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## **Business Case for the Introduction of a Discretionary Selective Licensing area in North East Lincolnshire**

**1 November 2024**

## EXECUTIVE SUMMARY

During 2024, it was agreed to set up a Cabinet Working Group to review the implementation of Selective Licensing in parts of the East Marsh. The cross group met on three occasions to review the evidence and make a recommendation to cabinet.

This draft proposal is an investigation into the value of introducing options for a Selective Licensing Scheme in an area of the East Marsh Ward in North East Lincolnshire. Selective Licensing is permissible under Part 3 of the Housing Act 2004. This requires all privately rented property within the designated area to be licensed.

It is important to note that at this stage these proposals are not finalised and are subject to amendment. The report will be amended to reflect the responses received via the Selective Licensing Cabinet Working Party. It will then be submitted to cabinet on the 11 December 2024, for approval to go out to consultation. If approved, further consideration will be given to Consultation responses. Scrutiny Panels will also have an opportunity to review the document, ahead of being submitted to Cabinet for the determination to approve a scheme subject to all the conditions being met during the Summer 2025.

Parts of the East Marsh were identified as the area most in need of this type of intervention. This was due to several factors, including high levels of deprivation, low housing demand, crime, anti-social behaviour and poor housing conditions.

This report provides details of the scheme, presenting a business case which supports why the proposed area should be considered for selective licensing.

It is intended the scheme will contribute to providing a balanced housing market, which will in turn support social and economic improvements. Housing plays a fundamental role in delivering sustainable communities, facilitating social and environmental improvements, and promotes economic growth.

This report explains the evidence base on which the authority provisionally (subject to consultation) considers the statutory conditions for the Selective Licensing Scheme to be met, including evidence that the options proposed would improve the standards of property management and address problems affecting residents living in Private Rented Sector Properties (except where exemptions apply) through the application of Selective Licensing.

Should the Council decide to go forward with the proposed scheme, or an alternative supported through the consultation, legislation and available evidence, it will formally notify the residents and landlords through a *Service of Notice* and contact all consultees (as appropriate).

Pending approval, the designation will become operative following a period of three months' notice.

Pending approval, the designation will last for five years in accordance with the legislation.

Pending approval, the designation would introduce a criminal offence to let a property in an area designated for Selective Licensing without a licence. Failure to apply for a licence could lead to prosecution and the offence is punishable by an unlimited fine. Alternatively, a Civil Penalty may be issued with a maximum penalty up to £30,000.

## INTRODUCTION

This report provides evidence and data to support the proposed area of the East Marsh being considered for selective licensing designation and what outcomes the Council aim to achieve during this process.

Selective Licensing requires all private landlords who let properties in a defined area to have a licence before they can let the property out. The licence can have conditions attached to ensure the property is safe and well managed.

The Local Authority have powers to introduce selective licensing of privately rented homes to tackle problems in their areas, or any part or parts of them, caused by:

- low housing demand (or is likely to become such an area) and/or
- a significant and persistent problem caused by anti-social behaviour
- poor housing conditions
- high levels of migration
- high level of deprivation
- high levels of crime.

Selective Licensing is an additional tool that local authorities can seek to use alongside normal enforcement powers, to target specific issues that are affecting the area and its community.

Selective Licensing would enable the local authority to regulate landlords and manage the sector more effectively. There are several factors through which selective licensing helps to achieve effective change:

- The scheme allows the Council to put in more resources into an area and recover costs.
- Landlords are aware of the offences (unlicensed/licensed) and aware that their properties need to meet specified standards.
- It provides landlords with a clear understanding of the enforcement process.
- The Council can enter properties without giving a minimum of 24 hours' notice. (Officers will be able to enter properties where the landlord is intentionally operating without a licence. This is important where a 'rogue' landlord is operating. For example, an illegal house of multiple occupancy).
- It allows officers to work proactively and not act when there is a potential relationship breakdown between the landlord and tenant. This could help save more tenancies.
- Licensing will provide a clear direction for landlords to provide improved management practices and improve awareness of Landlords responsibilities.
- Designating an area can instigate a more co-ordinated approach between the local authority and other agencies to work better in partnership, focusing on the issues.
- It can improve intelligence gathering, to reduce criminal and anti-social behaviour.
- Promotion of joint working with the authority and other agencies including Humberside Fire and Rescue, Humberside Police, Border Control/Immigration, Social Care, His Majesty's Revenue & Customs and others.

When considering whether to make a selective licensing designation the Council must first identify the objective or objectives that a designation will help it achieve. In other words, it must

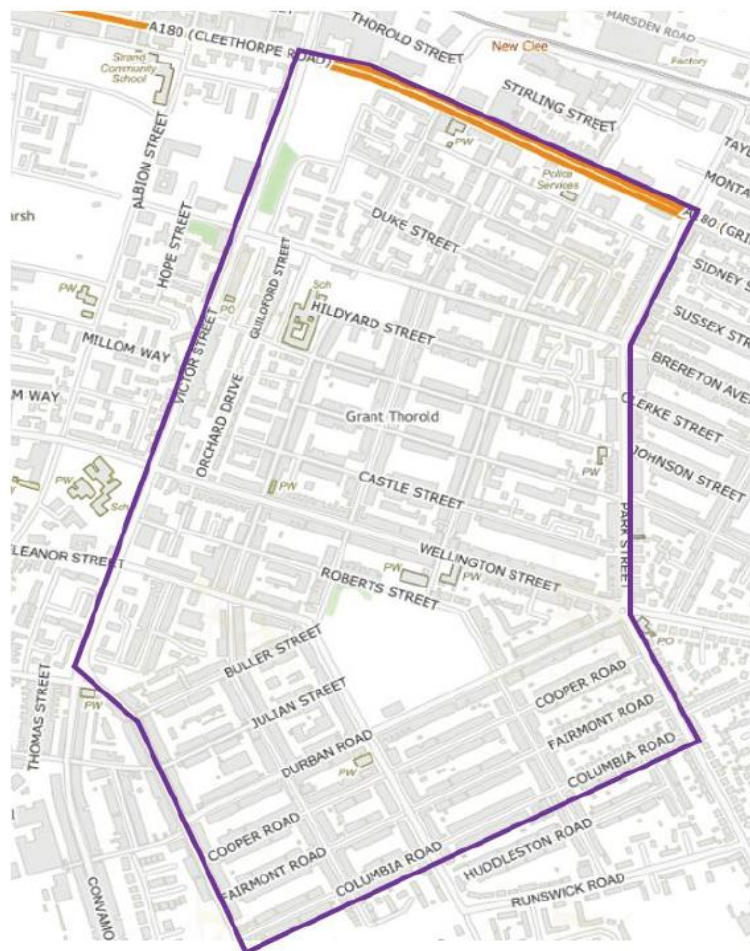
identify whether the area is suffering problems that are caused by or attributable to any of the criteria for making the designation and what it expects the designation to achieve – for example, an improvement in housing conditions in the designated area.

Secondly, it must also consider whether there are any other courses of action available to it that would achieve the same objective or objectives as the proposed scheme without the need for the designation to be made. For example, if the area is suffering from poor housing conditions, is a programme of renewal a viable alternative to making the designation? In areas with anti-social behaviour, where landlords are not taking appropriate action, could an education programme or a voluntary accreditation scheme achieve the same objective as a selective licensing designation?

If the problems of anti-social behaviour are only associated with a small number of properties a local housing authority should consider making a *Special Interim Management Order*, rather than a selective licensing designation covering properties with regards to anti-social behaviour. Only where there is no practical and beneficial alternative to a designation should a selective licensing scheme be made.

Any designation must also be consistent with the overall local housing strategy considering wider homelessness, empty properties and anti-social behaviour.

The Proposed area comprises of 3961 properties and is as follows:-



## SUPPORTING INFORMATION

### The National Picture

- I. The Office for National Statistics state that there will be a population increase of 11 million over the next 2 decades. People are growing older and living longer. It is estimated that over the coming years the population of over 65s will increase by 7 million.
- II. Over a million people aged 20-34 are living with parents and for many home ownership is no longer a tenure of choice or aspiration and the Private Rented Sector is often the only choice for newly forming households which is producing “generation rent.”
- III. The English Housing survey 2016/2017 reports that under 35s have always been overrepresented in the Private Rented Sector, over the last decade or so the increase in the proportion of such households in the Private Rented Sector has been particularly pronounced.
- IV. In 2006-07, 27% of those aged 25-34 lived in the Private Rented Sector. By 2016-17 this had increased to 46%. Over the same period, the proportion of 25-34 year olds in owner occupation decreased from 57% to 37%. In other words, households aged 25-34 are more likely to be renting privately than buying their own home, a continuation of a trend first identified in 2012-13. As with those aged 35-44, the proportion of 25-34 year olds in the social rented sector did not change.
- V. In 2016/2017, 5% of households in the Private Rented Sector were living in overcrowded accommodation.
- VI. The rental market has also changed considerably. After stalling in 2013, rents charged by private landlords increased by 8.2% in 2014 across England with the average weekly rent climbing from £163 to £176.40. Currently rents average £675.

In June 2022, the then *Department of Levelling Up, Housing and Communities* published ‘A Fairer Private Rented Sector’. This report references the role of Selective Licensing as a tool available to local councils to address local housing issues, including poor housing quality, low housing demand and anti-social behaviour. [A fairer private rented sector - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/a-fairer-private-rented-sector)

## THE LOCAL CONTEXT

North East Lincolnshire has a high level of private rented accommodation in comparison with regional and national levels. There are around 15,644 (22.4%) privately rented properties in North East Lincolnshire, which is higher than the Yorkshire and Humber region of 19.4% and England and Wales at 20.3%. (Census 2021) or English Housing Condition Survey at 19%. This increases to 26% in our urban areas. The East Marsh area has some of the highest levels of Private Rented Accommodation at 38.5% (ONS, Census 2021).

The Building Research Establishment (BRE) Stock Modelling Survey (2019) identified the East Marsh as having a higher level of properties containing a hazard – (Housing Act 2004). These housing conditions can impact on the health of the occupant. In addition, the area has high levels of Fuel Poverty, which is often exacerbated with poor living conditions, for example an inefficient heating system, or draughty windows and doors.

Over recent years, there have been several projects to improve housing conditions. Whilst some schemes have had some success, they have not provided long term improvements required in this area.

During 2015, officers visited properties in the area to ensure that all were compliant with Smoke and Carbon Monoxide Alarm (England) Regulations 2015. This campaign also found several properties that contained Category One and Two Hazards.

During 2019 the Rogue Landlord team completed various door knocking campaigns, where officers went street to street to speak to residents, talk to them about their properties, check they had fire detection and act where appropriate, and where the tenant was willing. Many didn't want to report issues as they were afraid the landlord would evict them; however, some did. The door knocking campaign included officers from Humberside Police, Humberside Fire and Rescue, Environmental Services and Elected Members.

The Rogue Landlord Campaign also found several illegal Houses of Multiple Occupancy in the East Marsh area. The action included early morning raids and formal action taken against landlords.

During 2022, the local Community Safety Partnership (the statutory partnership made up of North East Lincolnshire Council, Humberside Police, National Probation Service, Humberside Fire & Rescue Services and Health Colleagues) received £749,500 of Home Office Funding, from the Safer Streets Fund.

The project repaired and replaced alley gates, provided target hardening improvements in local properties including outdoor security lights, alarms and window locks, improved street lighting. Around 10 tonnes of waste and bulky items were also removed from alleyways.

In addition, the scheme saw the installation of 11 new CCTV cameras which are connected to the Council's Public Facing CCTV system.

Whilst the initiative saw some immediate improvements in the area, it is clear more needs to be done to maintain the momentum on an ongoing basis. Figures show there has already been an increase in crime and anti-social behaviour since the scheme closed.

### **Population and Household Change**

Census data presented in the table below illustrates that the population of North East Lincolnshire decreased by 1008 or 0.6% from 2001 to 2021. This is significantly lower than the Yorkshire and Humber region which increased by 10.4% and the population of England and Wales increasing by 14.3%.

	2001	2011	2021	2001-2021 Change	2001-2021 % Change
Population	157,974	159,616	156,966	-1,008	-0.6%
Households	66,054	69,707	69,800	3,746	5.7%

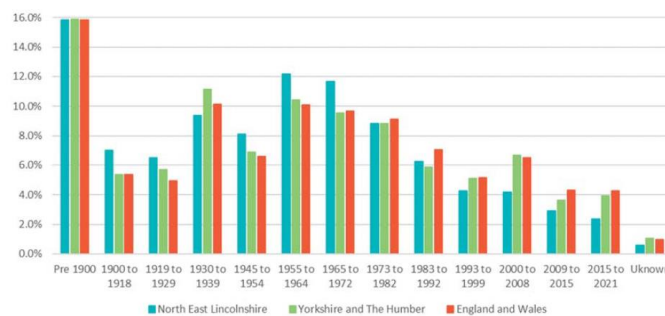
Source: Census 2001, 2011, 2021

Population and Household change in North East Lincolnshire 2001 – 2021

North East Lincolnshire is predominantly an urban area. The recent Strategic Housing Market Needs Assessment (SHMNA) indicated that 15.8% of the Borough's housing stock is built pre-1900, which is closely comparable to the shares across the Yorkshire and Humber region (15.9%). Properties built at the turn of the 20<sup>th</sup> Century and up to the Second World War, at 22.9%, slightly

higher than the stock across England and Wales at 20.4% and more comparable to the share across Yorkshire and Humber (22.2%). There was a peak in construction in the borough from the mid-1950s to the early 1970s.

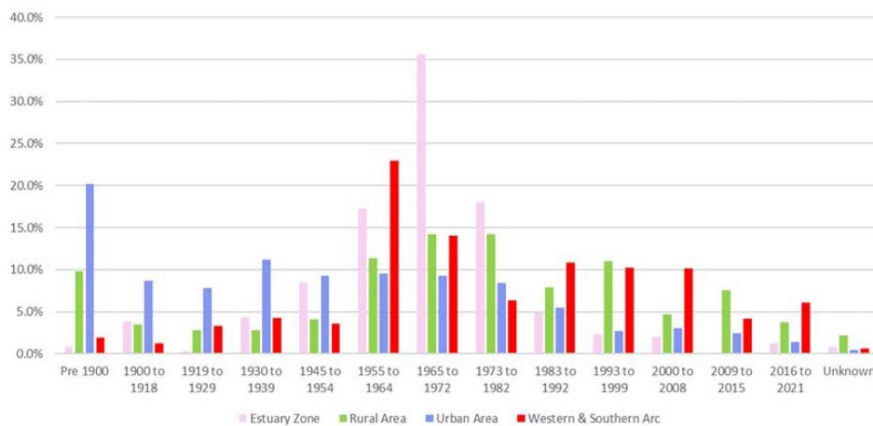
More than half of the borough's housing stock (51.3%) was built in the post-war period up to 1999, which is slightly higher than that across Yorkshire and the Humber (46.7%) and England and Wales (47.7%). The shares of properties built from 2000 onwards begins to diverge, with comparatively few homes built in North East Lincolnshire (9.4%) compared to Yorkshire and the Humber (14.2%) and across England and Wales (15.1%).



Source: Valuation Office Agency (2021): Table CTSOP4.0

Share of properties in North East Lincolnshire and comparator areas by property build period (pre1900 – 2021)

The figure below shows the spread of properties per age. The urban areas comprise mainly of properties built pre-1965, with the majority of properties in the proposed designated area being pre 1919 terrace housing.

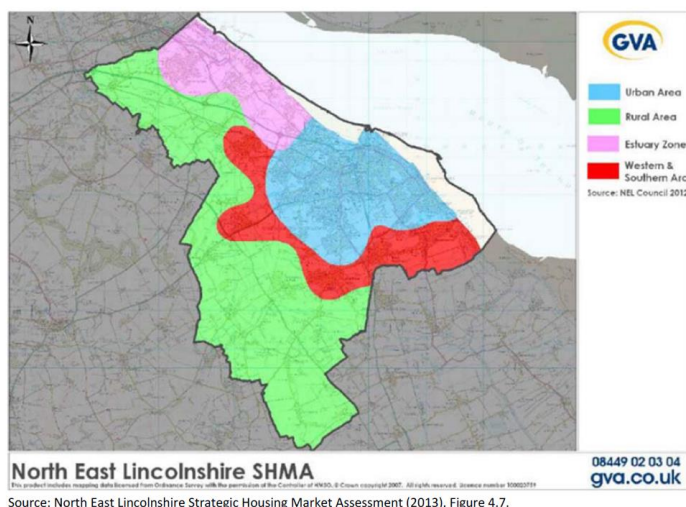


Source: Valuation Office Agency (2021) Table CTSOP 4.1

Share of properties in North East Lincolnshire's Spatial Zones by property build period (pre1900 – 2021).



## Population Change by Spatial Zone



Local Market Area Geographies ('Spatial Zones') in the 2013 Strategic Housing Market Needs Assessment (SHMNA).

The SHMA sets out four Housing Market Areas [HMAs], or 'spatial zones', as follows

- **Urban Area** – contains the town of Grimsby and Cleethorpes.
- **Estuary Zone** – contains the port town of Immingham and valuable land for economic development stretching between the ports of Immingham and Grimsby.
- **Western and Southern Arc** – contains several smaller settlements that have grown to become service settlements for the borough and offer a range of key services and amenities.
- **Rural Area** – this area is characterised by its high landscape quality and a collection of small villages and hamlets.

