
Report to CABINET

Selective Licensing of the Private Rented Sector.

Portfolio Holders:

Cllr Hannah Roberts, Cllr V Leach

Officer Contact: Helen Lockwood

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Ext. 4141

16th December 2019

Reason for Decision

A review of the scheme has been completed in line with the legislative requirements. The existing designation is in the 5th and final year. A decision is required seeking permission to carry out a statutory consultation exercise into the future use of Selective Licensing in Oldham considering the results of the review into the scheme and its impact.

Executive Summary

The Housing Act 2004 gives the power to introduce the licensing of the private rented sector with the aim of improving the management of these properties to tackle low housing demand or anti-social behaviour. In 2014 Oldham Council designated a selective licensing scheme in 8 neighbourhoods which were seen to be exhibiting signs of low housing demand following a statistical analysis of the whole borough. Low housing demand is where there is a high number of private rented properties, people are moving and only staying for short periods, house prices and rental prices are low meaning owner occupiers are often in negative equity. This results in it being very difficult for a strong community to be developed and maintained in the area. The current designation is due to expire from the 30th April 2020 and therefore another statistical analysis of the whole borough has recently taken place. This review has indicated some improvements in the neighbourhoods concerned and shows that other neighbourhoods are now exhibiting signs of low housing demand.

On the expiry of the scheme the Council cannot just continue the scheme or introduce another. They must carry out the designation process as dictated in the Housing Act. This includes obtaining Cabinet approval to consult on the proposed licence conditions and fees and this consultation must take place for a minimum period of 10 weeks. Once the consultation has concluded, the analysis and findings are then reported back to cabinet with any subsequent considerations. Officers are seeking approval to commence this consultation exercise to establish whether another designation of selective licensing of the private rented sector is needed and in which neighbourhoods.

The approach as outlined in the report is part of the Council's commitment to place based working and a piece of work is ongoing to establish the preferred model for the deployment of resources to enable the strategic approach to wider private sector housing issues across the Borough.

Recommendations

That Cabinet approve the following:

- To note the findings of the review of the existing selective licensing scheme;
- To approve the carrying out of the minimum 10-week statutory consultation required prior to any future designation of any new scheme in the neighborhoods highlighted;
- To report back to Cabinet on the outcome of the consultation and any further recommendations relating for any new designation.
- To note that a further report will be brought forward regarding the wider approach to private sector housing enforcement and use of available powers.

Selective Licensing

1 Background

1.1 8 Selective Licensing neighbourhoods were designated due to exhibiting the indicators associated with low housing demand in December 2014 & March 2015.

1.2 The 8 areas were implemented in a phased approach as detailed below:

Selective Licensing Neighbourhoods.	Date Designation came into effect.	Expiry date of designation.
St Mary's	1 st May 2015	30 th April 2020
Hathershaw & Waterhead	6 th July 2015	5 th July 2020
Primrose Bank & Hollinwood	1 st September 2015	31 st August 2020
Alexandra, Oldham Edge & Coldhurst.	1 st January 2016	31 st December 2020

1.3 The indicators for low housing demand are:

- The turnover of occupiers of residential premises (in both rented and owner-occupied properties).
- The number of residential premises which are available to buy or rent.
- The length of time for which residential properties remain unoccupied.
- The general appearance of the locality and the number of boarded up shops and properties.
- The value of residential premises in the area, in comparison to the value of similar premises in other areas which the authority considers to be comparable (whether in terms of type of housing, local amenities, availability of transport).
Rental Yield is also considered. Rental yield is a measure of how much finance an income generating asset produces each year as a percentage of that asset's value. The yield is calculated by working out the annual rent for a dwelling divided by the average value for a property.
Higher yields are determined by lower sales values and relatively higher rental income. The higher the yield the more likely the area is lower in value and therefore in lower housing demand. Low yields tend to indicate higher demand areas.

1.4 The purpose of the scheme is that the implementation, combined with other measures being delivered by partners, will lead to a reduction in or elimination of the blight of low housing demand and therefore lead to improvements in social and economic conditions.

The scheme as it was approved is being delivered by ensuring that all private rented properties within the designated areas are identified, subject to license, applications are received, properties are licensed, properties are inspected, and landlords comply with management and property standards. In addition, should landlords fail to comply with these standards, necessary action is taken through enforcement. The enforcement team has built strong relationships with a number of agencies enabling a multi-agency approach. The scheme has enabled the Council to provide education and information to landlords, tenants and local residents and to ensure that issues can be dealt with quicker and to the satisfaction of all parties.

1.5 On the 26th November 2019 the following had been achieved:

No of applications received	2733
No of Licences granted	2124
Prosecutions	58
No of Condition Audits conducted	1256
No of serious hazards identified	115
No of defects identified	3458
No of properties where licence condition breaches identified	992
Warrants executed	84
Emergency Prohibition Orders served within the Selective Licensing areas.	20

1.6 In addition to the above there are numerous case studies that show how Selective Licensing has and is contributing to improving neighbourhoods, property standards and management and resident's knowledge, safety and wellbeing. Experience has shown that there is a distinct lack of knowledge with regard to rights and responsibilities of both landlords and tenants.

