicated Housing Benefit surgeries for accredited private landlords and are looking to set up a dedicated call centre for landlords to be fast tracked to Housing Benefits.

**How does the team provide access to good tenants? Doesn't this then present a challenge in providing secure, supported accommodation for vulnerable people with chaotic lifestyles?**

Officers are working with Wirral's Homelessness Team to develop an Access to Good Tenants Scheme. At the same time they are investing more in tenancy support and homelessness prevention, through the virtual team approach.

**Halton's topic group are also considering packaging enforcement and accreditation services to landlords with a view to charging for services. The may be an opportunity for officers from the two Councils to work together on this.**

Officers from both Councils are amenable to this.

**What are the standards used to assess empty homes?**

The Council uses the elimination of category 1 hazards under the Housing, Health and Rating System (HHSRS) as the minimum standard for empty homes, although it is acknowledged that this is a very basic standard.

**Have any empty homes been successfully brought back into use through Private Sector Leasing (PSL)?**

The PSL scheme is quite new but the team has a successful track record of bringing empty homes back into use that will be explored in a later presentation.

**How does the Council fund the Healthy Homes Initiative?**

PCT funding has been secured for a post to co-ordinate referrals from different agencies, other than this existing staffing resources are used.

**How are services funded now that HMRI and Regional Housing Pot funding has ceased?**

The Council views investment in the condition and energy efficiency of the housing stock as a priority and funds through Council revenue and the Council's capital funding programme.

**Is there a specific scheme for private landlords to insulate their rented properties?**

Yes, landlords can claim tax relief (up to £1,500) on insulating their properties under the Landlords Energy Savings Allowance.

## **MANAGEMENT AND PROPERTY ACCREDITATION SCHEME**

The Landlord Accreditation Manager, Jan Colgan, gave a presentation on Wirral's Landlord Accreditation Scheme. Her presentation is attached as Appendix B but key points are:

- The scheme started as a 6 month pilot in the HMRI area in December 2002 and was rolled out to the rest of the Borough in June 2003.
- Landlords were involved in the development of the Scheme and continue to be involved.
- The scheme was originally based on accrediting landlords following an inspection of a sample of their properties but has since become a Property Accreditation Scheme whereby the property itself rather than the landlord is accredited.
- A Managing Agents' Accreditation Scheme was started in June 2004 which focuses on management standards, policies and procedures.
- The schemes use a star rating approach on electrical safety, fire safety, repairs and maintenance, thermal comfort and security to encourage further improvements above and beyond the minimum accreditation standard.
- It is a requirement of the scheme that the Tenancy Agreement includes an anti social behaviour clause.
- A variety of incentives are used e.g. credit rating checks, discount cards. Mediation services, empty property grants and use of the scheme logo.
- Communication is via the Private Landlords Forum (twice a year), 3 newsletters per year, Accreditation steering group and Landlord Focus Group and briefing sessions. Also carry out customer satisfaction survey.
- 2,537 properties have been accredited over lifetime of the scheme – currently 2,109 are (remainder have either been sold or removed from scheme) and there are 28 accredited agents.
- Alternative funding opportunities are being explored now that HMRI has ceased – including exhibition space at Landlords' Forum, advertising in the newsletter, charges for membership and charges for incentives.

### **Responses to questions**

#### **Has the move from a Landlord to a Property scheme made the service more resource intensive?**

No, because the team would have inspected the same amount of properties under the old system anyway.

#### **Are checks completed on gas, electricity and water etc?**

Yes, the team ask to view an up to date gas safety certificate as this is a legal requirement and will look for any obvious problems with electricity and water.

#### **How often is the accreditation updated?**

The accreditation used to last for 3 years with self certification required from landlords in between times. Now, however, a member of the team makes a

decision on how long the property should be accredited for based on its condition. The team has always and continues to carry out spot check on 10% of accredited properties.

### **Can accreditation be removed?**

It can, however, the team will normally tell landlords were the property is failing to comply and give them an opportunity to put this right before removing accreditation.

### **How many properties still meet the standard upon inspection?**

Usually around 80%. Tenants will normally inform the team of any problems or a potential problem can be picked up at initial inspection. Any decline in standards is usually found to be caused by the tenant although as part of the management standard landlords are required to make regular checks of the property.

### **Often the problem is not with the property itself but with the surrounding environment particularly with former Right to Buy owners who have since become landlords. Does the inspection include the exterior and surrounding area of the property?**

Yes, the inspection includes all areas within the curtilage of the property including back fencing etc

### **It is interesting that the scheme includes back fencing since many RSLs state that this is the tenant's responsibility.**

The team finds that the vast majority of landlords are willing to undertake whatever work is required through informal negotiation as, for them it is an investment or even their pension and it is, therefore, in their interests to look after the property. However, some problems have been found over the condition of back walls.