Census data captures the population at LSOA level allowing for a more granular assessment of population change from 2011 and across the Spatial Zones set out the adopted Local Plan. Table 2 indicates that the populations of both the Urban and Rural Areas have declined across the intercensal period. The resident population of the Urban Area fell by 3.9% (-4,705 residents) whilst the (much smaller) resident population of the Rural Area fell by 2.5% (-180 people). The population of the Estuary Zone has largely stagnated, increasing by just 0.25% (-21 people), whilst there has been a relatively large increase in the resident population of the Western and Southern Arc, which has seen its population increasing by 9.5% (+2,213 people) over the past decade.

	2011		2021		Population Change (%)
	Total Residents	Share (%)	Total Residents	Share (%)	
Estuary Zone	8,566	5.4%	8,585	5.5%	0.2%
Rural Area	7,291	4.6%	7,112	4.5%	-2.5%
Urban Area	120,529	75.5%	115,824	73.8%	-3.9%
Western and Southern Arc	23,230	14.6%	25,451	16.2%	9.6%
<b>Total</b>	<b>159,616</b>		<b>156,972</b>		<b>-1.7%</b>

Source: Census 2011; 2021

The table above illustrates the change in the age cohorts across each Spatial Zone in North East Lincolnshire. The data illustrates that the proportion of children (defined as those younger than



16 years old) in the Estuary Zone fell from 7.3% (2,193 people) in 2011 to 5.5% (1,601 people) in 2021. This trend was also observed across the Rural Area, with the number of children falling from 4.2% of all residents (1,275 people) to 3.5% (1,042 people); and across the Western and Southern Arc, with the share falling from 13.5% (4,085 people) to 13.3% (3,924 people). On the other hand, the share of young residents living in the Urban Area increased from 75.0% (22,686 people) in 2011 to 77.7% (22,881 people) in 2021.

### Conclusion

With property shortages and challenges housing homeless families. The proposal is aimed at making this urban area is more attractive for residents and families to live in, to relieve the pressure on the Western and Southern Arc zones.

### NORTH EAST LINCOLNSHIRE – A PLACE TO LIVE

The borough provides housing, employment, shopping, public administration (unitary authority), leisure and education services from nursery to further education.

The Borough has recently benefited from central Government investment for a number of projects including town centre regeneration in both Grimsby and Cleethorpes, new housing schemes in Grimsby including a place making new development in Alexander Docks. Also the Heritage Trail in Grimsby Docks (part of the East Marsh), which has seen investment into some former dock buildings, bringing them up to their former glory.

- Several infrastructure projects including improvements to road and bridges have received investment.
- In addition, the area has seen significant private investment as the Humber becomes the renewable hub with new job opportunities providing apprenticeships to higher paid jobs.
- The current Local Plan has ambitious targets for new housing delivery, on the basis that the area will see new jobs created. The borough needs to offer quality housing to encourage those coming into the borough to live, work and stay in the borough.

### STRATEGIC HOUSING CONTEXT

The Council's Housing Strategy 2024-29 acknowledges that the private rented housing sector is critical to our local housing market and how it supports our approach to work with private landlords to deliver good housing, which supports the health and well-being of our residents.

[Housing Strategy \(nelincs.gov.uk\)](https://nelincs.gov.uk)

There are 5 key themes to the housing strategy:

Themes	
1.	Delivery of New and Affordable Homes and Support Regeneration within our Town Centres
2.	Prevent Homelessness and Rough Sleeping
3.	Improve homes within the Private Rented Sector and reduce the number of empty homes.
4.	Improve accessibility to appropriate housing for all residents including those aged 16-25 years.
5.	Zero Carbon – support creating greener homes through retrofit and new build.

This proposal supports the following key themes: 2, 3 and 4. In addition, improving housing conditions will also contribute towards improving the thermal efficiency of our homes.

The proposal will also support the Council's wider objectives:

Residents of the borough will:

- Reach their full potential through skills and learning
- Benefit from a green economy and a high-quality environment
- Enjoy good health and wellbeing
- Benefit from a strong local economy
- Live in a safe environment, can have their say about things that are important to them and participate fully in their communities.

The following table identifies the links between Selective Licensing and this links with our strategies.

Relevant Strategy and Link	How will Selective Licensing contribute?
Homelessness and Rough Sleeper Strategy 2019 – 24 <a href="#">HRS strategy action plan Sept20 a11y (nelincs.gov.uk)</a>	Selective Licensing is identified in both the current and emerging new Homelessness and Rough Sleeper Strategy.
Empty Property Strategy 2020 – 2023 <a href="#">Empty Property Strategy (nelincs.gov.uk)</a>	Due to be updated, the Empty Property Strategy highlights the areas where there are high concentrations of empty homes, particularly the East Marsh.
Joint Strategic Needs Assessment (JSNA) <a href="#">JSNA - State of the Borough Summary - UTLA   North East Lincolnshire   Report Builder for ArcGIS (nelincsdata.net)</a>	Shows the health inequalities between the East Marsh and the rest of the borough. It also links housing to health. East Marsh has high levels of fuel poverty, with 3,385 homes suffering. Poor quality housing can be linked directly to fuel poverty.
Community Safety Partnership <a href="#">Microsoft Word - Partnership plan 10.03.22 (safernel.co.uk)</a>	The plan aims to achieve a vision “all people in North East Lincolnshire will feel safe and are safe.” This is through multi-agency working, focusing on interventions that will significantly impact on local crime levels, promoting community safety.

## Conclusion

Given the strategic context detailed above, the use of Selective Licensing is clearly aligned with the Council's overall approach to housing and will directly support the key priorities referenced above.

## EVIDENCE BASE

Before proposing a designation and embarking on a consultation, the Council must identify the problems affecting the area to which the designation will apply and provide evidence to demonstrate the existence of the problems. It must also decide what other measures they will take along with other stakeholders to mitigate or eliminate those problems, enabling the aims of the scheme to be achieved. It should be noted that in making a selective licensing designation, the local housing authority must also take other measures to help address the problems. A scheme cannot be proposed unless those other measures are to be introduced (or continued).

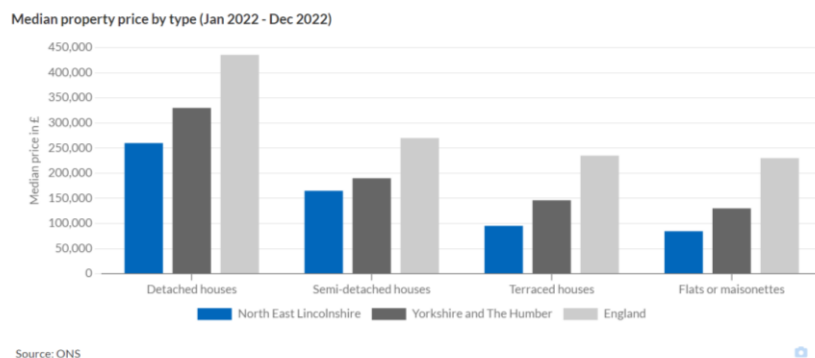
This section seeks to address the evidence behind the decision to proceed with consultation and propose designating an area for selective licensing.

### Low housing demand

When deciding if an area is suffering from, or likely to become, an area of low housing demand, local housing authorities should consider the following factors:

- 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 (for example, in terms of type of housing, local amenities, or availability of transport);
- The turnover of occupiers of residential premises (in both rented and owner-occupied properties); and
- The number of residential premises which are available to buy or rent, and the length of time for which they remain unoccupied.

The area has low values in comparison with other areas of the borough. Figure below, shows the value of houses in the area.



## PROPERTY VALUES IN THE EAST MARSH

The property data below was taken from [www.rightmove.co.uk](https://www.rightmove.co.uk) and [www.zoopla.co.uk](https://www.zoopla.co.uk) on the 12 September 2024.

Firstly, Rightmove sets the following summary out when looking at the East Marsh ward:

- Properties in the East Marsh had an overall average price of £71,176 over the last year.
- Most sales in the East Marsh during the last year were terraced properties, selling for an average price of £83,773. Flats sold for an average of £48,083

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- Overall, sold prices in East Marsh over the last year were 6% up on the previous year and 30% down on the 2006 peak of £101,896

### Most recent house sales:

Firstly, we looked at streets within the East Marsh. Here is a list of the most recent property sales:

Stanley Street	Terrace House	3 bed	£60,000	17 May 2024	Freehold
Stanley Street	Terrace House	3 bed	£57,000	1 Sept 2023	Freehold
Stanley Street	Terrace House	2 bed	£62,000	21 Jun 2023	Freehold
Stanley Street	Terrace House	3 bed	£72,000	31 Mar 2023	Freehold
Stanley Street	Terrace House	3 bed	£66,000	2 Feb 2023	Freehold
Rutland Street	Terrace House	2 bed	£40,000	23 May 2024	Freehold
Rutland Street	Terrace House	3 bed	£50,000	23 May 2024	Freehold
Rutland Street	Terrace House	3 bed	£42,000	27 March 2024	Freehold
Rutland Street	Terrace House	3 bed	£62,950	25 Jan 2024	Freehold
Rutland Street	Terrace House	3 bed	£50,000	3 Nov 2023	Freehold
Tunnard Street	Terrace House	2 bed	£39,000	18 Sept 2023	Freehold
Tunnard Street	Terrace House	2 bed	£42,000	11 Jul 2023	Freehold
Tunnard Street	Terrace House	3 bed	£75,000	28 Apr 2023	Freehold
Tunnard Street	Terrace House	2 bed	£35,000	25 Apr 2023	Freehold
Tunnard Street	Terrace House	3 bed	£56,000	10 Feb 2023	Freehold
Hildyard Street	Terrace House	3 bed	£85,000	4 Jul 2023	Freehold
Hildyard Street	Terrace House	3 bed	£78,000	11 Nov 2022	Freehold
Hildyard Street	Terrace House	2 bed	£38,000	23 May 2022	Freehold
Hildyard Street	Terrace House	3 bed	£65,000	11 May 2022	Freehold
92 Hildyard Street	Terrace House	3 bed	£68,000	12 April 2022	Freehold

Sample of Properties Sold in the East Marsh within the last 2 years

From this data, we can see the highest property sale in any of these streets was £85,000, with the lowest being just £35,000.

Zoopla is handy for detailing the average house price for individual streets. Here are some streets in the proposed area:

Street Name	Average Price within the last 12 months
Stanley Street	£56,667
Rutland Street	£49,177
Hildyard Street	£38,500
Grafton Street	£57,500
Buller Street	£76,500
Castle Street	£49,611
Harold Street	£41,167
Julian Street	£38,500
Oxford Street	£47,000

Table 4: Average Price of properties sold during the last 12 months per street.

### Conclusion

This data clearly corroborates that there are low property values within the defined area.

### EMPTY HOMES

We have looked at the number of empty homes in the borough. As of the 1<sup>st</sup> July 2024, there were 208 empty properties in the designated area. This is higher than both the Borough average and the national average of 5.4% (based on Census data 21 March 2021). This figure represents truly empty properties and does not include second homes.

Name of Street	Number of Empty Properties
Harold Street	15
Tunnard Street	9
Grafton Street	5
Stanley Street	17
Julian Street	7
Castle Street	23
Duke Street	4
Hildyard Street	3
Guildford Street	3
Casswell Close	3
Mansel Street	6
Cope Street	1
Buller Street	6
Oxford Street	3
Wellington Street (including Wellington Court)	20
Durban Road	6
Fraser Street	3
Marlborough Close	2
Convamore Road	1
Victor Street	4
Park Street	15
Rutland Street	16
Weelsby Street	34

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Hamilton Street	2
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Number of Empty Properties

## Length of time to sell a property

Currently the average home for sale goes under offer in five to 14 weeks (timeline according to Zoopla 14/09/2024).

It is difficult to gauge how many properties in the East Marsh are sold as a number of properties are disposed without using an estate agent or go straight to auction. Properties usually go to auction as they are considered difficult to sell.

According to Zoopla (14 September 2024) the following were for sale:

Name of Street	Date on Market	Number of Weeks
Fraser Street	13 September 2024	0
Stanley Street	13 September 2024	0
Castle Street	12 September 2024	0
Stanley Street	9 September 2024	0
Harold Street	4 September 2024	2
Harold Street	3 September 2024	2
Durban Road	3 September 2024	2
Julian Street	30 August 2024	3
Grafton Street	30 August 2024	3
Durban Road (Auction)	14 August 2024	5
Harold Street	31 July 2024	7
Hildyard Street	26 July 2024	8
Oxford Street	16 July 2024	9
Harold Street	12 July 2024	10
Castle Street	3 July 2024	11
Weelsby Street	1 July 2024	11
Tunnard Street	26 June 2024	12
Rutland Street	19 June 2024	13
Stanley Street	13 June 2024	14
Castle Street	8 November 2023	44
Stanley Street	10 June 2024	15
Castle Street	3 June 2024	16
Duke Street	30 May 2024	16
Harold Street	22 September 2023	52
Stanley Street	23 May 2023	70
Duke Street	25 April 2024	21
Castle Street	15 April 2024	23
Castle Street	15 April 2024	23
Weelsby Street	19 January 2024	35
Stanley Street	8 January 2024	37
Weelsby Street	2 December 2023	42
Fairmont Road	7 September 2024	2
Cooper Road	27 August 2024	4
Cooper Road	23 August 2024	4
Fairmont Road	17 August 2024	5
Columbia Road	24 May 2024	18
Columbia Road	19 April 2024	23

Fairmont Road	12 March 2024	28
Durban Road	19 February 2024	31

Average Time a property is currently on the Market.

Average time on the market 19 weeks (Zoopla). These properties have not sold and therefore we can consider that the time taken to sell a property is higher than the national average (according to Zoopla), as it may take a few weeks for a buyer to be found.

### Conclusion

This data corroborates that that both the number of vacant properties and the time taken to sell a property is higher than the national average within the defined area.

### Anti-Social Behaviour

In deciding whether an area suffers from anti-social behaviour, it is recommended that local housing authorities consider whether private sector landlords in the designated area are effectively managing their properties or not. This would aid in combatting incidences of anti-social behaviour caused by their tenants or people visiting their properties. An area that suffers from anti-social behaviour because of a landlord's failure to manage their property effectively would significantly contribute to that problem.

The area is suffering from anti-social behaviour which a landlord should address, this behaviour is being conducted within the curtilage of the rented housing or in its immediate vicinity and includes acts of (but not limited to:

- Intimidation and harassment of tenants or neighbours
- Noise, rowdy and nuisance behaviour affecting persons living in or visiting the vicinity
- Animal related problems
- Vehicle related nuisance
- Anti-social drinking or prostitution
- Illegal drug taking or dealing
- Graffiti and fly posting
- And litter and waste within the curtilage of the property

The recent Joint Strategic Intelligence Assessment completed by the North East Lincolnshire Community Safety Partnership indicated that whilst anti-social behaviour decreased by 13% (from 2837 incidents to 2078 incidents) when comparing 2022/23 levels to 2023/24 levels, anti-social behaviour remains high and the East Marsh remains as the ward with the highest reported 379 incidents in the 2022/23 period and 332 in the 2023/24 period as the table below indicates.

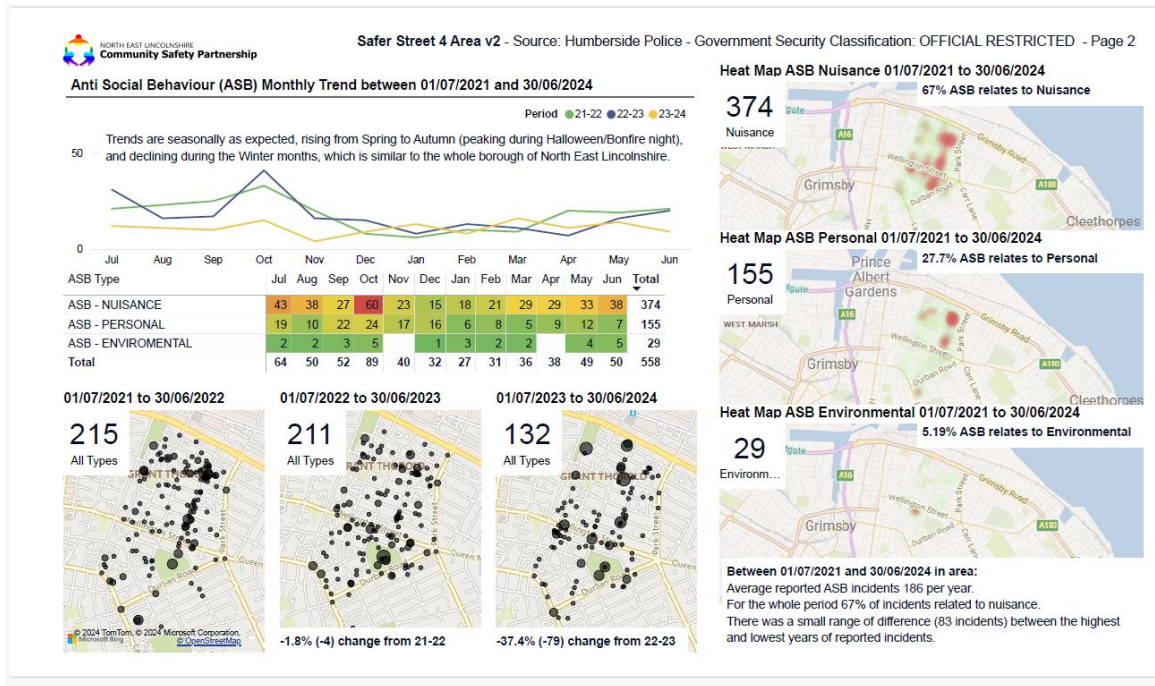


## All ASB by Ward compared with 22-23

Period	22-23			23-24		
Area	ASB	Change	% Change	ASB	Change	% Change
<b>Grimsby East</b>	<b>1184</b>	<b>0</b>	<b>-7.9%</b>	<b>1025</b>	<b>-159</b>	<b>-13.4%</b>
Croft Baker	148	0	-31.2%	113	-35	-23.6%
East Marsh	379	0	-6.7%	332	-47	-12.4%
Haverstoe	107	0	-20.1%	89	-18	-16.8%
Heneage	230	0	27.8%	185	-45	-19.6%
Humberston and New Waltham	100	0	-13.0%	150	50	50.0%
Sidney Sussex	220	0	-6.4%	156	-64	-29.1%
<b>Grimsby West</b>	<b>1203</b>	<b>0</b>	<b>-18.3%</b>	<b>1053</b>	<b>-150</b>	<b>-12.5%</b>
Freshney	113	0	1.8%	71	-42	-37.2%
Immingham	97	0	-27.1%	80	-17	-17.5%
Park	188	0	-22.0%	169	-19	-10.1%
Scartho	50	0	-51.9%	38	-12	-24.0%
South	188	0	-23.3%	155	-33	-17.6%
Waltham	25	0	4.2%	44	19	76.0%
West Marsh	331	0	-7.5%	315	-16	-4.8%
Wolds	61	0	3.4%	57	-4	-6.6%
Yarborough	150	0	-23.9%	124	-26	-17.3%
<b>Total</b>	<b>2387</b>	<b>0</b>	<b>-13.4%</b>	<b>2078</b>	<b>-309</b>	<b>-12.9%</b>

## ASB data for the designated area of East Marsh:

- In the area, there were on average 186 ASB incidents per year between 01/07/2021 and 30/06/2024.
- For the whole period 67% of ASB incidents related to nuisance.
- There was a small range of difference in the levels of ASB reported between the highest and lowest years.
- Monthly trends were seasonally as expected.
- The top 3 streets, Rutland St, Durban Rd and Wellington St when combined made up 34.9% (195) of all incidents reported during the period.
- The main qualifiers assigned to ASB incidents during the period were vulnerable individuals at 26.7% (295) (combined Vulnerable Adult, Vulnerable Child/Young Person and Vulnerable Victim of ASB) followed with 22.4% (247) Youth Related and 18.4% (204) Repeat Victim of ASB. There were also one qualifier of a Knife Bladed Article and 15 Weapons (Not Firearms).