Condition audits are carried out to ensure that licensed landlords are complying with the conditions attached to their licenses. This provides tenants with an opportunity to be provided with information and education with regards to their rights and responsibilities, report concerns and an opportunity to ask any questions at the time. These may include:

- What they can expect from their landlord - a copy of the gas certificate, the 'how to rent' guide, protection of their deposit, copy of the Energy Performance Certificate, copy of the tenancy agreement and conditions under which an eviction process may be invoked.
- What is expected from a tenant - including reporting issues, providing access for works, wear and tear issues etc.

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- Advise as to the difference between carbon monoxide and smoke detectors and how to check that they are working, maintained and what to do if the detectors sound a warning.

1.7 This face-to-face interaction is critical to establish the ongoing success of the scheme, with officers assisting with day-to-day issues which may arise during audit inspections. A few case studies are attached to this report, which demonstrate the work of enforcement officers and some of the successful outcomes that can be achieved. The support offered by officers to tenants is consistently well received.

Appendix 1: Case Studies.

1.8 The scheme is for a maximum period of 5 years and a number of the designated neighbourhoods are now in their fifth year. The first of the designated neighbourhoods will complete the five-year period on the 30th April 2020. The last designated neighbourhood will be completed on the 31st December 2020.

1.9 A review of the scheme is essential both to examine the impact achieved in the neighbourhoods, whether outcomes have been met, to comply with the requirements of the Housing Act 2004 and to determine the options available to the Council going forward.

2 Current Position

2.1 The independent review has recently been completed and consisted of a whole borough statistical analysis of the low housing demand criteria. Please see Appendix 2 for a copy of the statistical analysis.

2.2 The six indicators which have been assessed in line with the requirements specified in the Housing Act 2004 in 2014/15 and the current review are:

- Total number of households.
- Percentage of households privately renting.
- Percentage of vacant dwellings.
- House prices.
- Rental Values per calendar month.
- Rental Yields.

2.3 The above indicators have been collated and examined at Ward level and at Lower Super Output Level (LSOAs). It is important to collate and examine at LSOA level as this provides information for a smaller geographical area than at Ward Level. It would not be accurate to state a whole ward has low housing demand when the statistics relating to low

housing demand relate only to one or two smaller geographical areas (LSOAs) within the whole ward.

- 2.4 The statistical analysis of the data gives an indication of the situation. This needs to be considered with the Council’s local knowledge and experience on whether an area requires intervention and whether other interventions have or are going to be put in place in the area being considered.
Further analysis is required to determine previous, current and future planned interventions in line with the statistical analysis report as stated above. This will involve discussions with our Partners including District Partnership, Housing Strategy and Emerging Communities and will take place during the 10-week consultation period.
- 2.5 The statistical analysis of the low housing demand indicators reveals that 6 of the designated areas in the current scheme have shown improvement, 8 have maintained their earlier conditions and 2 have deteriorated.
- 2.6 Further to the analysis of the whole Borough a number of LSOAs currently designated as Selective Licensing Neighbourhoods have been identified as warranting further consideration for Selective Licensing. In addition, 5 LSOAs that are not currently designated Selective Licensing Neighbourhoods have been identified.

The table below shows a comparison of the Wards and LSOAs using the original low housing demand indicators in 2014/15 and 2019.

2014/15 Q1 wards and selected for licensing	2019 Q1 wards
Alexandra	Alexandra
Coldhurst	Chadderton South
Hollinwood	Medlock Vale
Medlock Vale	St Mary’s
St Mary’s	Waterhead
Waterhead	Werneth

Key	
	6/6 Q1 scores
	5/6 Q1 scores
	4/6 Q1 scores
	Quartile 1
	Quartile 2

2014/15 LSOAs selected		2019 LSOAs 4/6 Q1 scores			
Alexandra	E01005320	Alexandra	E01005320	Waterhead	E01005448
Alexandra	E01005321	Alexandra	E01005321	Waterhead	E01005450
Alexandra	E01005322	Alexandra	E01005322	Waterhead	E01005456
Alexandra	E01005434	Alexandra	E01005434	Werneth	E01005463
Coldhurst	E01005349	Chadderton South	E01005344	Werneth	E01032921
Coldhurst	E01005351	Coldhurst	E01005349		
Hollinwood	E01005378	Hollinwood	E01005382		
Hollinwood	E01005382	Medlock Vale	E01005323		
Medlock Vale	E01005323	Medlock Vale	E01005438		
Medlock Vale	E01005438	Shaw	E01005445		
St Mary's	E01005428	St James'	E01005421		
St Mary's	E01005431	St Mary's	E01005428		
St Mary's	E01005433	St Mary's	E01005429		
Waterhead	E01005448	St Mary's	E01005430		
Waterhead	E01005450	St Mary's	E01005431		
Waterhead	E01005456	St Mary's	E01005433		

Note - the ONS lookup table for locating LSOAs indicates E01005428 (Oldham 0019A) is in Waterhead Ward. However, OMBC's ward maps indicate it as covering the Townfield area of St Mary's Ward and the Kolverlow Rd area of Waterhead Ward. For the few LSOAs that span ward boundaries we have used one ward name or the other, rather than using two or sometimes three ward names.