### **Can legal action be taken if the landlord refuses to comply with requests to bring the property up to standard?**

Yes, this would be dealt with by the Council's Enforcement Team.

### **Are inventory agreements used?**

It is part of the management standards that landlords are expected to undertake an inventory at the letting stage, including encouraging photographic evidence. Landlords are getting better at undertaking inventories since the introduction of the Tenancy Deposit Scheme.

### **Is it simple for a tenant to complain about their property or landlord? Do they usually contact the landlord first?**

The team writes to the tenant when an accreditation application is received and encourages them to raise any issues with the team.

### **Does Wirral have a separate enforcement team?**

Yes, this is part of Environmental Health – they tend to deal with low level enforcement problems e.g. fly tipping while the Accreditation scheme aims to deal with issues informally.

### **Does Wirral have a list of all landlords in the area?**

The Council holds a list of accredited landlords and managing agents but not all landlords operating on Wirral. It can take some time to track down owners particularly when the property is registered to a company or when the landlord lives abroad. The Rugg Review <sup>3</sup>advocates compulsory licensing for all landlords but to date, no scheme has been introduced.

### **Is it illegal to let a property with category 1 hazards?**

It is illegal not to have an up to date gas safety certificate and the Council can use enforcement powers to compel a landlord to take action to remove category 1 hazards from the property.

### **Isn't it a risk not insisting on the landlord producing a certificate to prove that electrics are up to scratch and relying on self certification?**

This was initially discussed with the steering group but it was felt to be a stumbling block to accreditation as it is not a legal requirement. Any obviously serious problems with the electrics would be picked up as part of the initial inspection anyway.

### **Why is gas safety not included as part of the star rating standard?**

This is because it is the minimum that would be expected without which they would be breaking the law and could not be accredited. Landlords are required to produce an up to date gas safety certificate for each property they apply for accreditation. The star rating system relate to “add on” improvements.

### **What is the benefit of having a star rating system?**

It encourages further improvements above and beyond the minimum standard. Some landlords can get quite competitive about achieving star ratings.

### **Is much time spent dealing with challenges from landlords over the star rating system?**

No, in all but one of the categories, the requirements needed to gain extra stars is quite prescriptive e.g. provision of hard wired smoke detectors. Only the repairs and maintenance category can be subjective but is not often challenged.

### **The scheme could reassure tenants that they are going to a good property and therefore lower demand for bad properties/landlords.**

---

<sup>3</sup> The Private Rented Sector: its contribution and potential: *Rugg, Julie and Rhodes, David; Centre for Housing Policy, The University of York, 2008*

This is one of the benefits of the scheme.

**Can landlords be removed from the scheme if they refuse to take action against a tenant who is causing anti social behaviour?**

Yes, however, usually the landlord will want to take action but may find it difficult to evict the tenant.

**Can the landlord be held legally responsible for the behaviour of the tenant?**

No, but as stated above, the landlord will usually want to take action.

**Where would funding for a social lettings agency come from?**

The agency would be delivered within existing resources. There may be a need for some pump prime funding for marketing or potentially premises but should not be a great deal of expense thereafter.

**Who funds the mediation scheme?**

This is delivered through Involve North West who use trained volunteers.

**Does the Council provide any information on reputable builders?**

The Council has been reluctant to provide information due to the risk of being held liable if something goes wrong. However, officers have been working with Trading Standards and have written to Fair Trade Scheme Contractors to ask if they would be prepared to offer a discount to accredited landlords.

**Can Local Housing Allowance only be paid to accredited landlords?**

This would need a change in legislation.

**How are newsletters funded?**

Mainly sent via email but Housing Benefits cover the cost of any postage.

## **EMPTY HOMES**

Wirral's Empty Property Manager Paul Jackson gave a presentation on the Council's approach to bringing empty homes back into use. His presentation is attached as Appendix C but the key points are:

- The team has 1 manager, 3 dedicated empty homes officers and 1 part time administrative support officer.
- There are 6,500 empty homes – 1,500 of which belong to RSLs, and 250 were part of the HMRI regeneration programme.
- In 2010/11 the team brought 288 empty homes back into use.
- There is a dedicated hotline and email address and the team take referrals from a wide range of organisations.