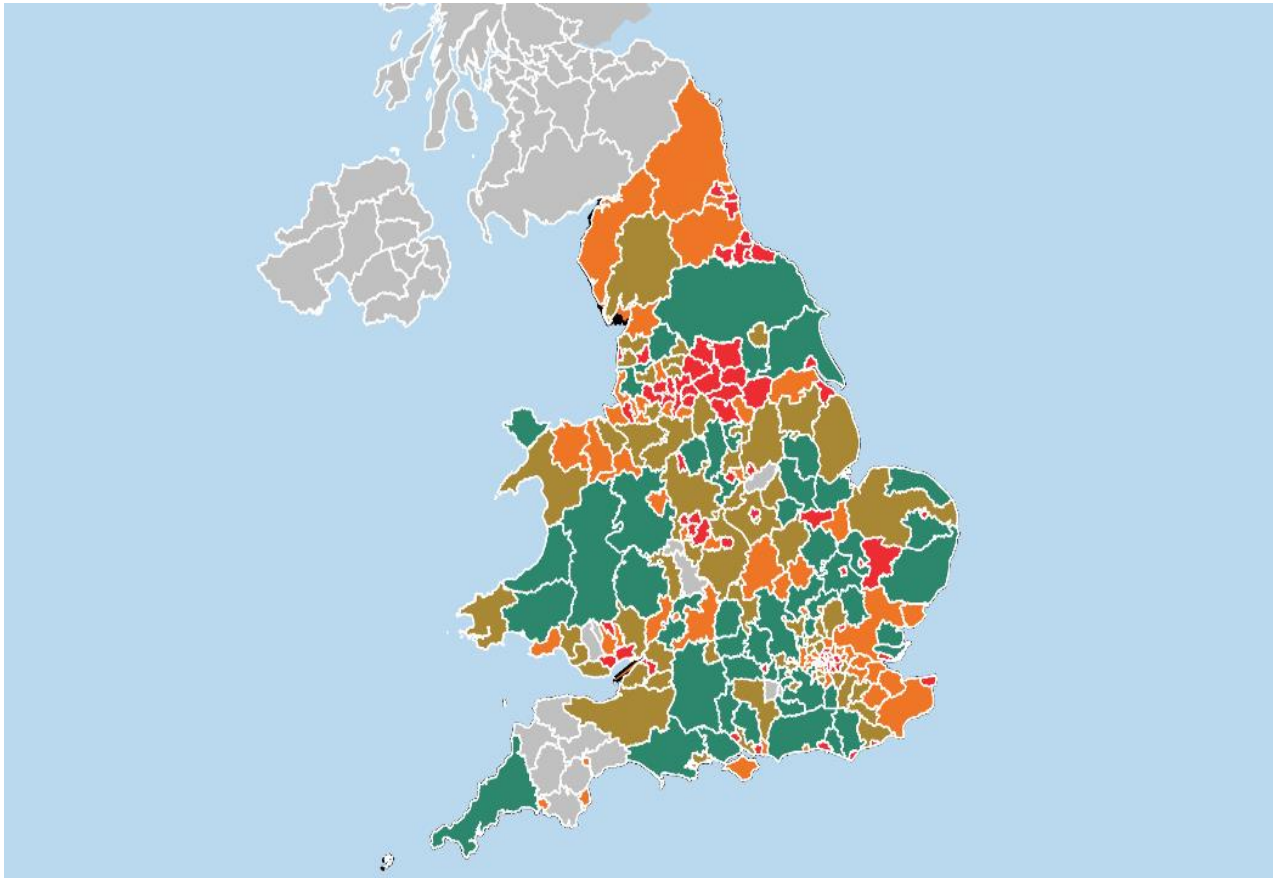
## Levels of Crime

In considering whether an area suffers from a high level of crime, the local housing authority may wish to have regard to whether the area has displayed a noticeable increase in crime over a relatively short period, such as in the previous 12 months; and whether the crime rate in the area is significantly higher than in other parts of the local authority area or is higher than the national average. In particular, the local housing authority may want to consider whether the impact of crime in the area affects the local community and the extent to which a selective licensing scheme can address the problems.

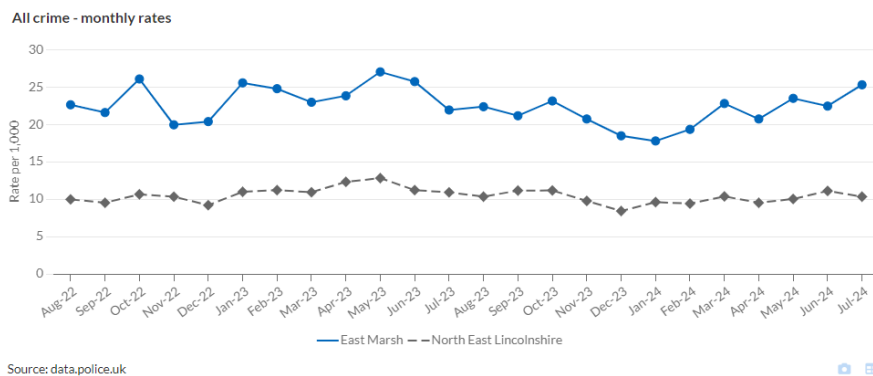
Crime in the area is high in comparison with the national average. The map below shows the total recorded offences (excluding fraud) for North East Lincolnshire compared with all other English unitary authorities (12 months ending Q1 2024).

Crime - Total recorded offences (excluding fraud) for England & All local authorities in United Kingdom for year ending 2024 Q1 (12 months ending)

Quartiles for All local authorities in United Kingdom



Crime - Total recorded offences (excluding fraud) for North East Lincolnshire & All English unitary authorities for year ending 2024 Q1 (12 months ending)



All Crime – East Marsh monthly rates

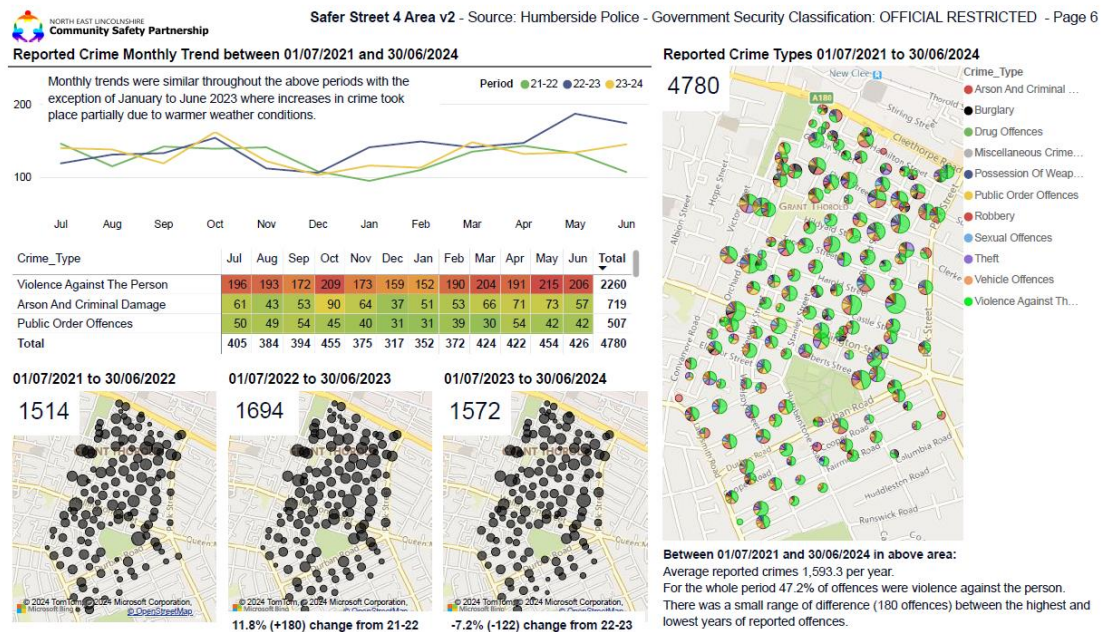
The chart above shows how crime in the East Marsh Ward is far greater than the average in North East Lincolnshire.

#### Crime data for the designated area of East Marsh:

- In the area, there were on average 1,593.3 reported crimes per year between 01/07/2021 and 30/06/2024.

- For the whole period 47.2% (2260) of offences related to Violence Against the Person, followed with 15% (719) Arson and Criminal Damage and 10.6% (507) Public Order Offences. There were also 40 offences of Possession of a Weapon.
- There was a small range of difference in the levels of crimes reported between the highest and lowest years.
- Monthly trends were similar with the exception of January to June 2023 where increases in crime took place partially due to warmer weather conditions.
- The top 5 streets, Rutland St, Durban Rd, Wellington St, Weelsby St and Stanley St when combined made up 39.1% (1,871) of all offences reported during the period.

## Community Safety Partnership Data – Crime in the East Marsh



The above chart shows the number of crimes that have taken place in the East Marsh, which are directly linked to addresses in the East Marsh. The information is a heat map and does not provide data on each residence accurately. Source data is held by the authority.

The above chart shows the impact that the Safer Streets 4 campaign may have had, reducing crime in 2023, however we have seen recent increases in March and April. These crime levels remain higher than other wards in the borough.

A report produced by the Community Safety Partnership (CSP) reviewed the number of instances of ASB – Environmental, ASB – nuisance and ASB – Personal. The report places the events at addresses. Operation Yellowfin is an initiative by Humberside Police to tackle motorbike related crime and ASB. We are unable to disclose the report provided by the CSP as this provides personal data (addresses) which can be linked to people, under rules within the General Data Protection Register (GDPR).

*“The introduction of Selective Licensing is a real positive for residents living in the East Marsh. Anti-Social Behaviour can often be associated with those landlords who are not proactive in managing who they place in their properties. This scheme would allow for greater partnership working between NELC, Humberside Police and Private Sector Landlords which can only be a good thing for the area.”*

*Inspector Pete Musgrave – Neighbourhood Policing Team*

## **Conclusion**

Safer Streets 4 had reduced crime during the project. Levels have increased since the project ended evidencing that further intervention is required. Therefore, it is reasonable to conclude that crime and anti-social behaviour is higher in the defined area and as such is causing a detrimental impact on residents.



### **Service Calls for the Humberside Fire and Rescue Service**

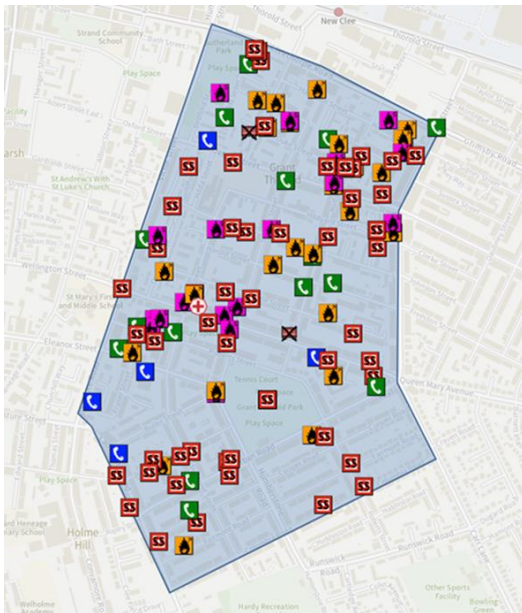
The local fire service also has a high level of reported/actual incidents in the defined area.

Deliberate incidents include wheelie bin fires, loose refuse, road vehicles, property fires including dwellings, derelict/commercial properties and grassland, skips and refuse facilities, and outdoor structures.

The Fire Service also get called to a number of accidental incidents.

Special Services and False alarms include malicious/good intent calls, fault apparatus or calls to effect entry for other services for example medical incidents, animal rescues and road traffic collisions.

### **2021/22 - 138 incidents**



Map of call outs 2021/22 – provided by Humberside Fire and Rescue

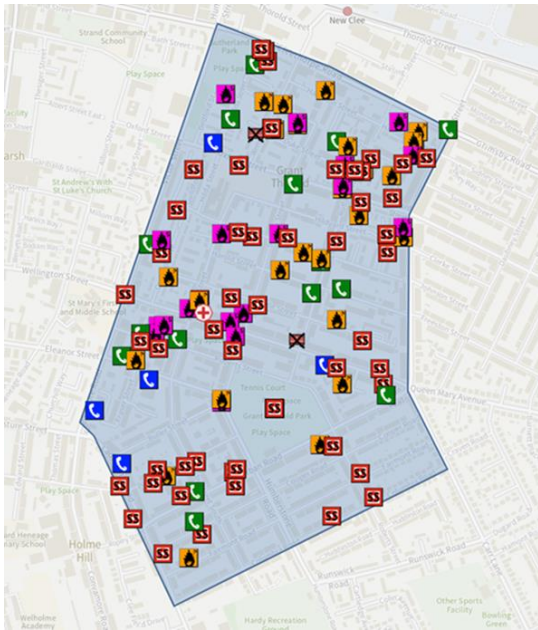
### **Breakdown**

Deliberate Incidents – 28

Accidental Incidents – 28

Special Services/False Alarms – 82.

**2022/23 - 181 incidents**



Map of call outs 2022/23 – provided by Humberside Fire and Rescue

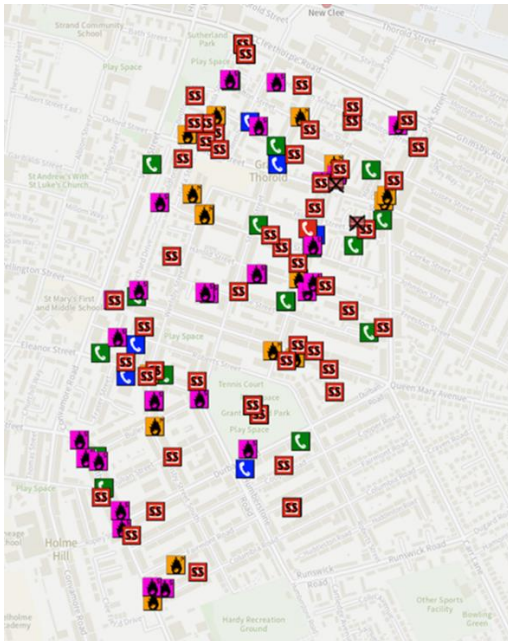
**Breakdown**

Deliberate Incidents – 62

Accidental Incidents – 21

Special Services/False Alarms – 32.

**2022/23 - 161 incidents**



Map of call outs 2023/24 – provided by Humberside Fire and Rescue



## Breakdown

Deliberate Incidents – 38

Accidental Incidents – 13

Special Services/False Alarms – 109.