- 2.7 Appendix 3 shows maps of the proposed neighbourhoods for consultation as a result of the statistical analysis.
- 2.8 Please see table below that details the LSOAs from the 2014 designation and the LSOAs that are being proposed for consultation as a result of the review findings. (The red highlighted LSOAs currently cross over two designated Selective Licensing neighbourhoods):

2014 Selective Licensing Neighbourhoods & associated LSOAs.	No of Households	No of Private Rented	2019 Selective Licensing Neighbourhoods & associated LSOAs.	No of Households	No of Private Rented	2019 Wards affected.
St Mary's E01005431 E01005451 E01005429	717 482 479	153 69 75	St Mary's E01005431 E01005429	717 479	153 75	St Mary's
Hathershaw E01005438	966	233	Hathershaw E01005438	966	233	Medlock Vale

E01005323 E01005322 E01005320 E01005324 E01005325	621 523 631 482 419	102 108 161 41 34	E01005323 E01005322 E01005320	621 523 631	102 108 161	Alexandra
Waterhead E01005430 E01005428 E01005448 E01005456 E01005429 E01005450 E01005451 E01005449	714 532 781 785 479 627 482 578	155 142 104 107 75 173 69 57	Waterhead E01005430 E01005428 E01005448 E01005456 E01005429 E01005450 E01005455	714 532 781 785 479 627 619	155 142 104 107 75 173 89	St Mary's Waterhead
Primrose Bank E01005434 E01005322 E01005326 E01005320 E01005437 E01005435	657 N/A 554 N/A 529 490	171 N/A 72 N/A 114 111	Primrose Bank E01005434 E01005322 E01005320	657 N/A N/A	171 N/A N/A	St Mary's Alexandra
Hollinwood E01005439 E01005376 E01005378 E01005379 E01005382 E01005381 E01005377	654 558 663 507 598 642 498	80 103 130 36 100 73 50	Hollinwood E01005439 E01005378 E01005382	654 663 598	80 130 100	Hollinwood
Alexandra E01005321 E01005383 E01005326	596 718 554	139 78 72	Alexandra E01005321	596	139	Alexandra
Oldham Edge E01005433 E01005432	666 648	114 77	Oldham Edge E01005433	666	114	St Mary's
Coldhurst			Coldhurst			

E01005349	538	108	E01005349	538	108	
E01005353	657	47				
E01005352	461	59				
E01005351	467	86				
E01005350	989	48				
E01005354	541	89				
N/A	N/A	N/A	Chadderton South E01005344	656	147	Chadderton South
N/A	N/A	N/A	Shaw E01005445	672	180	Shaw
N/A	N/A	N/A	St James E01032921	771	114	St James
N/A	N/A	N/A	Werneth E01005463	406	70	Werneth
Total	23, 483	3,815	Total No of Households:	15,351	3,030	

The Census definition of household is “A household includes all the persons who occupy a housing unit as their usual place of residence. A housing unit is a house, an apartment, a mobile home, a group of rooms, or a single room that is occupied (or if vacant, is intended for occupancy) as separate living quarters”

2.9 In order to proceed with a designated Selective Licensing Scheme following the completion of the current scheme, the Council does not have the option under the Housing Act 2004 to continue the scheme, even if this includes the same neighbourhoods as previously designated. The Council must start the process of designating a Selective Licensing area again. This includes obtaining Cabinet approval regarding the proposed license conditions and fees, seeking approval to consult for a minimum period of 10 weeks as specified in the Housing Act 2004 and reporting back to the Cabinet on the consultation outcomes.

2.10 The Consultation and Review enables residents and interested parties to comment on the current scheme and contribute to shaping the future sustainability and stability of their neighborhoods. The scheme ensures that landlords are taking ownership of their responsibilities through education and enforcement where necessary. Better managed properties also ensure that tenants are acting with respect for their neighbours which in turn builds a more positive community where residents want to stay and be proud of. The Council by implementing a Selective Licensing Scheme is doing its bit to ensure the following: -

- Improvement in property standards;
- Improvement in the management of the property;

-
- Landlords, tenants and residents are educated, encouraged and enforced where necessary to take responsibility and ownership and therefore creating better properties, better choice and a place where people choose to live.