- The team has recently expanded to include 2 officers to take a targeted pro active approach to the problem – either by length of time vacant or hotspot areas (vacants above 4%).
- The team has recently gained direct access to the Council Tax database which can be used to quickly identify owners of empty properties.
- Also use Land Registry database and s.16 of the Local Government (Miscellaneous Provisions) Act 1976 to identify owners.
- In most cases empty properties are brought back into use after informal negotiation with the owner and offering assistance such as putting in touch with a developer, support in claiming VAT reductions on refurbishment, Private Sector Leasing and Empty Property Grant (£2,000).
- In cases where the property cannot be brought back into use informally, the enforcement measures used are s. 215 of the Town and Country Planning Act (detrimental to visual amenity), s. 79 of the Building Act 1984 (property in dilapidated state), s.4 of Prevention of Damage by Pests Act 1949 and s. 80 of the Environmental Protection Act 1990 (secure property that is open to access).
- Other measures available include Empty Dwelling Management Orders (although these have not been used by Wirral), Compulsory Purchase Orders and Enforced Sale Procedures (this is the main measure used).

### **Responses to questions**

#### **What action do you take if you discover that Housing or Council Tax Benefit is being claimed on an empty property?**

The team will liaise with the Housing Benefit fraud team. The 50% discount for empty properties has recently been removed and has already started to significantly reduce number of empty properties which will help to generate a £2million windfall initially and attract additional New Homes Bonus.

#### **Does the team deal with empty public houses?**

They do, but they can be quite difficult to deal as most don't lend themselves to conversion to residential property. May need to consider other ways to bring back into use e.g. transferring the license etc.

#### **Where does funding for grants etc come from?**

This is from the Local Authority's capital programme and is prioritised in the Corporate Plan. A bid for the next 3 years has recently been submitted.

#### **Is Empty Property Grant given on a first come, first served basis?**

At present yes but may need to target to hotspot areas in future.

#### **Is the Wirral Trader Scheme open to everyone?**

Yes, traders do not have to be Wirral based although most are.

### **Can anyone join the developers list?**

Yes, it is open to individual property developers as well as companies.

### **Are property owners recharged if works are carried out in default?**

Yes and this can be registered as a charge against the property with the Land Registry. Non payment of recharges can lead to the enforced sale of the property to recover the charge. This has the added advantage of bringing the property back into use.

## **HEALTHY HOMES**

Joanna Seymour gave a presentation on Wirral's Health Homes Initiative (which is attached at Appendix D). This scheme aims to remove category 1 hazards and improve living conditions in a Lower Super Output Area of New Brighton.

The scheme offers an intensive targeted approach by bringing together a range of agencies including the Police, Social Services, Energy Projects Plus and Tenancy Support agencies such as NACRO, Phoenix and Adullam to maximise the number of interventions that can be offered. The team have also worked with GPs in the area.

The team consists of a Project Lead (who also manages the HMO team), a project co-ordinator (whose post is funded through Communities for Health funding) and 3 Housing Standards Officers (who also work on HMOs and the Landlord Accreditation Scheme).

To date 518 survey forms have been completed which has resulted in 478 referrals for intervention which would not otherwise have been picked up.

## **ANTI SOCIAL BEHAVIOUR TEAM**

Enforcement Co-ordinator, Lucy Pritchard gave an overview of the Anti Social Behaviour Team.

The team was set up in 1998 as part of the Housing Department and initially comprised 2 officers purely dealing with enforcement. This has since grown to 30 and the team is now located within Children and Young People's Directorate and is split between enforcement and prevention activities.

There are 3 Police Officers based within the team and the team use a specialist solicitor based within the Council's Borough Solicitors Department.

A Respect Consortia is held every 2 months and there are 3 Respect Panels involving a wide range of agencies. There are also multi agency meetings looking at locational issues which can refer issues to a problem solving group.

## **Responses to questions**

### **The team seems large in comparison to Halton's Community Safety Team. How are they funded?**

Some posts are mainstream funded but others are funded through Service Level Agreements with RSLs such as Wirral Partnership Homes.

### **Do most cases involve children and young people?**

No, the majority involve adults and originate in the private sector.

### **Does the team operate a Task and Finish policy?**

No, it is not about just shifting the problem to another area, the team "goes with" the problem to ensure that appropriate support is put in place.

### **Do the courts offer adequate support?**

Yes, both from the Magistrates and County Courts

### **What does the team do about complaints about private tenants?**

Low level complaints are usually referred to mediation and witness support. Higher level complaints would be taken on by an Enforcement Officer who may use surveillance and other powers to collect evidence.