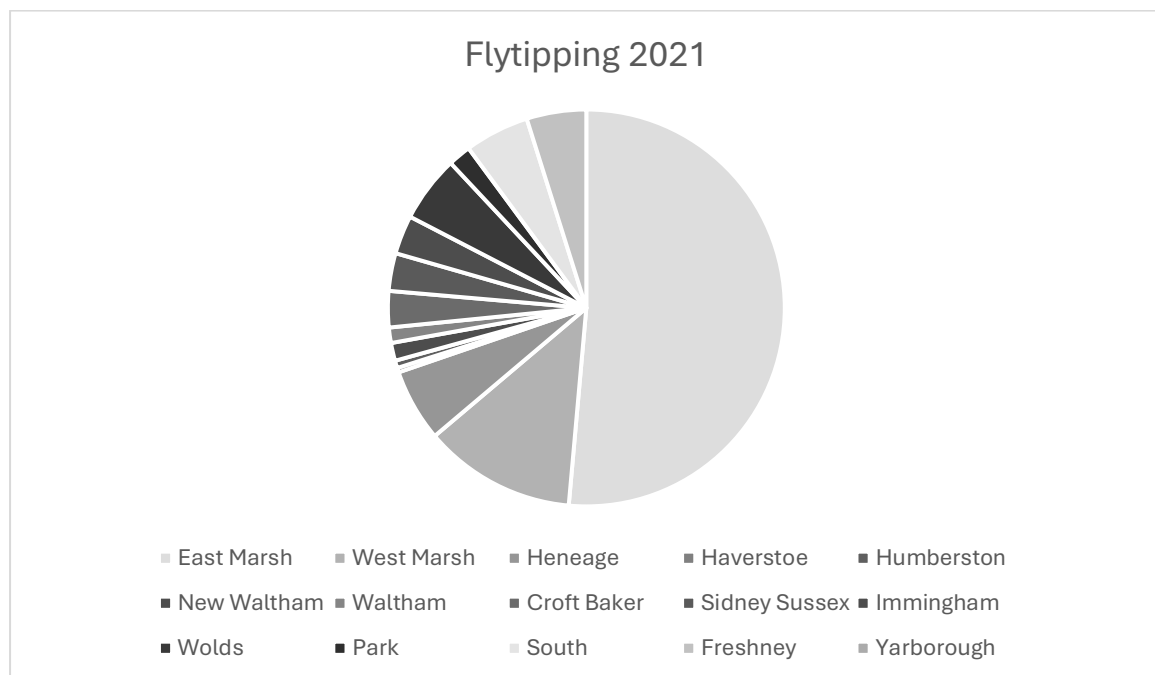
## Fly Tipping

**Fly-tipping is defined as the ‘illegal deposit of any waste onto land that does not have a licence to accept it’.**

Fly tipping is a major issue for many residents in the East Marsh. There are several factors why the area has so much fly tipping, this could be down to the amount of fly tipping in alley ways, which means residents are unable to take their bins out for collection. Fly tipping in alley ways has been attributed to the high turnover of tenancies and the alley used as a dump for furniture and building waste.

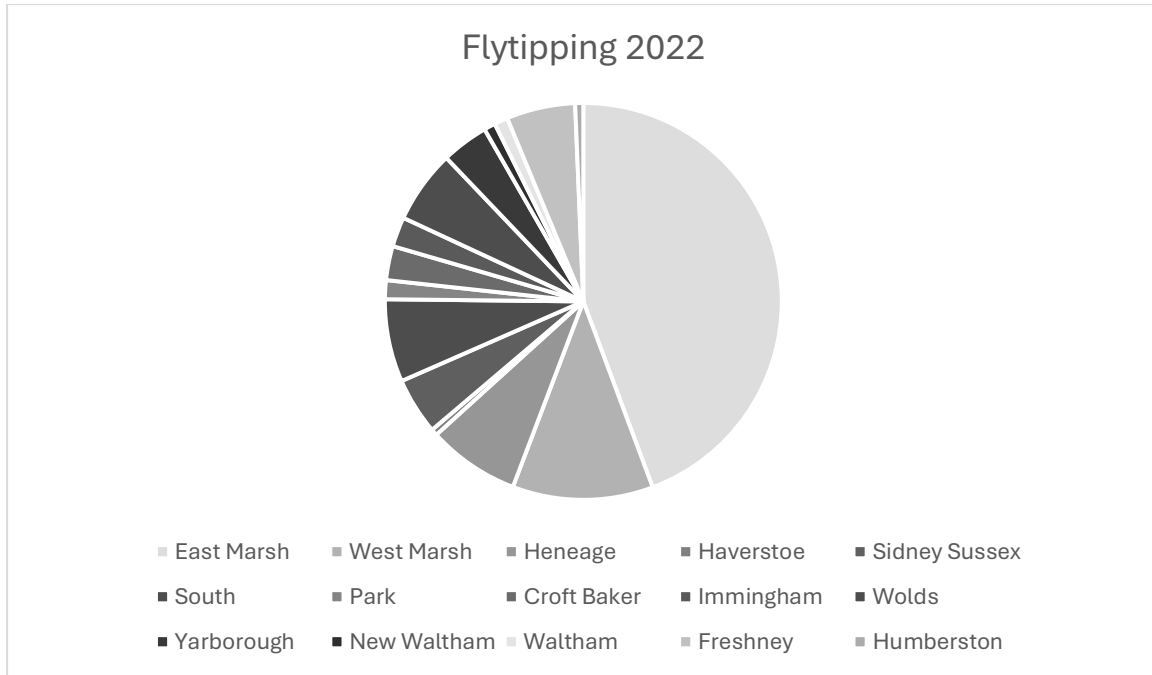
Fly tipping in the street causes a local nuisance and makes the area look run down. They are attractive to vermin which causes a secondary nuisance.

The chart below evidences the number of fly tipping incidents during 2021, which is half of the overall fly tipping incidents in the borough for that year.



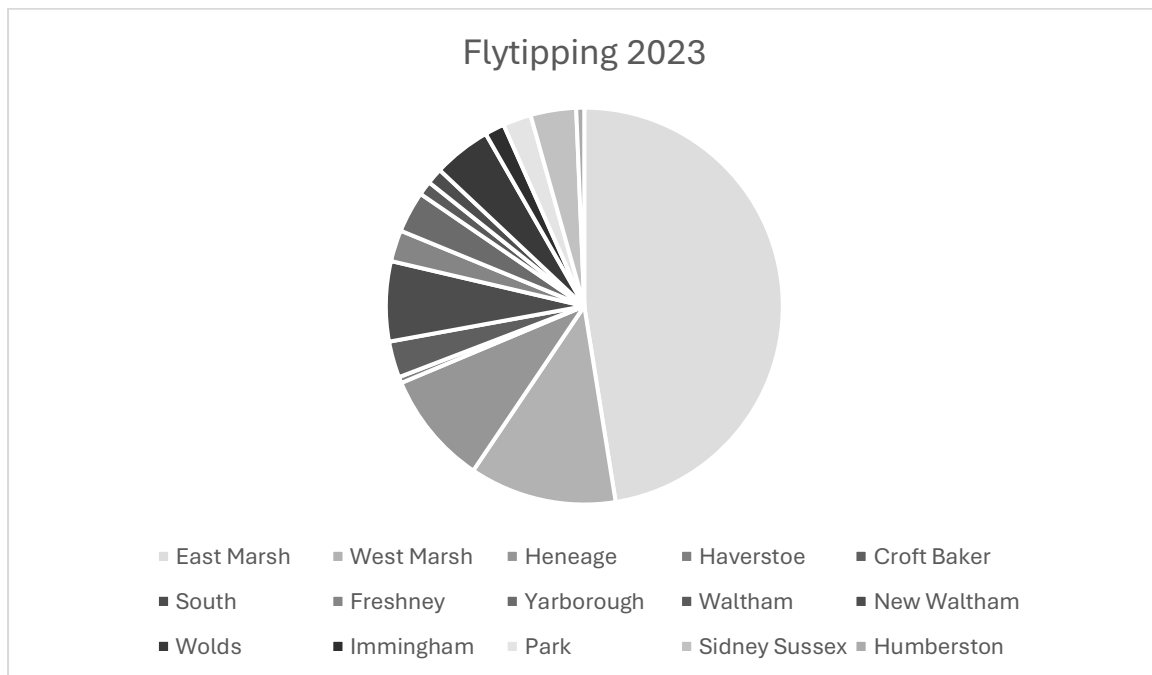
During 2021, the Council spent around £57,092 clearing fly tipping in the borough, which means that around half of those costs were due to fly tipping in the East Marsh.

The chart below shows the amount of fly tipping incidents during 2022. The information is split to a ward level and clearly shows that the East Marsh had by far the highest number of incidents.



During 2022, the Council spent around £60,350 clearing fly tipping in the borough of which 44% occurred in the East Marsh. This equates to around £26,554 for the year.

The chart below shows the level of reported fly tipping incidents in the borough, broken down into ward levels.



The above chart provides evidence that around 47% of all reported fly tipping incidents were in the East Marsh. A total of £45,523 was spent in the borough removing fly tipping in 2023. This equates to around £21,395 spent in the East Marsh.

Overall, over the last three years, an average of 47% of all reported fly tipping incidents, over the last 3 years were based in the East Marsh. This is far greater than any other ward in the borough.

In total, the Council has spent around £76,449 clearing fly tipping in the East Marsh, during the last three years.

### **Conclusion**

Fly tipping is a major concern for residents. The Council has spent more money in the last three years clearing up fly tipping, than in any other area of the borough. In addition, many of the deliberate fires emanated from wheelie bins (potentially left out on the street), and loose rubbish, creating additional pressure on public spend

### **Poor housing conditions**

Local housing authorities can address poor housing conditions through their powers in Part 1 of the Act. The East Marsh has a significant number of properties in the private rented sector which are in poor condition and adversely affecting the character of the area and/or the health and safety of their occupants. Selective Licensing is part of a wider strategy to tackle housing conditions, and to prevent poor conditions. Selective Licensing can prioritise enforcement action under Part 1 of the Act, whilst ensuring through licence conditions under Part 3 that the properties are properly managed to prevent further deterioration.

The Council is required to consider the following factors to aid them in determining whether there are poor housing conditions in the area.

- Whether a high proportion of those properties are in the private rented sector (this is a statutory requirement)
- Whether following a review of housing conditions under Section 3(1) of the Act, the authority considers a significant number of properties in the private rented sector need to be inspected to determine whether any of those properties contain category 1 and 2 hazards.
- Local housing authorities may also consider carrying out age and visual appearance check of properties in the area.

### **Proportion of privately rented properties**

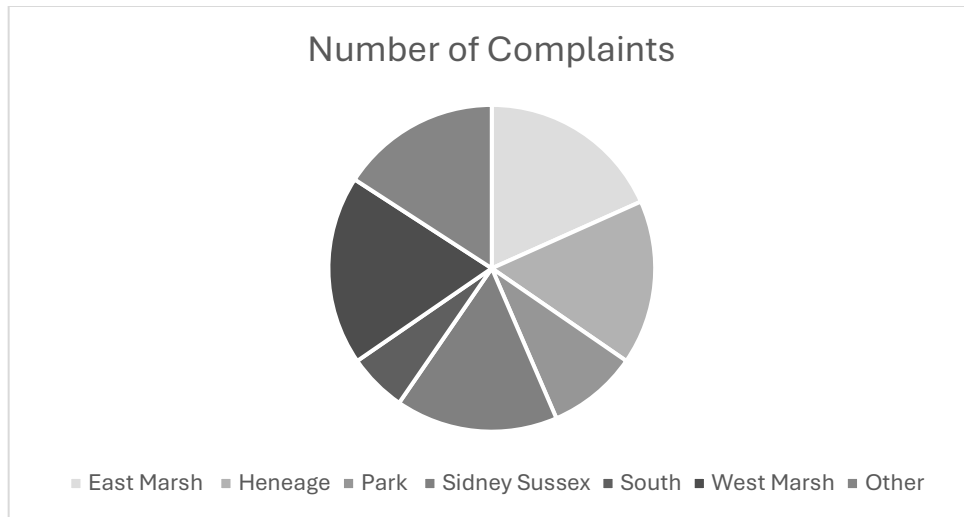
The Census data from 2011 showed the percentage of privately rented property in North East Lincolnshire was 19%. During 2019, the Council reviewed tenure again, and saw this had increased to 23.1% (Data from Experian). The Building Research Establishment (BRE) (2019) reported that the percentage of privately rented homes within the East Marsh was at 38%. This has since increased further to 38.5% as at the Census 2021. This is above the English Housing Survey figure of 19%.

### **Review of Housing Conditions**

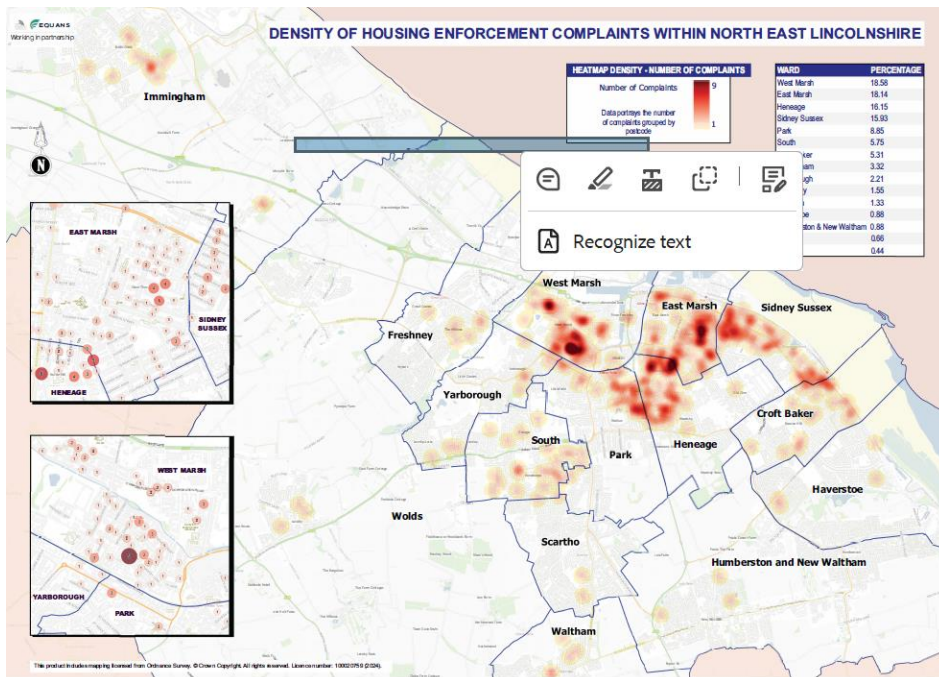
Local Authorities must keep the housing conditions in their area under review, with a view to identifying any action that may need to be taken by them under provisions mentioned in Section 3, Subsection (2) Housing Act 2004.

During 2019, the Council commissioned the Building Research Establishment (BRE) to complete a Stock Modelling Survey. The survey focussed on East Marsh with a view to a potential Selective Licensing application. Unfortunately, this was put on hold due to COVID-19.

The survey found that the East Marsh had the worst housing conditions in the borough as shown below:



Enforcement Cases per Ward 2024



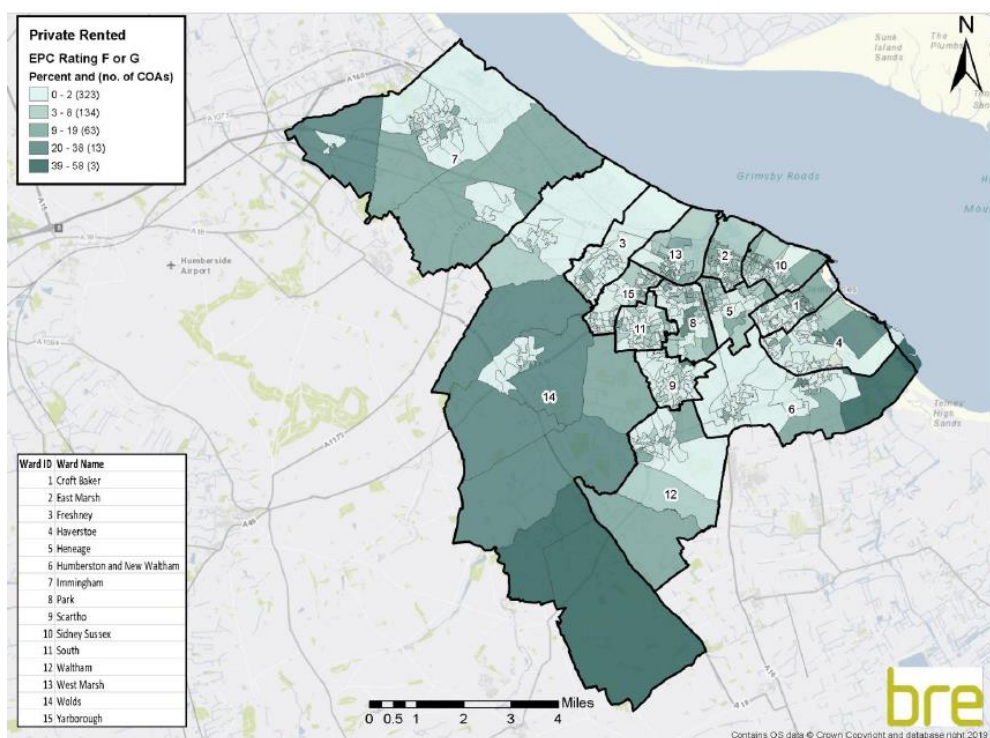
Density of where the Enforcement Cases around the borough

Ward	Dwellings	HHSRS category 1 hazards			Disrepair	Fuel poverty		Low income households	Average SimpleSAP
		All hazards	Excess cold	Fall hazards		10%	LIHC		
Croft Baker	1,831	344 ( 19% )	76 ( 4% )	248 ( 14% )	108 ( 6% )	197 ( 11% )	445 ( 24% )	500 ( 27% )	58
East Marsh	2,331	463 ( 20% )	85 ( 4% )	358 ( 15% )	158 ( 7% )	325 ( 14% )	793 ( 34% )	868 ( 37% )	57
Freshney	467	54 ( 12% )	4 ( 1% )	49 ( 10% )	11 ( 2% )	36 ( 8% )	116 ( 25% )	141 ( 30% )	64
Haverstoe	459	52 ( 11% )	15 ( 3% )	33 ( 7% )	7 ( 2% )	28 ( 6% )	89 ( 19% )	102 ( 22% )	63
Heneage	2,023	408 ( 20% )	75 ( 4% )	320 ( 16% )	135 ( 7% )	267 ( 13% )	696 ( 34% )	669 ( 33% )	57
Humberston and New Waltham	430	45 ( 10% )	12 ( 3% )	29 ( 7% )	6 ( 1% )	17 ( 4% )	72 ( 17% )	81 ( 19% )	65
Immingham	688	77 ( 11% )	14 ( 2% )	61 ( 9% )	17 ( 2% )	56 ( 8% )	151 ( 22% )	185 ( 27% )	64
Park	1,594	278 ( 17% )	43 ( 3% )	219 ( 14% )	89 ( 6% )	162 ( 10% )	397 ( 25% )	440 ( 28% )	59
Scartho	580	52 ( 9% )	4 ( 1% )	45 ( 8% )	9 ( 2% )	29 ( 5% )	121 ( 21% )	133 ( 23% )	66
Sidney Sussex	2,475	486 ( 20% )	92 ( 4% )	377 ( 15% )	160 ( 6% )	358 ( 14% )	855 ( 35% )	837 ( 34% )	56
South	647	94 ( 15% )	7 ( 1% )	78 ( 12% )	28 ( 4% )	75 ( 12% )	197 ( 30% )	253 ( 39% )	61
Waltham	276	36 ( 13% )	7 ( 3% )	27 ( 10% )	8 ( 3% )	21 ( 8% )	58 ( 21% )	55 ( 20% )	61
West Marsh	2,093	387 ( 18% )	83 ( 4% )	300 ( 14% )	134 ( 6% )	300 ( 14% )	642 ( 31% )	765 ( 37% )	57
Wolds	388	66 ( 17% )	31 ( 8% )	35 ( 9% )	11 ( 3% )	41 ( 11% )	93 ( 24% )	78 ( 20% )	61
Yarborough	1,107	139 ( 13% )	15 ( 1% )	116 ( 10% )	40 ( 4% )	102 ( 9% )	257 ( 23% )	326 ( 29% )	61

Private rented sector stock – number and percentage of dwellings for each of the Housing Standards Variables, and average SimpleSAP ratings by ward

*N.B. the information on hazards refers to the number of dwellings with a hazard of the stated type. Because of this there is likely to be some overlap – for example, some dwellings are likely to have excess cold and fall hazards but this dwelling would only be represented once under ‘all hazards’. The number of dwellings under ‘all hazards’ can therefore be less than the sum of the excess cold plus fall hazards.*

## BRE Stock Modelling Survey 2019



Distribution of dwellings with F or G EPC ratings in the private sector

Poor quality housing and low energy efficiency will contribute towards health inequalities in the area. By improving housing conditions, the occupants will live in healthier homes and are more likely to stay in a property longer and help build a sustainable community.