3 Options/Alternatives

- 3.1 Option One - To note the findings of the review of the existing selective licensing scheme. To approve the consultation of the minimum 10-week statutory consultation required prior to designation of any new scheme.
To report back to Cabinet on the outcome of the consultation and any further recommendations relating to any new designation of schemes.
- 3.2 Option Two - Not to carry out consultation and allow each of the Selective Licensing designations to close at the expiry date.
- 3.3 Government guidance states that Selective Licensing was never intended to be a short-term solution, it was anticipated that the scheme would require additional designation to ensure the necessary implementation time that is required to effect change in the housing market
- 3.4 Evidence has been provided that there are already positive results from Selective Licensing and this will continue to be the case if a new Selective Licensing designation is enacted. Although some areas are still showing issues related to low housing demand the designation of a Selective Licensing scheme in the majority has not had a negative impact on these neighbourhoods.
- 3.5 The lack of a Selective Licensing scheme would have a negative impact on the already designated neighbourhoods. There would be no resource to provide education, support or enforcement at the current level with regards to property management. This could also have a negative impact on the strong relationship with our partners and the multi-agency working that has resulted in successful outcomes and quick, permanent resolutions of issues. The key to the continuous success of the scheme is consistency and changing landlord and tenant behaviours to improve areas and build communities.
- 3.6 Selective Licensing has enabled stronger relationships to be built with a significant amount of multi-agency work and visits being conducted. This has led to:
- enhanced and improved outcomes for landlords, residents, services and the community.
 - helping to build consensus, strengthen partnerships, breaking down professional boundaries and narrow focus of attitudes.
 - helping to enhance scale of coverage and sustainability where there are limited budgets,

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- helping to build a more cohesive community approach through united multi-agency practitioners taking greater ownership and responsibility for addressing local needs jointly, thus avoiding duplication or overlap of provision
 - promoting mutual support, encouragement and the exchange of ideas between agencies helping the sharing of expertise, knowledge and resources for training and good practice, leading to more manageable workloads and development of best practice and new ways of working.
 - increased fit between the services offered and those required and improved co-ordination of services resulting in better relationships, improved referrals and the addressing of joint task.
 - a broader perspective or focus to working practice
 - helping to improve understanding and raise awareness of issues and agencies, and another professionals' practice
 - increased level of trust existing between partners/providers so that each one knows what others can and will deliver
 - facilitating joint planning for future multi-agency developments
 - increased staff morale knowing that they do not work in isolation and that issues and problems can be resolved collaboratively.

4 **Preferred Option**

- 4.1 To note the findings of the review of the existing selective licensing scheme.
To approve the consultation of the minimum 10-week statutory consultation required prior to designation of any new scheme.
To report back to Cabinet on the outcome of the consultation and any further recommendations relating to the selection of neighbourhoods to be included in any new designation of a selective licensing scheme.

5 **Consultation**

- 5.1 Officers have been working closely with Portfolio Holders and Officers from Housing Strategy, Communications and District Partnerships. Officers have also worked closely with Overview and Scrutiny where the review into the existing licensing scheme has been discussed and an endorsement of the approach was agreed.
- 5.2 The consultation exercise being proposed will be extensive. Funding from the Council will be required to commission the detailed consultation work necessary over the minimum statutory 10-week period before any final decision is made. A variety of methods will be used to ensure all views are considered and that the consultation is meaningful. The variety of consultation methods will include questionnaires, individual door to door interviews, discussions in the highlighted neighbourhoods as well as more formal meetings and drop in sessions. It is anticipated that there will be a significant number of respondents - residents, businesses, landlords and residents in the communities affected.

We have up to date landlord/agent details currently licensed under the current scheme to ensure robust consultation. In addition, there are new neighbourhoods that will need intensive consultation in St James's, Shaw and Werneth as consultation with regards to Selective Licensing have not occurred in these areas previously.

6 Financial Implications

- 6.1 In order to carry out this consultation process, costs will be incurred in conducting interviews, communicating with residents by letter and establishing and maintaining effective social media channels. The cost of these activities is estimated at £22.25K, assuming 3,500 properties are visited, and will be met from within the overall Environmental Services revenue budget envelope for 2019/20.
- 6.2 If a Selective Licensing scheme were to be agreed subsequently, the associated costs and revenues in relation to its administration will depend upon the size and scope of the proposed catchment area. In principle, the scheme will be designed so that it is cost neutral to the Council over the full license period. This will involve setting an economic license fee payable by landlords that covers the full cost of running the scheme over its lifetime.
- 6.3 The Council already has experience of running a scheme of this nature and will rely upon this knowledge and experience so as to mitigate the risk of any overspending taking place.