### **Is the landlord ever contacted about the problem?**

The team does not contact the landlord as standard, however, it has offered support to landlords who wish to evict one of their tenants who is causing anti social behaviour.

### **Does the team make use of PCSOs and diary sheets?**

Yes

### **A question was put to the private landlords in attendance about their experiences.**

They advised that they issue a s21 notice to quit at the same time as the Tenancy Agreement is issued to help gain possession of the property should they wish to do so once the Assured Shorthold Tenancy has come to an end (usually after 6 months).

## **Conclusion**

Those present found the visit extremely useful and wished to extend their thanks to all involved in arrangements for the day and giving presentations. Councillor Wallace reminded the group that the next meeting would take place on Monday 7<sup>th</sup> November at 1pm in the Municipal Building (room location TBC). This meeting would present an opportunity to reflect on the day and pull together some proposals to be presented to the Policy and Performance Board.

**Safer Halton PPB Topic Group – Anti Social Behaviour in the Private Rented Sector  
Action Plan**

<b>Action No.</b>	<b>Action</b>	<b>Responsible person</b>	<b>Timescale</b>	<b>Resources Required</b>	<b>Comments</b>
1	Increase Council Tax charges on properties that have been empty over 6 months	Bill Dodd/Peter McCann	By April 2012		Currently 50% of Council Tax is charged but the local authority has discretion to increase to 90% and the Government is currently consulting on proposals to increase to 100% and charge an empty property premium
2	Develop a targeted project management approach to the issue in West Bank and Halton Lodge.		April 2012	Staff time	Virtual team to be created Teams are currently responsive and deal with a wide range of issues, not just housing so will require a different approach
3	Hold an information event for landlords	Jo Sutton to co-ordinate	June 2012	Funding for venue, promotional material. Staff time.	Venue needs to be accessible to target areas. Use of exhibition space could help to fund the event. Include officer presentations and freebies as incentives
4	Invite landlords in the target areas to provide contact details to the Council	Lucy Willis	June 2012 and ongoing	Staff time Postage Promotional material	Can use information event
5	Promote the benefits of joining the	Lucy Willis	June 2012	Staff time	Work with Communications and

	Landlord Accreditation Scheme		and ongoing	Postage Promotional material	Marketing Support required for Landlord Accreditation Officer to deal with an increase in applications (currently 80% of time spent on administration of BGS).
6	Provide advice to landlords on how to deal with anti social tenants	Lucy Willis	Ongoing	Staff time Leaflets etc	As integral part of accreditation scheme and part of service offered.
7	Introduce a Healthy Homes approach in target areas making links with relevant organisations with front line staff	Wendy Salisbury	April 2012	Staff time	Link with Public Health joining Council in 2013
8	Make full use of enforcement powers in these areas to tackle poor condition	Wendy Salisbury	Ongoing	Staff time Legal support	Needs a pro active approach in these areas . This will have implications for staff time.
9	Encourage Council staff and staff from partner agencies to report empty properties with a view to identifying possible empty property fraud	Jo Sutton/HB fraud team	April 2012	Staff time	Use internal communication systems e.g. intranet, Police's Looking Glass system etc
10	Explore the possibility of bringing in additional staffing resources to assist either through re-organisation of existing staff, secondment from another organisation, funding bids to external agencies, use of volunteers or graduate work experience	Paul McWade	April 2012	Funding (if secondment) Advertising costs Staff time to train and manage	Need to consider: Current climate of efficiency reviews and budget savings If volunteers are used we would need to ensure they are not undertaking jobs that would normally be undertaken by paid staff or replacing staff whose jobs have been lost. If staff are re-organised, would

					need to ensure that there is no knock on effect on Council statutory duties.
11	Undertake a survey of known landlords throughout the Borough to gain a better understanding of the sector and promote the services available	Jo Sutton	April 2012	Staff time Postage (including pre paid envelopes) Incentives?	Work with Research and Intelligence to design and process surveys Only a proportion of landlords are known – need to consider how to maximise survey sample Could liaise with Wirral over maximising response rates – use of incentives etc?
12	Change the Landlord Accreditation Scheme to a Property Accreditation Scheme	Lucy Willis	April 2012	Staff time to facilitate the change	Officers have some concerns that this would let landlords “off the hook” as only a proportion of their properties would need to meet the standard whereas currently if one of their properties doesn’t come up to scratch we can threaten to remove the accreditation. Need to consult with landlords.
14	Work with the Fire Brigade to support a change in legislation that would make it a legal requirement for private landlords to install hard wired smoke detectors in their properties	Wendy Salisbury	April 2012		