## **Case Studies**

### **Case Study 1**



A two-bedroom mid terrace house in the East Marsh, pre 1919 construction with solid brick walls and a tile roof.

The property contained a number of hazards including rising damp, loose skirting boards, loose kitchen cupboard doors and drawer fronts, no extractor fan, loose plaster to the walls, damp mould in the bathroom, amongst other hazards.

The property contained 3 Category One and 3 further Category 2 hazards.

The landlord worked with officers to remove the hazards.

### **Case Study 2**



A property in the East Marsh, where the occupants were living in cold and damp living conditions, amongst other hazards.

The family had a young child who required medical attention due to the living conditions. Due to the extent of the mould present in all liveable rooms, it was deemed appropriate to serve a Prohibition Notice (Housing Act 2004) and rehome the family.

### **The Impact of Living in a Cold Homes**

Figures published by the Department for Energy Security & Net Zero, show that overall, 18.4% of households in North East Lincolnshire are estimated to be fuel poor, this being higher than the fuel poverty prevalence for both the Yorkshire and the Humber (16.5%) and England (13.1%). Fuel poverty prevalence for East Marsh ward is estimated at 31.7% which equates to 3,385 fuel poor residents. Of all wards in North East Lincolnshire, East Marsh ward has the second highest estimated prevalence of fuel poverty. A household is classified as being in fuel poverty, if the household's fuel poverty energy efficiency rating is band D or below and their disposable income (after housing and fuel costs) is below the poverty line. Evidence shows an association between living in cold homes and a range of poor health outcomes including respiratory disease, and we know that fuel poverty exacerbates health inequalities.

The Office for Health Improvement and Disparities (OHID) has published figures at ward level for deaths from respiratory disease and for emergency hospital admissions for Chronic Obstructive Pulmonary Disease (COPD), both expressed as standardised ratios, which describe whether a specific population (local) are more, less, or equally as likely to die or be an emergency admission than a reference population (England overall). Of all wards in North East Lincolnshire, East Marsh ward has the highest mortality ratio for deaths from respiratory disease, with the observed deaths in East Marsh ward being 95% higher than the number we would expect if East Marsh ward had the same mortality experience as England overall. Of all wards in North East Lincolnshire, East Marsh ward has the highest admission ratio for COPD, with the observed emergency admissions in East Marsh ward being 229% higher than the number we would expect if East Marsh ward had the same admission experience as England overall.

These figures relate to slightly different time periods (fuel poverty 2021, deaths 2016-20, admissions 2016/17-2020/21) but they all paint a picture of the poor health outcomes in East Marsh ward.

### **Conclusion**

It is reasonable to conclude that poor housing stock and conditions are prevalent in the defined area and as such is causing a detrimental impact on residents health.

### **High levels of deprivation**

A local housing authority may make a designation if the area is experiencing a high level of deprivation. It must, however, be clear that by making the scheme it will, together with other measures as part of a wider strategy, improve housing conditions in the private rented sector in that area.

In deciding whether to make a designation because the local authority considers the area suffers from a high level of deprivation, the local housing authority should consider the following factors when compared to other similar neighbourhoods in the local authority area or within the region:

- the employment status of adults
- the average income of households
- the health of households

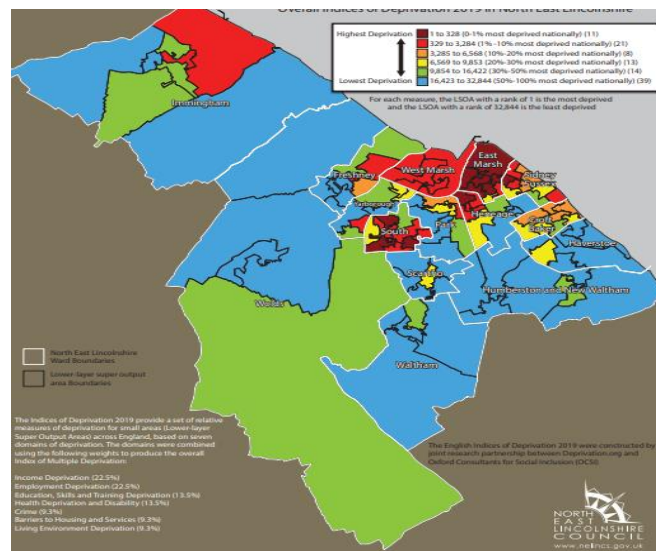


- the availability and ease of access to education, training and other services for households
- housing conditions
- the physical environment
- levels of crime

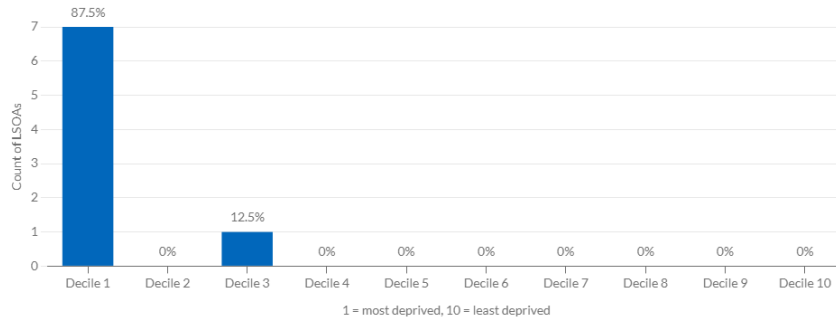
## Index of Multiple Deprivation

The East Marsh area is ranked **25 out of 32,844 in England**, where 1 was the most deprived and 32,844 the least. This is broken down further by income, employment, health, education, barriers to services, living environment, and crime.

The map below shows the extend of deprivation in the East Marsh, in comparison to other areas of the borough.



Index of Multiple Deprivation Income Domain - LSOAs by decile in East Marsh (2019)

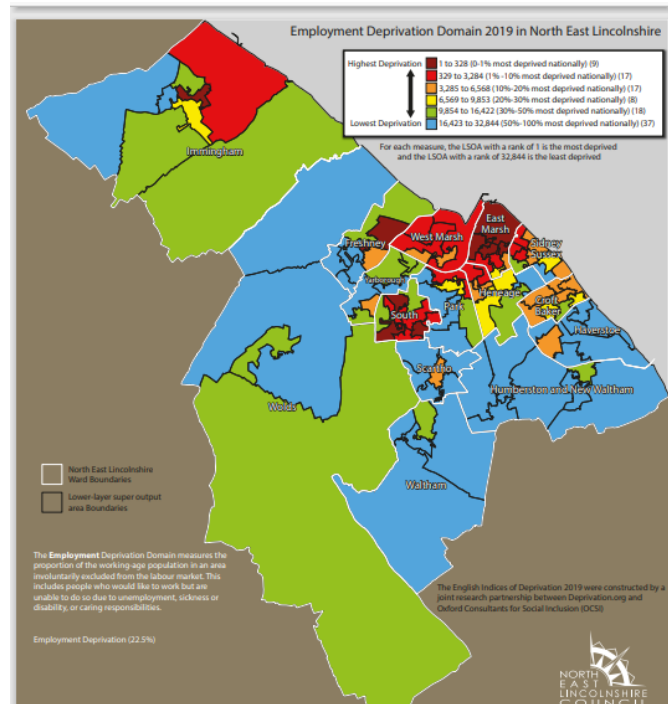


Source: MHCLG

Index of Multiple Deprivation Employment Domain – LSOAs by decile in East Marsh (2019)

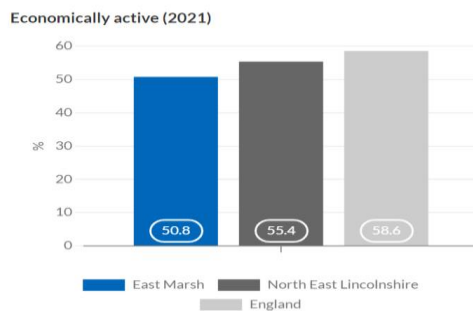
## The employment status of adults

The level of employment in the East Marsh ward is much lower than other areas in the borough. This is evidenced in the map below.



Employment Deprivation Domain 2019 in North East Lincolnshire

## Economically Active



Economically Active (ONS, Census 2021)

People aged 16 years and over are economically active if, between 15 March and 21 March 2021, they were:

- in employment (an employee or self-employed)
- unemployed, but looking for work and could start within two weeks
- unemployed, but waiting to start a job that had been offered and accepted

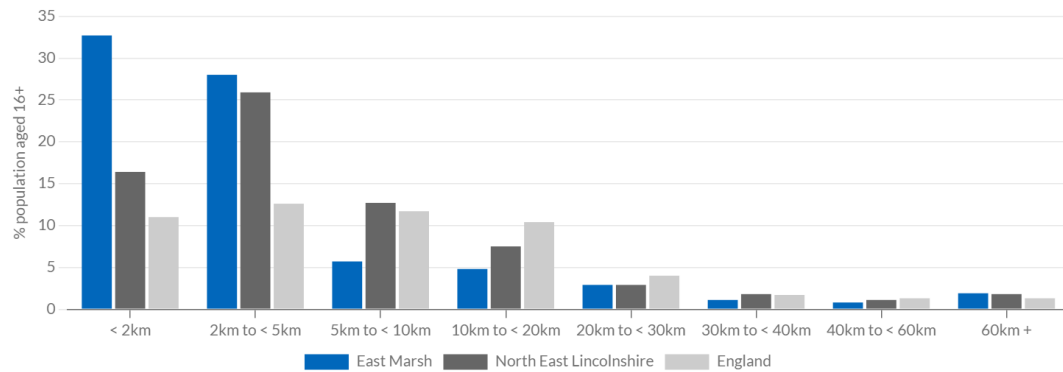
It is a measure of whether or not a person was an active participant in the labour market during this period.

From the Census data (2021) we can see that the number of economically active residents is much lower than those in the rest of the borough and England.

## Distance travelled to work (2021)

The figure below shows the number of people that travel a short distance to work, in comparison to regional and national figures. When reviewing the methods of travel to work (census 2021) nearly 20% of workers travel by foot. There was also a greater dependence on taxis, public transport, bicycle and travelling as a passenger in a car or van. This would indicate that these are low-income jobs, as access to their own vehicle is less available.

Distance travelled to work (2021)



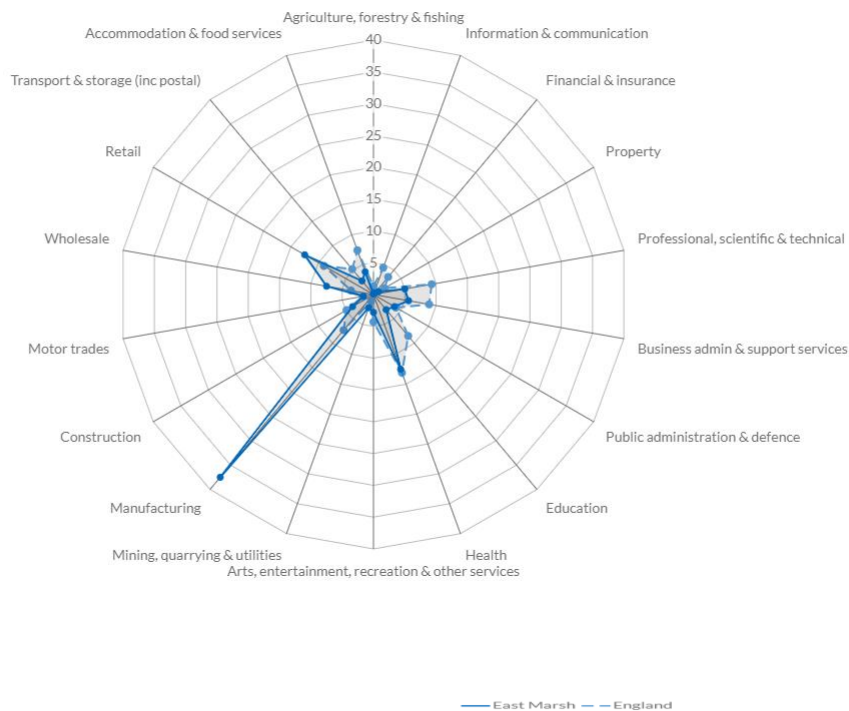
Source: ONS, Census 2021



Distance Travelled to Work

## Employment rate by industry for the East Marsh (2021)

Most employment is in the manufacturing sector. This can often be low paid.

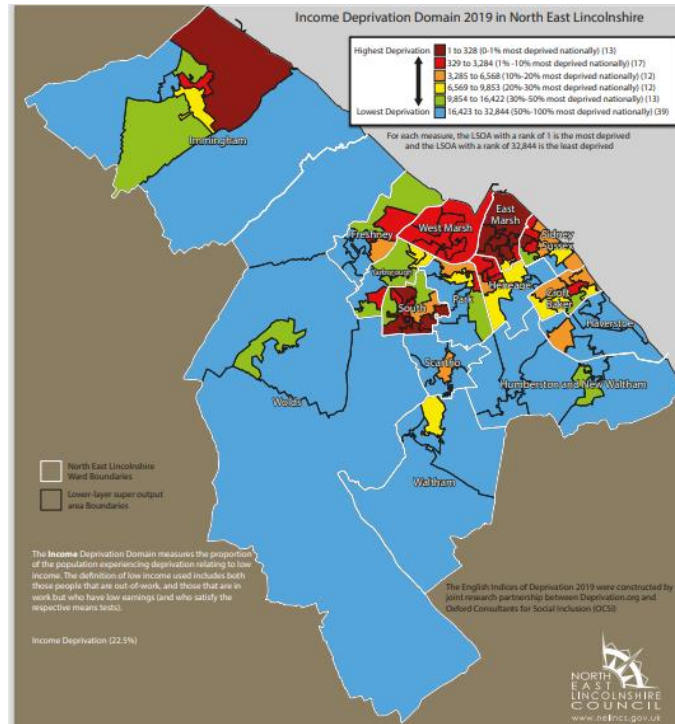


Source: IDBR

Employment by sector for the East Marsh

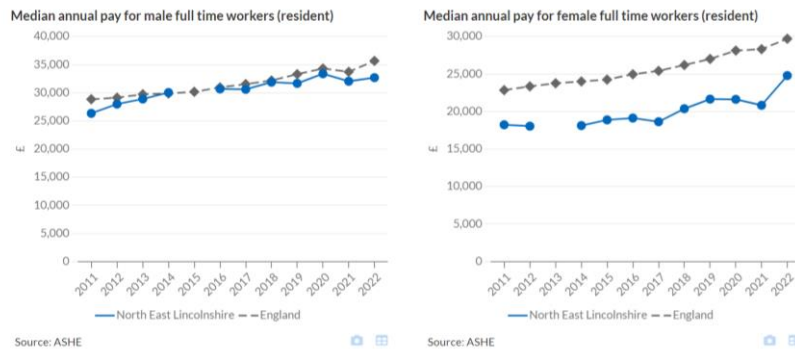
## Income Levels

The map below evidences the extend of the income deprivation in the area, compared with the rest of the borough.