(Nigel Howard/James Postle)

7 Legal Services Comments

- 7.1 Under section 80 of the Housing Act 2004, the Council may designate either the whole or part of the area of their district as subject to selective licensing. Before making a designation, the Council must be satisfied that one of two general conditions is met or that conditions to be specified in regulations are met. The first general condition is that the area is, or is likely to become, an area of low housing demand and that making a designation will, when combined with other measures (whether these are taken by the Council or another person), contribute to the improvement of the social or economic conditions in the area. The issue of low housing demand is to be determined by reference amongst other things to:
- (a) the value of the residential premises in the area in comparison to the value of similar premises in other comparable areas;
 - (b) the turnover of occupiers of residential premises; and,

(c) the number of residential premises which are available to buy or rent and the length of time during which they remain unoccupied.

- 7.2 The second general condition is that the area is experiencing a significant and persistent problem caused by anti-social behaviour and that at least some of the private sector landlords who have premises in the area are failing to take appropriate action to combat the problem. "Private sector landlord" does not include a registered social landlord as defined in Part 1 of the Housing Act 1996. "Anti-social behaviour" means conduct on the part of occupiers of, or visitors to, residential premises which causes or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or which involves or is likely to involve the use of such premises for illegal purposes. The Council must consider that the designation will, when combined with other measures (whether these are taken by the Council or another person) eliminate or reduce the problem.
- 7.3 The Council must ensure that any exercise of its power to introduce selective licensing is consistent with its overall housing strategy. It must adopt a co-ordinated approach in dealing with the overlapping issues of homelessness, empty properties and anti-social behaviour affecting the private rented sector. In particular, it must have regard to other possibilities, i.e. combining licensing with other courses of action available to it or with other steps which may be taken by others. The conditions that may be specified include, in particular, conditions intended to permit the Council to make a designation for the purpose of dealing with one or more specified problems affecting persons occupying Part 3 houses in the area.
- 7.4 Before making a designation the Council must take reasonable steps to consult persons who are likely to be affected by the designation and consider any representations made by consultees. The Council must give consultees precise information about the proposed area of the designation, details of proposed licence conditions and fee structure and reasons why the Council regard it as appropriate to impose a designation. Before making a designation, the Council must also consider whether there are any other courses of action available to them (e.g. using voluntary accreditation schemes for private landlords) which might provide an effective alternative to addressing the problems they face. It must also consider that making the designation will significantly assist the Council in dealing with the problems, whether or not it takes another course of action as well. (A Evans)

8. Co-operative Agenda

- 8.1 The Consultation and Review enables residents and interested parties to comment on the current scheme and contribute to shaping the future sustainability and stability of their neighborhoods.

The scheme ensures that landlords are taking ownership of their responsibilities through education and enforcement where necessary. Better managed properties also ensure that tenants are acting with respect for their neighbours which in turn builds a more positive community where residents want to stay and be proud of. The Council by implementing a Selective Licensing Scheme is doing its bit to ensure the following: -

- Improvement in property standards;
- Improvement in the management of the property;
- Landlords, tenants and residents are educated, encouraged and enforced where necessary to take responsibility and ownership and therefore creating better properties, better choice and a place where people choose to live.

- 8.2 Selective Licensing is a tool that is linked to Oldham Council's Corporate Plan and priorities. The aim of a Cooperative Borough through thriving communities, working with a resident focus and taking ownership and driving changes are all priorities that Selective Licensing has and can continue to contribute to. The Council has already committed to a Selective Licensing Scheme that has contributed to educating landlords and tenants on how private rented properties should be managed and ensured improvement or maintenance in areas which were exhibiting low housing demand 5 years ago. The Council has through its leadership and Housing Strategy invested in the development of engagement with the private rented sector with a dedicated Deputy Cabinet Member to the Private Rented Sector. This fits in line with the government's Housing Strategy which recognised an increasingly important role for the private rented sector, both in meeting people's housing needs and in supporting economic growth by enabling people to move to take up jobs elsewhere and to respond to changing circumstances.

- 8.3 The private rented sector in England is growing. Tenure reform and less accessible social rented housing are also likely to be an increasing factor to the growth in the private rented sector. The sector clearly now plays a vital role in meeting housing needs as well as providing an alternative to homeownership. Local authorities have an important role in ensuring that the private rented sector meets both these requirements. Balancing good quality supply with demand will help to stabilise rents and encouraging good quality management will improve the reputation of the sector and encourage longer term lets and lower turnover. This is a challenging task that can be assisted through the use of Selective

Licensing. Without Selective Licensing there are limited powers and resources available to encourage good quality management of the private rented sector.

9 **Human Resources Comments**

9.1 N/A

10 **Risk Assessments**

10.1 N/A

11 **IT Implications**

11.1 N/A

12 **Property Implications**

12.1 N/A

13 **Procurement Implications**

13.1 N/A

14 **Environmental and Health & Safety Implications**

14.1 N/A

15 **Equality, community cohesion and crime implications**

15.1 N/A

16 **Equality Impact Assessment Completed?**

16.1 No an Impact Assessment will be completed if approval is granted to proceed with undertaking the consultation.

17 **Key Decision**

17.1 Yes

18 **Key Decision Reference**

18.1 HSG-05-19

19 **Background Papers**

19.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

Various technical documents and guidance/good practice relating to Selective Licensing of Private Landlords.