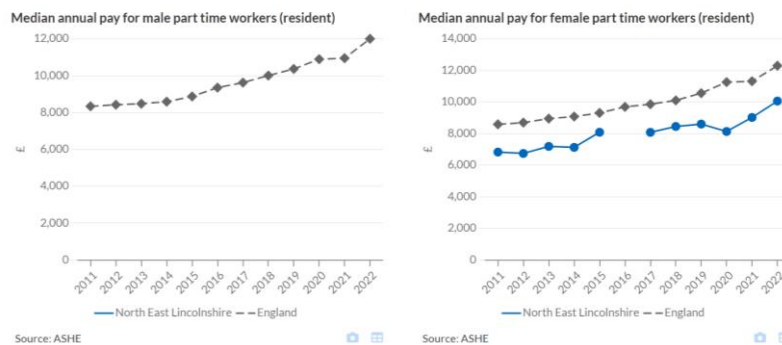


Income Deprivation Domain 2019 in North East Lincolnshire

## Earnings



Median annual pay for full time workers male and female in North East Lincolnshire



Median annual pay for part time workers male and female in North East Lincolnshire

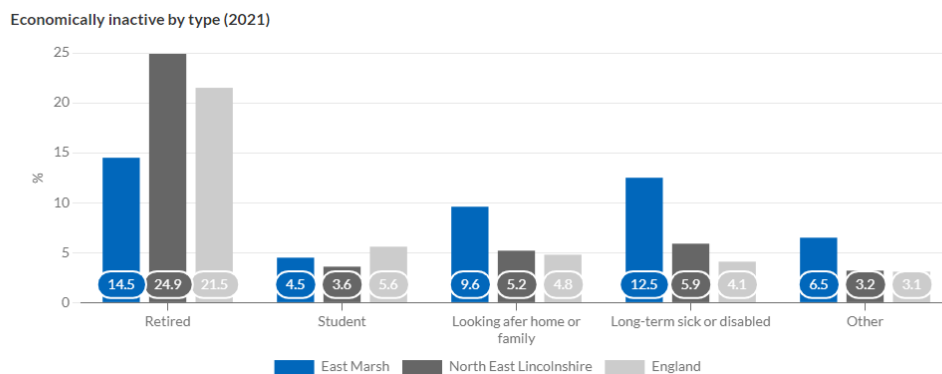
The Office of National Statistics state that the average total household income for the East Marsh is £22,200 (ONS 2022). This is much lower than the median gross annual resident's income in the rest of the borough.

	Resident analysis	Workplace analysis
North East Lincolnshire	£29,241	£27,969
Yorkshire and The Humber	£33,208	£33,197
England	£30,501	£30,000

Source: ONS (2022): Annual Survey of Hours and Earnings

Median gross annual resident and workplace based income (2022)

The figure below shows the number of residents who are economically inactive and the reasons why.

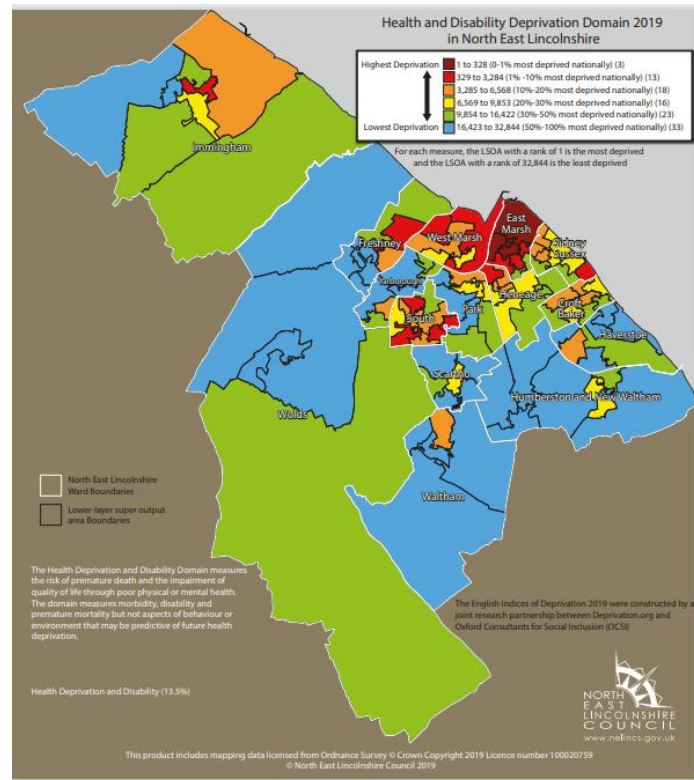


Economically inactive residents by type (2021) ONS, Census 2021

This further shows the level of income and employment in the ward is much lower than other parts of the borough, with high levels of long-term sick or disabled.

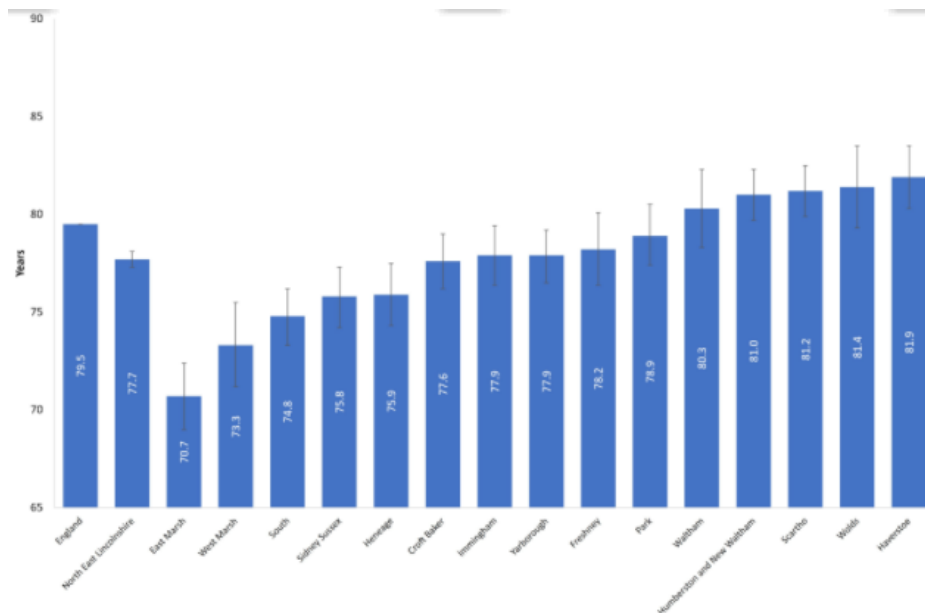
## THE HEALTH OF HOUSEHOLDS

Life expectancy in the East Marsh is much less than elsewhere in the borough. The map below shows the level of health inequalities, measuring the Health and Disability Domain in North East Lincolnshire.

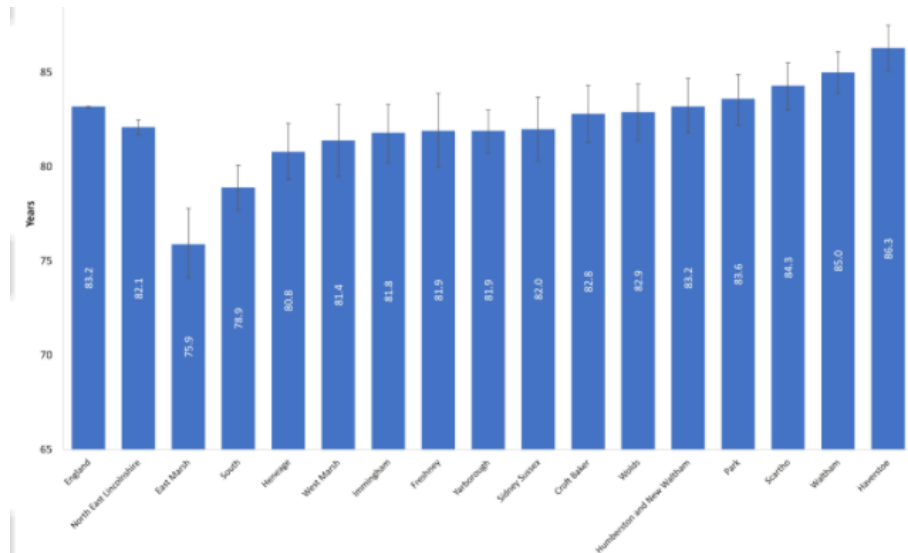


Health and Disability Deprivation Domain 2019 in North East Lincolnshire.

If we look at this more closely, we can see that the life expectancy is clearly much less than in any other wards in the borough, and much lower than the national average for both men and women.



Life expectancy at birth (Male) – North East Lincolnshire by Ward Source: OHID



Life expectancy at birth (Female) – North East Lincolnshire by Ward  
Source: OHID

The chart shows that there is a significant below average number of required retired residents, whereby there is a significantly greater number of residents who are long term sick or disabled.





#### Local Health Data

Further information can be found by following the link; [Local Health - Office for Health Improvement and Disparities - Indicators: maps, data and charts](#)

The data can be linked to quality of housing, and levels of deprivation in the ward.

#### Conclusion

The likelihood of a shorter life and poorer health is far greater in the East Marsh, with life expectancy much lower than in other areas of the borough. Poor living conditions will contribute towards this, where tenants are living in damp cold homes

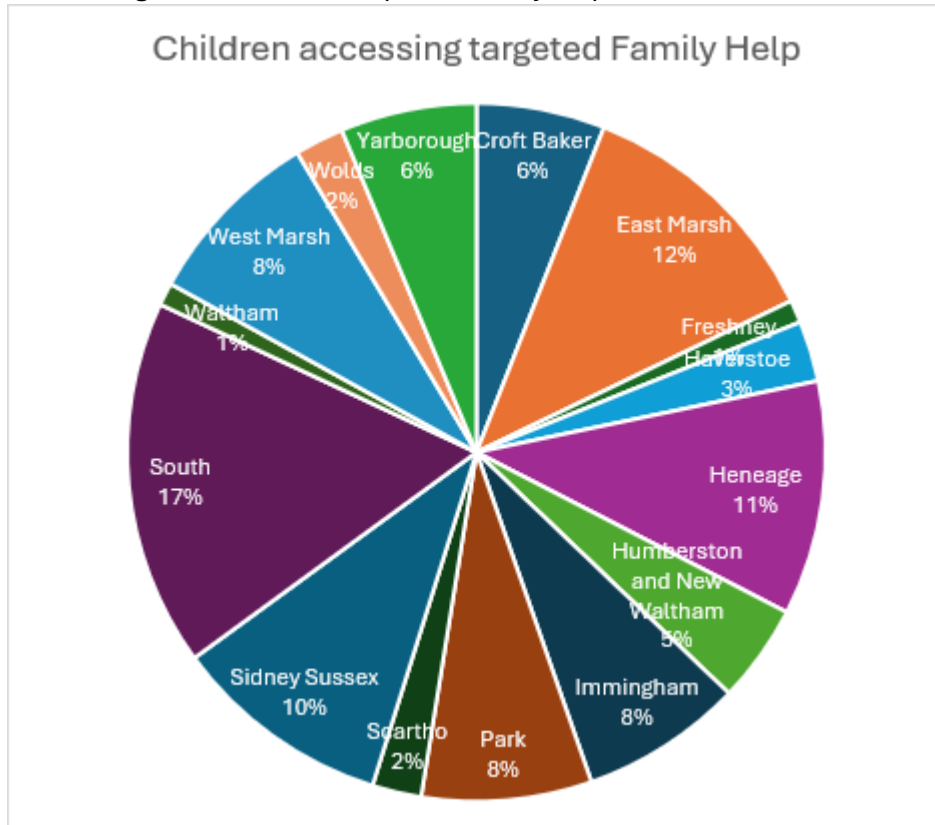
#### THE IMPACT ON OUR CHILDREN

For context East Marsh ward has the third highest child population (0-17) with an estimated child population of 2,848. South ward has the highest child population with an estimated 3,236 children and Sidney Sussex ward has the second highest child population with 2,962. Population does vary from ward to ward, with some wards with low child populations, hence rates per 10,000 population in these wards are the best comparison.

#### Family Help

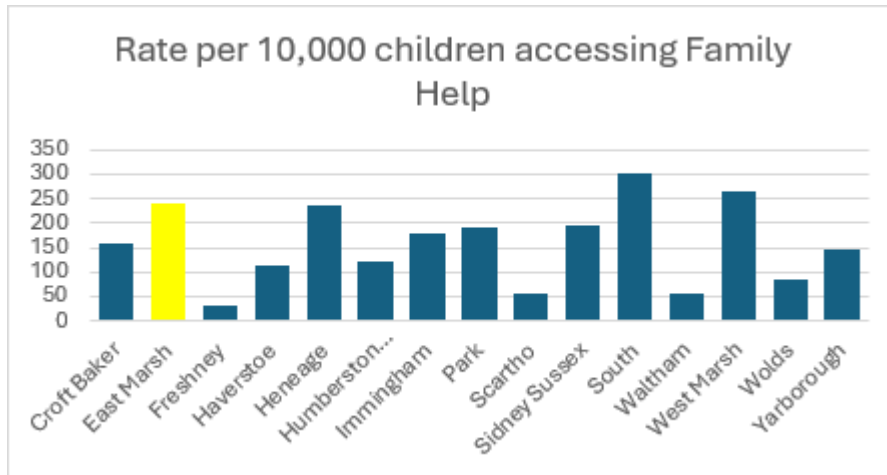
Family help is where households with children can access lower-level support and facilities to help families.

The East Marsh has the second highest number of children accessing targeted family help accounting for 12% of cases open to family help, behind South ward with 17% of open cases.



The picture is slightly different however when looking at rates based on estimated ward child population.

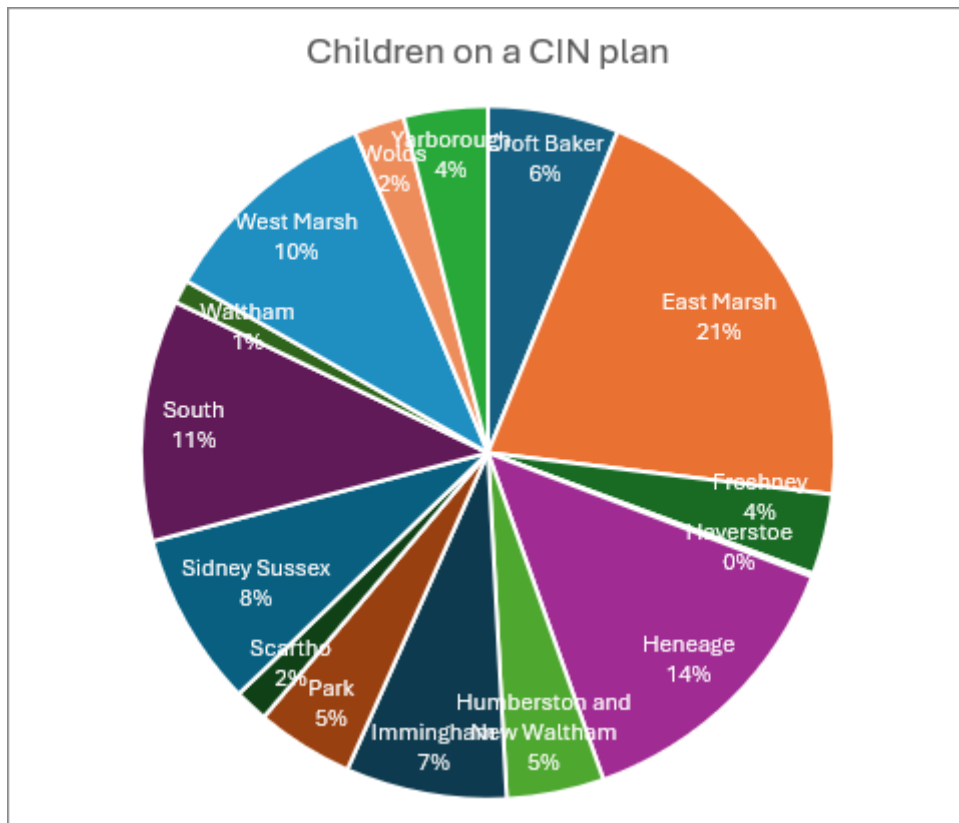
Overall NEL has a rate of 175 per 10,000 children subject to targeted family help. East Marsh ward is third highest in the borough, when looking at the rate of children subject to targeted family help with a rate of 239 per 10,000, behind South ward with a rate of 300 and West Marsh with a rate of 265 per 10,000. (West Marsh has a low child population compared to other wards, but proportionally on a rate per 10,000 children, they are higher than most other wards).



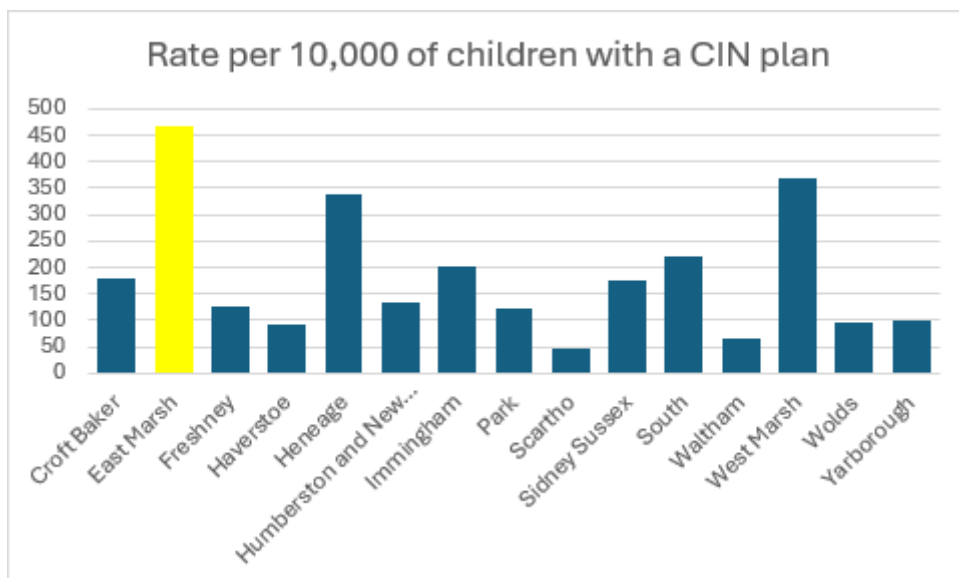
### Children in Need (CIN)

Section 17 of the Children Act 1989 imposes a general duty on Local Authorities to safeguard and promote the welfare of children who are 'in need' and to promote the upbringing of such children by their families by providing a range and level of services appropriate to those children's needs.

East Marsh has the highest number of children subject to CIN accounting for 21% of NEL's CIN population, with Heneage having the second highest number of children subject to CIN accounting for 14%. Haverstoe and Waltham has the lowest number of children subject to CIN.



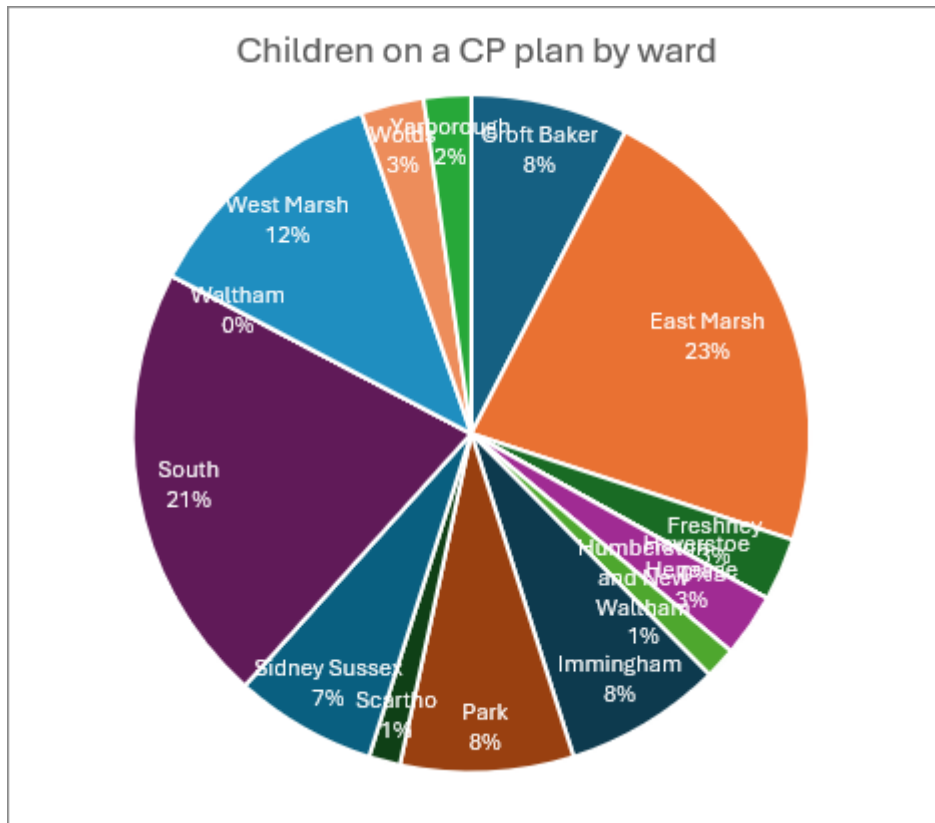
The borough's rate for CIN cases is 200 per 10,000 children, compared with East Marsh's rate of 467 per 10,000 children. Therefore, children living in East Marsh are more than twice as likely to be CIN than in the rest of the borough. Looking at rates per 10,000 population across the individual wards, East Marsh also has the highest rate of CIN, with the West Marsh second with 370 per 10,000 (due to low child population).



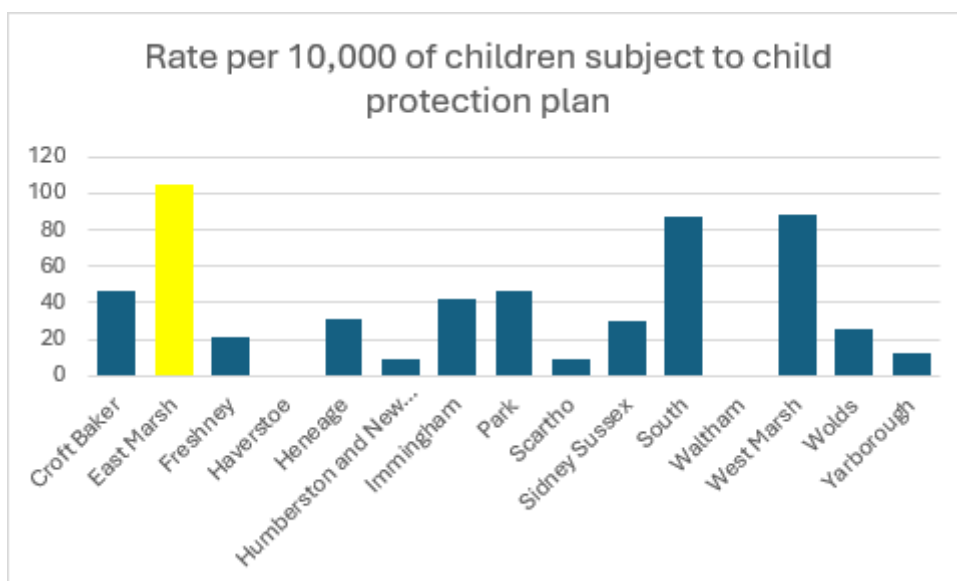
### Child Protection (CP)

Section 47 of the Children Act 1989 says that children's services must make child protection enquiries if they suspect a child is suffering significant harm.

East Marsh has the highest number of children subject to a child protection plan and accounts for 23% of NEL's CP cohort. South ward has similar numbers of children on a CP plan, but their higher child population brings their rate down to 87 per 10,000. Scartho and Humberston & New Waltham wards have the lowest numbers of children subject to a CP plan.



The borough's rate for CP is 45 per 10,000 whilst in East Marsh the rate is 105 per 10,000 which is therefore double the rate for the whole of NEL, with the West Marsh having second highest rate at 88 per 10,000.



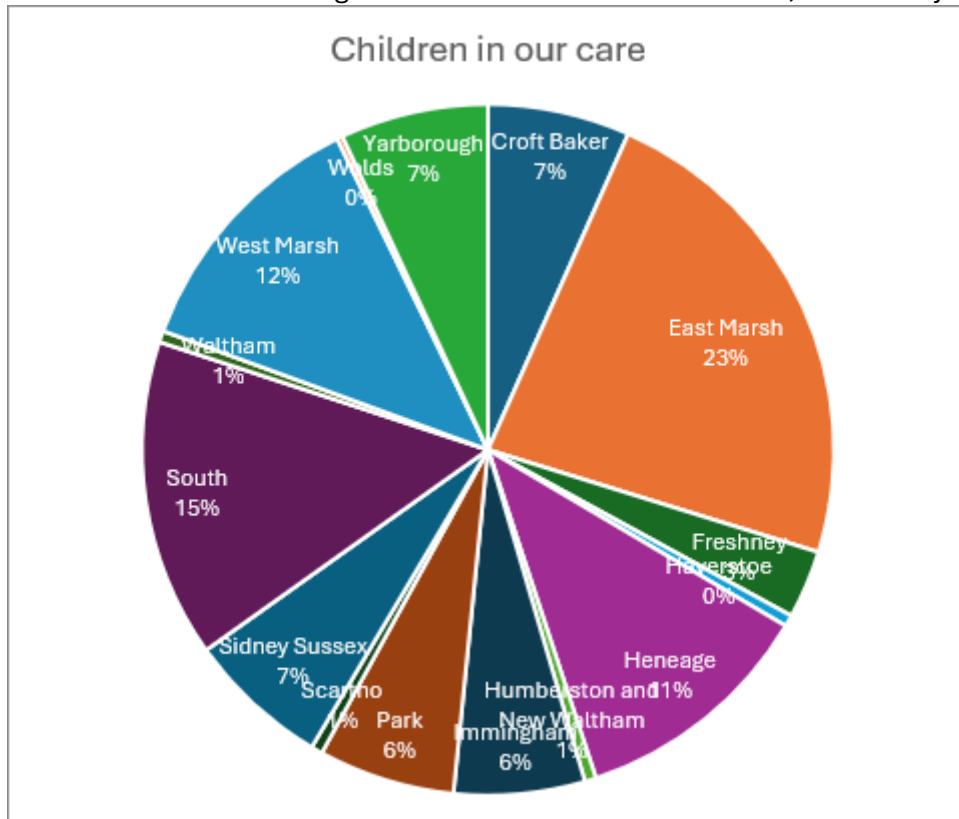
### Children in our care (CiC)

There are several reasons why a child may be 'looked after' by the local authority. Most often it is because the child's parents or the people who have parental responsibilities and rights to look after the child are unable to care for them, have been neglecting them or the child has committed an offence. The local authority has specific responsibilities and duties towards a child who is being looked after or who has been looked after.

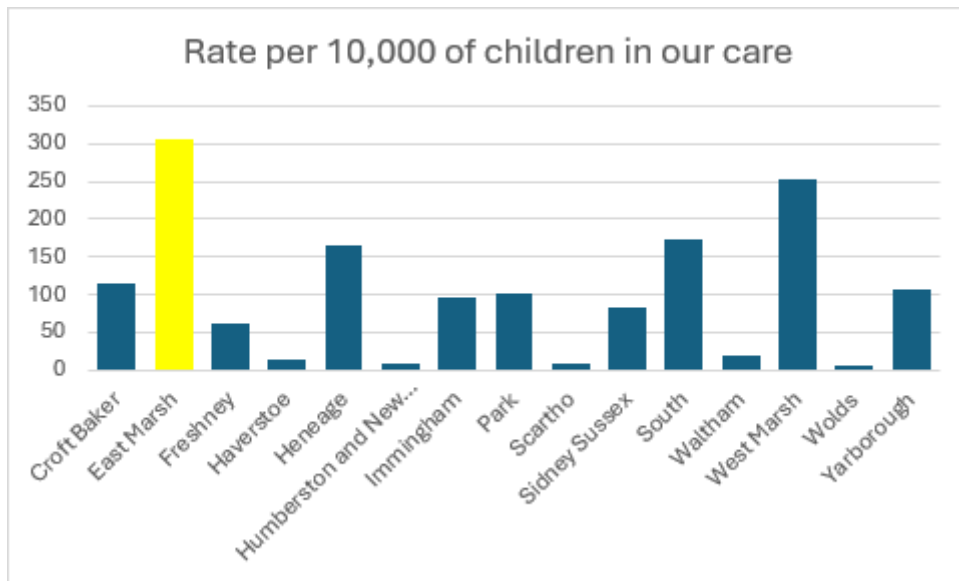
The child may be:

- in local authority accommodation under a voluntary arrangement, where the child's parents agree to the child being accommodated, or
- in local authority accommodation or at home, under compulsory measures decided by a children's hearing or a court.

East Marsh also has the highest number of children in our care, followed by South ward.



The borough's rate of CiC is 133 per 10,000 children, compared with East Marsh's rate of 305 per 10,000 children, which is the highest across the borough, and is almost 3 times as high as the rate for the whole of NEL. West Marsh is the second highest at 254 per 10,000.



### **Child Sexual Exploitation (CSE)/Child Criminal Exploitation (CCE)**

The numbers of children who are currently open with a CCE or CSE flag are very few in East Marsh and South ward.

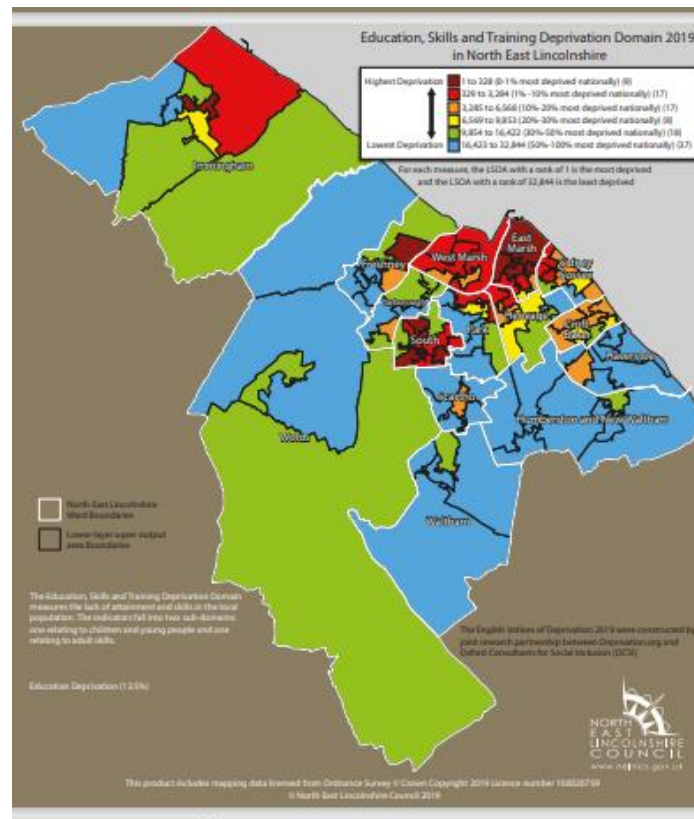
### **Conclusion**

Children in the East Marsh are more likely to require support from the Council's Children's Services or be taken into care.

### **The availability and ease of access to education, training and other services for households**

The map below shows the extent of deprivation in the East Marsh when it comes to education, skills and training. The level of attainment in education, along with the level of GCSEs gained is much lower than other areas in the borough.





Education, Skills and Training Deprivation Domain 2019 in North East Lincolnshire

The area has a higher than average number of adults with no qualifications and has the lowest rate of adults with level 4 and above qualifications.

The area also has a lower rate of attainment for young people leaving secondary school, meaning fewer young people can access further and higher education, including apprenticeship vacancies.

Although initiatives are in place to support routes into employment, the data still shows a significant gap with national statistics. The lower levels of attainment for adults and young people limits routes into high-skilled and highly paid work.

## Conclusion

Based on the data, it is reasonable to conclude that the East Marsh remains an area with high levels of multiple deprivation.

## The Physical Environment

The photos below were taken on the 19 September 2024. There are several issues with the physical appearance of the area. There is a lack of care and pride in the area. Some of this is down to property owners not investing in the area, fly tipping which includes

They show the extent of fly tipping and poorly maintained properties in the area. There is a high prevalence of fly tipping both in alley ways and on the streets. Wheelie bins are left out on the street, properties are poorly maintained externally which impacts on the street view.



## **SELECTIVE LICENSING - THE BENEFITS AND PROPOSED AIMS OF SELECTIVE LICENSING**

It is expected that introducing a Selective Licensing designation will bring both direct and indirect benefits to communities, landlords and tenants, property owners and the Council. In summary the proposal will:

- Support the Council tackle a neighbourhood rather than ad-hoc/individual properties
- Give a clear message to landlords and tenants that bad practice and behaviour is not acceptable and will not be tolerated
- Improve property conditions and management, tackle issues of low demand and anti-social behaviour
- Help to reduce tenancy turnover and void rates, by providing sustainable tenancies
- Ensure properties are managed appropriately
- Support empty homes being brought back into use
- Support landlords to attract and retain good tenants whilst those who continue to allow occupation by irresponsible tenants may attract enforcement action
- Make a direct and tangible difference to deprivation factors driven by anti-social behaviour, high crime and poor housing conditions
- Allow the Council to put in more resources into an area and recover costs through the charging of a licence fee to cover the costs of Licensing and enforcement
- Develop communities as tenants so they can begin to take pride in their local area following the improvement to properties and removal of Anti-Social Behaviour/enviro crime issues

We know from the experience of other Local Authorities and through our previous consultation that there will be a small but, probably vocal, group of landlords who will need convincing to see the benefits of the proposed Selective Licensing Scheme. These views and potential criticisms usually centre around un-necessary financial burden and additional bureaucratic interference.

Whilst noting the above, and viewing the proposed scheme holistically, there are, we believe, wider benefits to landlords, tenants and communities that help ensure that our housing stock is of a good standard and managed well. It is felt that the proposed scheme of Licensing would bring benefit to all, whilst recognising there are risks.

The key fundamental benefit derived from Selective Licensing is an improvement in the quality of accommodation within the Private Rented Sector and an increase in Landlord/s knowledge of their responsibilities. However, more broadly benefits include:

### **BENEFIT - TARGETED APPROACH ON PROBLEM AREAS**

North East Lincolnshire has chosen to make suggested use of Selective Licensing to ensure that everyone in the designated area can live in a decent home. It is acknowledged that there are several good landlords within the borough; however, that said, there are a number who are not and this impacts on the reputation of other landlords. In addition, good landlords must compete against poor landlords who fail to invest in their properties. This can bring the reputation of the area down, resulting in good landlords losing value in their properties.



Some local authorities saw a reduction in Empty Homes in designated areas. This was due to a targeted approach by the Selective Licensing Team. [Selective Licensing Evaluation \(middlesbrough.gov.uk\)](https://middlesbrough.gov.uk).

#### **BENEFIT – IMPROVED HOUSING CONDITIONS**

The scheme will work with landlords to improve housing conditions. Landlords applying for a licence will need to evidence their gas safety certificate, energy performance certificate, Electrical Certificate (EHICR), installation of smoke alarms/fire detection systems and carbon monoxide alarms.

The Council will be unable to licence a property until all works are completed to remove Category 1 and 2 hazards (Housing Health and Safety Rating System).