File Ref: N/A

Name of File: N/A

Records held in Public Protection Dept Chadderton Town Hall, Middleton Road, Chadderton, Oldham OL9 6PP

Officer Name: Joanne Collier

Contact No: 0161 770 4115.

20 **Appendices**

20.1 Appendix 1: Case Studies.
Appendix 2: Statistical Analysis.
Appendix 3: Maps.

Appendix 1: Case Studies.

Case Study 1: Hollinwood Selective Licensing:

While conducting a Selective Licensing audit an Officer was informed by the tenant that a property across the road was private rented and overcrowded.

Searches carried out suggested that the property was not rented. Due to the intelligence provided by the tenant a warrant was applied and obtained from the Magistrate's Court.

A visit was conducted with the Police and the following was found:

- Property was a two-bedroom terrace
- Property was private rented and required a licence
- Severe overcrowding
- Severe disrepair
- Pest infestation
- Accumulation of waste to the rear yard – due to the tenants being able to open the rear gate to put out the bins.
- Managing agent for the property is aware of Selective Licensing
- The landlord had taken a holding fee – rather than a deposit
- The tenants had paid 5 months' rent upfront and have very limited income
- The tenants have a disabled adult child who is blind and cannot walk upstairs and a child who has severe depression.
- The tenants have limited English
- Concern that the family were being taken advantage of by the agent, were struggling on their own to deal with several issues, were vulnerable and isolated.

Outcome of the visit:

- Managing agent contacted with regards to the issues above. Timescales provided for works to be carried out failure to comply will result in formal notices to be served.
- Formal notice served for the pest infestation and overcrowding.
- Landlord and Managing agent invited for a formal interview for failure to licence to proceed to prosecution.
- Referral to Tenancy Relations regarding holding fee, as agent may be trying to negate his obligations with regards to deposits.
- Referral to our Community Outreach worker to engage with the family to ensure they were receiving all the support they require.

Due to the property being within a Selective Licensing area, the Council has additional powers to be able to access the property to carry out investigations to determine any offences under Selective Licensing. The Council can without Selective Licensing deal with the disrepair and overcrowding element of this case. However, the Council would not be able to pursue a prosecution of the agent and landlord for the clear poor management and taking advantage of the

vulnerable tenants. In addition, by visiting under Selective Licensing the needs of these tenants were identified and can now be resolved to ensure a better quality of life.

Case Study 2: Hathershaw Selective Licensing:

A licensed private rented property within the above area. Family known for committing criminal activities actively within the area. Property in poor condition and stolen goods being stored at the address. Licence Holder and agent having issues with gaining access to the property. Selective Licensing Officer acted as mediator between landlord and tenant to gain access. Family stopped engaging and therefore support and advice provided to licence holder and agent with regards to their options to ensure they meet their responsibilities and obligations. The family was evicted from the property.

Selective Licensing enables the Council to engage, mediate and ensure that landlords are managing their properties including dealing with tenants who are not complying with their obligations as a tenant.

Case Study 3: Hathershaw Selective Licensing:

Information received from the Police with regards to the property being a cannabis farm with tampered electric and gas meters. Property private rented and licensed. Previous history of the property was that the property has within the last 12 months been a cannabis farm with tampered electric and gas meters. Contact had also been made previously with the landlord as the landlord has rented the property to a tenant without an electric meter, which ended with the landlord providing the tenant with his money back and released from the tenancy agreement.

Due to the history relating to this property and being a licensed property, a warrant was obtained from the Magistrates Court and a visit conducted with the Police.

- The property was being used as a professionally set up Cannabis Farm.
- The occupier was living in the kitchen area of the property due to the rest of the house being full of plants.
- The occupier stated that they were the victim of trafficking.
- The electric meter had been tampered with.

The outcome of the visit:

- The Police took the occupier into custody.
- The Cannabis plants and equipment was seized and destroyed by the Police.
- The electric meter was removed.
- The landlord and agent have been invited to a formal interview to proceed to prosecution.

Due to the property being licensed the property can be entered to determine the use of the property, including any anti-social and criminal activity and action taken when the property is not being managed properly.

Case Study 4: St Mary's Selective Licensing Area:

Residents of a street in the above area are having a significant issue with large numbers of tenants accumulating, causing noise in the early hours, causing criminal damage and behavior and having a detrimental affect on the community. Due to the properties being within Selective Licensing the addresses of the persons causing an issue have been identified. A multi- agency approach has been taken:

- warning letters being sent to persons causing an issue of the consequences of their actions should they continue.
- all residents have received a letter to provide contact details to report issues and to show that we are taking action.
- a visit has been conducted at each property with the Licensed Landlord, Police and Selective Licensing to inform the tenants that they have been identified, the behavior is unacceptable and the consequences of their actions including the loss of their tenancy if this continues.
- Other issues were identified which the landlord has been informed off and formal notices will be served.

Selective Licensing ensures that there is a robust, comprehensive register of the private rented properties within the Selective Licensing areas with up to date contact details of the person(s) responsible for the property. This ensures easy and quick contact of the right person to deal with the issues. In addition, licence conditions ensure that landlords do take responsibility for managing their tenants and work with the Council and agencies to deal with this matter or face formal consequences.

Case Study 5: Waterhead Selective Licensing Area:

Application received for licensing of a flat above a shop. Information was received by Building Control that they had received information that the flat had been converted without approval into a house in multiple occupation. A warrant was obtained by the Magistrates Court and a visit made to the property to determine the use and safety of the property.

Outcome of the visit:

- Property was being used as a house in multiple occupation by 6 unrelated males.
- Property had no building or planning approvals.
- Property did not require a licence under Selective Licensing, however, did require a licence as a house in multiple occupation.
- There were breaches of management regulations.
- There was an imminent risk of severe harm or death of the occupiers in the event of a fire and an Emergency Prohibition Order was served preventing the property for being used as sleeping or living accommodation until certain works were carried out.
- There were further serious hazards identified for example: no guarding or handrail to the stairs and no natural light or ventilation to an occupied bedroom and bathroom. A further formal notice will be served.
- The landlord will be invited for a formal interview to proceed to prosecution.

Selective Licensing not only enabled the entry into this property but also provided access to the landlord details to contact regarding the issues at this property.

Appendix 2 – attached

Appendix 3

SL proposed Area 1



Oldham



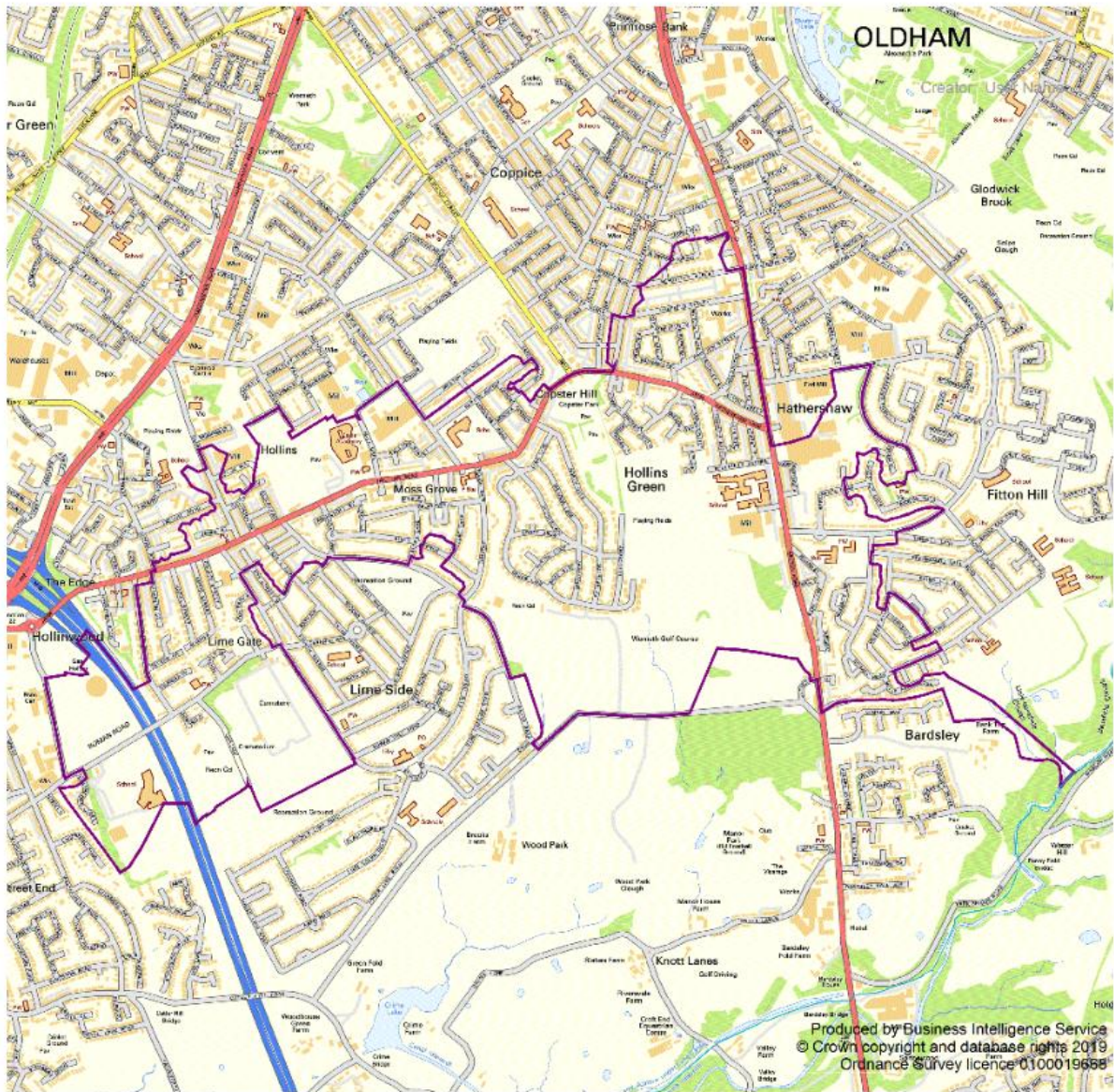
SL proposed Area 2



SL Proposed Area 3



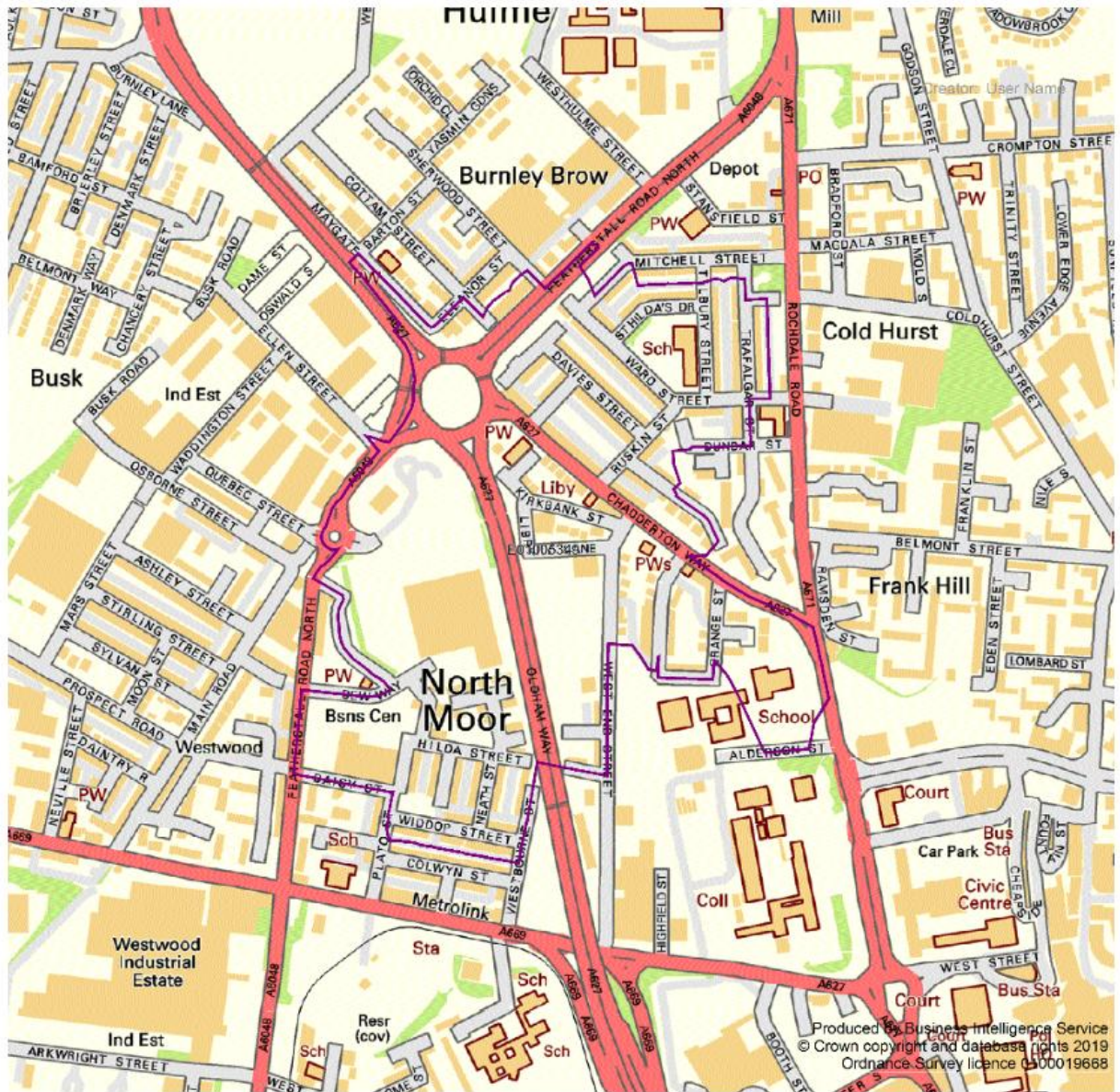
SL Proposed Area 4



SL Proposed Area 5



SL Proposed Area 6



SL Proposed Area 7



Appendix 4 - attached