#### **BENEFIT – BUILDING A COMMUNITY**

Landlords will be required to complete references before a tenant moves into a property. Those with a poor tenant history including non-payment of rent, anti-social behaviour amongst other things can be referred to the Council for support. Working with tenants at an earlier stage will help them maintain a tenancy for longer, and support building communities.

In addition, landlords will need to provide tenancy management practices, detailing how they deal with tenants who cause Anti-Social Behaviour. Working with landlords and partner agencies can contribute towards reducing Anti-Social Behaviour in the area.

#### **BENEFIT – IMPROVING THE STREET SCENE**

Landlord conditions will include responsibility for fly tipping in gardens and alley ways. Alley ways are privately owned and therefore the responsibility of the landlord and tenant. Many residents leave their bins out in the street, as they are unable to use the alley ways to store them in their rear gardens.

Many households leave rubbish out in plastic bags as they don't have a waste bin, or aren't sure when to put them out. All privately rented properties will need the correct waste bins available, along with instructions of when to put them out for collection at the start of each tenancy. This will reduce the number of fly tipping incidents.

#### **BENEFIT - POTENTIAL INCREASE IN PROPERTY VALUE**

Whilst housing values in North East Lincolnshire are generally lower than the national average, property values in the proposed designated area are considerably lower. A Licensing Scheme means that there will be potential financial benefit to landlords as the standards are raised across the general Private Rented Sector.

As standards improve the area in which the schemes are operational will become more desirable to tenants who will want to live in a well-managed property, in good condition which will increase demand and in turn potential rental value. This applies to landlords who wish to purchase properties in such areas, which in turn is likely to increase the overall property values in the location.

Stoke on Trent City Council completed an evaluation of their scheme, which identified there was an increase in the value of properties. However, this can't be guaranteed as global factors will impact on local market values, and these factors sit outside the control of the Council. [Selective licensing evaluation\\_Cobridge and Fenton\\_accessible\\_final\\_Sept\\_20.docx.pdf](#). Manchester City Council also saw an increase in demand for properties in designated areas,

leading to the area becoming a more attractive place to live. This had a positive impact on rental and capital values. [Crumpsall Selective Licensing Area Final Evaluation.pdf \(manchester.gov.uk\)](#)

### **BENEFIT - LINKS WITH LANDLORDS**

The implementation of the proposed scheme would bring about better links with landlords. Formal (direct and individual) links will be developed due to the establishment of the scheme and as such the flow of information between the local authority and landlords will improve. The owners of houses can receive news, ideas and support through the landlord support pages and new Landlord Forum. They can also feedback into the Authority so the landlord viewpoint can be considered when decisions are made regarding issues which impact on them and their tenants.

The creation of these links and the partnership between landlord and council are a notable benefit of the proposed licensing scheme. By working together, landlords could benefit from external funding opportunities, where economies of scale reduce costs.

[Evaluation Report - Selective Licensing - November 2021 \(ashfield.gov.uk\)](#)

Licensing also brings a degree of reliability and assurance to the relationship between landlord and letting agent. Agents and letting organisations are more likely to accept landlords if their property is part of a licensing scheme. Selective Licensing Schemes require landlords to formalise their letting arrangements; rather than rely on verbal agreement/s which can result in disputes later on.

### **BENEFITS – IMPROVED RELATIONS BETWEEN LANDLORDS/TENANTS AND COMMUNITY GROUPS**

The East Marsh has a number of community groups that support local residents and bring about active change. For example, East Marsh United have been active acquiring trees for the area. The Shalom provides vital support for teenagers and young people. There are community choirs, food banks, drop in facilities, and many other organisations keen to see an improvement in the area. Working with landlords may attract funding opportunities into the area, which could improve wealth and opportunity in the area.

### **BENEFITS – PRO-ACTIVE APPROACH**

One of the benefits of the proposed Licensing Scheme is the Council can mitigate or eliminate many issues that can become contentious between landlords and tenants. Selective Licensing is a means of pre-empting problems such as damp, which can lead to poor living conditions, which would be dealt with before they become matters of contention that the landlord would have to manage.

While the Council already deals with much of this work, it usually does so in response to a service request. While the proposed scheme will mitigate some of the work, it will also bring about:

- compliance with a set of conditions and an active programme of inspection and enforcement
- which will ensure those landlords who do not comply or operate without the appropriate licence
- will be located, advised and where necessary will be taken down an enforcement route.

## BENEFITS – REDUCTION IN ANTI-SOCIAL BEHAVIOUR

The scheme aims to reduce anti-social behaviour in the area. Landlords will be required to obtain a tenant reference. These will be made available to the Council upon request. The Council will also provide their own tenant referencing service. This reference will consider a potential occupant's housing history for the past three years using our records, our partners' records, and those of any current and previous landlords. These records may include (but not limited to), any complaints of anti-social behaviour, domestic violence, rent arrears, damage to property, abandonment of property, breach of tenancy conditions, court orders, environmental enforcement action, illegal use of property, and/or criminal behaviour which is deemed to be relevant to a sustaining a tenancy.

This is intended to assist both the landlord and Council by ensuring that the right support is put in place, to support the tenant and landlord. For example, if a tenant is unable to manage their finances, then they could be eligible for housing related support. Providing this support will help them sustain the tenancy, manage their bills and pay their rent.

Where tenants cause repeated anti-social behaviour, the landlord will be able to request an ASB Case Review [Anti-social behaviour case review / Community Trigger | NELC \(nelincs.gov.uk\)](https://www.nelincs.gov.uk/anti-social-behaviour-case-review/). The Council and its partners (the Police, Registered Providers and Integrated Care Board) have several powers to be able to assist the community and landlords under the Anti-Social Behaviour, Crime and Policing Act 2014.

## PROPOSED AIMS AND OUTCOMES OF SELECTIVE LICENSING

The Council's aims and objectives over the five-year scheme are as follows:

Objective	Actions	Target Outcome	Benefits
Reduce low housing demand	<p>Monitor compliance against the predicted number of licensable addresses.</p> <p>Conduct compliance checks of properties licensed under the Selective Licensing Scheme.</p> <p>Take both formal and informal action.</p> <p>Support landlords in dealing with anti-social tenants/occupiers.</p> <p>Support landlords by supporting tenants to help maintain a tenancy, thereby reducing tenancy turnover.</p>	<p>Improve the environment, make the area more attractive to residents to live there.</p> <p>Reduce the number of empty and long-term empty residential properties.</p>	<p>Strengthen links between the Council and private landlords by providing support and information.</p> <p>Tenants stay longer in properties and provide an opportunity to create a community.</p> <p>Create a vibrant and sustainable private rented housing market.</p> <p>Fewer empty properties.</p>



# DRAFT

Reduce levels of anti-social behaviour (ASB)	<p>Take enforcement action to reduce ASB incidents in private rented properties.</p> <p>Support for landlords in dealing with anti-social tenants/occupiers.</p> <p>Through tenant contact inform/educate occupiers of their responsibilities to act within their tenancy agreement and reduce the risk of eviction by addressing ASB behaviour.</p> <p>Tenants understand the consequence of unacceptable behaviour.</p>	<p>A reduction in ASB behaviour linked to tenants/occupiers in the private rented sector.</p> <p>Help tenants understand their responsibilities.</p>	<p>Strengthen links between the Council and private landlords by supporting them with information on how to work to register Trigger events</p> <p>Reduce incidents of ASB.</p> <p>Tenants improve their behaviour and meet the requirements of their tenancy agreement.</p> <p>A vibrant and sustainable housing market in the proposed area.</p>
Improve Poor Housing Conditions	<p>Take enforcement action where landlords fail to improve properties up to a required standard.</p> <p>Support landlords who have properties with an Energy Performance Certificate of E or below, to a D by accessing Government funded schemes, contributing to the cost.</p>	<p>Improve property conditions in the area.</p> <p>Educate landlords and tenants to understand what standard a property should be when let.</p> <p>Reduce fuel poverty in the area.</p>	<p>Improved health outcomes by tenants living in better homes, contributing to longer life expectancy for residents.</p> <p>Reduced carbon emissions.</p> <p>Provide a vibrant and sustainable housing market in the proposed area.</p>
Reduce levels of crime in the area.	<p>Working with Landlords, providing residents with support from a Community Warden. Tenancy support for</p>	<p>Work with landlords to provide education around their options to tackle criminal behaviour.</p>	<p>Reduced crime levels, less transient community so people live in a home longer, enabling the</p>

	residents who are unable to maintain a tenancy due to complex lifestyles, and a residents forum to address local concerns.	Be able to identify criminal behaviour quickly working in partnership with landlords.	community to rebuild.
Increased access to education and health facilities	Working with tenants more closely, can support them to access to the right services much earlier.	Work with landlords and tenants to become aware of issues much earlier and signpost to relevant support services.	Better living conditions can support better attainment at school and work through better health outcomes.  Earlier support for complex families to prevent families entering crisis.

The Council believes that Selective Licensing will provide a framework to enable it to achieve the above objectives. It will also enable the Council's data and intelligence to identify properties and undertake proactive compliance visits/inspections.

Throughout the period of the 5-year designation, the Council will adopt a robust monitoring and evaluation process of the scheme which will inform the evaluation (impact and effectiveness) of the Selective Licensing designation.

## OTHER OPTIONS CONSIDERED

Introducing a Selective Licensing scheme is something that the Council needs to consider if other options to improve housing conditions and related matters have not brought about the needed improvements in an area.

We believe that introducing a Scheme will be the most effective means of tackling poor private sector housing conditions and standards in the borough. The scheme will enhance the Council's ability to use its existing powers and enable it to target action towards the most problematic private sector housing in the Borough.

There are other courses of action, or alternatives, to the proposals that have been considered. We do not believe that they provide an effective means of tackling poor housing conditions in the borough.

The alternatives we have considered include the following:

- **Do nothing/continuing as we are** – the evidence supports that a “do nothing” option i.e. continuing doing what we currently do, will not bring about the improvements in the

Private Rented Sector that are aspired to. The Council currently operates using powers under the Housing Act and the Anti-Social Behaviour, Crime and Policing Act 2014.

- **Increase enforcement activity** – this is already supported through our Housing Strategy. Increased activity is thwarted by current legislation only allowing officers to use powers of entry and powers of access. This means that officers have to be invited into a house, unless they have a court warrant. Selective licensing allows officers the opportunity to work with landlords to bring properties up to a good standard, before a licence is issued. Therefore, negating the lengthy enforcement process and problems gaining access to properties and taking action where properties have category one and two hazards..
- **Encourage landlords to join an accreditation scheme on a voluntary basis** – this is already supported through our Housing Strategy and will be tried in parts of Sidney Sussex and Heneage wards. It is considered that conditions in the proposed designated area are too poor, and a voluntary scheme would have little impact. Parts of the East Marsh ward were consulted during early 2020 about implementing a selective licensing scheme. This was put on hold due to Covid-19. Since then, the area has not improved even though the decision to implement selective licensing remained open (January 2020 – June 2024).

## CONCLUSION

We do not feel that these options will provide the same level of improvement in the Private Rented Sector and protection of the health, safety, and welfare of the residents as the proposed Selective Licensing Scheme.

We also recognise that many other schemes are expensive and would require funds being taken from Council Tax resources. This seems unfair when many of the problems are due to poor management practices by landlords or agents operating in a marketplace. Selective Licensing will be self-financing with the fee covering the cost of landlord paying their licensing fees; and not by the wider community.

In addition to the above other schemes will not give the Council detailed and accurate information concerning the Private Rented Housing stock. This is essential to undertake meaningful prioritisation and work planning. Such information is not only used in Regulatory Services but is also used and required by colleagues in other services.

Selective Licensing has an important role to play and offers valuable support to existing initiatives to prevent homelessness and create sustainable high-quality neighbourhoods with reduced levels of ASB.

## FUTURE INVESTMENT IN THE EAST MARSH

The Council have been successfully awarded funding to provide improvements to a number of homes in the ward.

*The project scope includes core works to 66 properties, delivering external and cavity wall insulation coupled with upgrades to door and windows (where required) and internal loft*

*insulation, new rainwater goods and improvement to damp proof course. External area single new rear party walls.*

**£2,969,810**

Please note this scope and budget was established over 2 years ago so there will need to be a reconciliation as the scope will need to be adjusted to either less scope to the same number of properties or the same scope to less properties.

In addition, there are other proposals to improve the street scene of some of our worst streets. These are dependent on sourcing sufficient budget to fund the improvements.

### **HOW THE PROPOSED SELECTIVE LICENSING SCHEME WILL BE DELIVERED**

Should the designation be granted, it will come into force no sooner than three months from the decision date. Once the designation is in force, every privately rented property (house, flat or room) unless already licensed to operate in the area, will require landlords to submit an application to the Council for a licence.

It is expected that compliant landlords will apply for the relevant licence shortly after the designation and it is suggested that a discounted fee is offered to those landlords who apply early. The Council will introduce a proactive enforcement programme, to identify unlicensed properties.

Failure to apply for a licence can lead up to an unlimited fine upon conviction in the Magistrates Court, or a civil penalty of up to £30,000 imposed by the Council. Following a conviction, any rent or Housing Benefit that has been paid to the landlord by either the tenant or the Council during the period the property was rented out without a licence (up to a maximum of 12 months) may also be reclaimed back through a Rent Repayment Order.

An application for a licence would need to be submitted for each property in accordance with the specified requirements. Part 3 of the Housing Act 2004 outlines that the Council may require the application to be accompanied by a fee fixed by the Council. The Council is not permitted to make a profit from the introduction of Selective Licensing and fee income is ring fenced for use on the scheme. The fee, however, should consider the costs incurred in administering the Selective Licensing Scheme. The Council's proposed Selective Licensing fee structure is detailed on Page 53.

As part of the application process, proposed licence holders and managers will be required to provide information that they are 'fit and proper persons' and that they have satisfactory management arrangements in place, including dealing with anti-social behaviour. In circumstances where the Council are not satisfied that the license holder or manager is a 'fit or proper person', and/or the management arrangements are unsatisfactory, then it can refuse to grant a licence.

It is the Council's intention to ensure that the application process is streamlined and as simple as possible for landlords. The licence application process will involve landlords (and/or their managing agents) submitting supporting documentation as well as completing an application form. The Council is currently providing an online application process for any mandatory house of multiple occupancy licence. Supporting documentation can be uploaded along with fee

payment to speed up the process. The process can be extended to provide an online Selective Licensing application process.

## LICENCE CONDITIONS

As part of the licensing requirements, all licence holders will be required to comply with various licensing conditions. Some conditions will be mandatory (imposed by the relevant housing legislation). The Council will have discretion to vary this. Some conditions will be local, for example abiding by the Humber Fire Safety Protocol, an agreement between all four Humber Authorities and Humberside Fire and Rescue Service.

[guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf \(ci-h.org\)](https://www.ci-h.org.uk/guidance-on-fire-safety-provisions-for-certain-types-of-existing-housing.pdf)

All landlords letting private rented property (except for those properties that are classed as exempt as previously referenced) in the designated Selective Licensing Area will require a licence from the Council, for each of their private rented properties. A full list of the proposed licence conditions are as follows:

The licence conditions would include requirements for:

- Gas safety Certificate
- Safety of electrical appliances,
- Installation of smoke alarms/ fire detection systems
- Carbon monoxide alarms
- Property management (repair and maintenance, external areas clear/ tidy)
- Deal with rubbish and waste (provide waste disposal certificates upon request)
- Evidence of Tenancy management practices
- Evidence of how a landlord will tackle Anti-Social Behaviour
- Energy Performance Certificate
- Electrical Certificate (EHICR)
- Tenant Referencing

Failure to comply with any of the licence conditions may result in prosecution or the imposition of a civil penalty of up to £30,000 per breach and loss of the licence.

Further details can be found in Appendix 2 – Licence Conditions.

## ENERGY PERFORMANCE

The Domestic Minimum Energy Efficiency Standard (MEES) Regulations set a minimum energy efficiency level for domestic private rented properties. The Regulations apply to all domestic private rented properties that are:

- let on specific types of tenancy agreement
- legally required to have an Energy Performance Certificate (EPC)

Since 1 April 2020, landlords can no longer let or continue to let properties covered by the MEES Regulations if they have an EPC rating below E, unless they have a valid exemption in place.

If landlords are currently planning to let a property with an EPC rating of F or G, they Need to improve the property's rating to E, or register an exemption, before entering into a new tenancy. Landlords will be unable to license a property without either a valid EPC rating of E or above, or a valid exemption notice.

## **PROCESSING A LICENSE APPLICATION**

Under the Housing Act 2004 the Council can either grant or refuse a licence if the Council is satisfied as to the following, then they may grant a licence to the Applicant or other agreed person:

- the proposed licence holder is a fit and proper person(s) and the most appropriate person(s) to hold the licence; and
- there is no banning order
- the proposed manager either has control of the house or is an agent or employee of the person who has control
- that the proposed manager is a fit and proper person to be the manager of the house
- that the proposed management arrangements for the house are otherwise satisfactory.
- that the licence holder is a resident in the UK

On receipt of a duly made application the Council will aim to provide a decision as soon as is reasonably practicable. The Council will be required to complete an inspection before issuing a decision. This could extend the time it takes to process the application. The Council aims to process all duly made applications and provide the relevant persons with a decision within 130 working days of receipt. If a completed application and fee is received the Council must issue the licence within 6 months when the licence became valid or the licence will become implied, without being stated.

The Council will always propose the granting of a licence by way of a Decision Notice and a draft licence followed by the issuing of the final licence upon receipt of the second part of the licence fee and completion of the consultation period, which allows for representations to be made. It is an offence contrary to Section 95 to not have a licence where one is required.

## **ELECTIVE LICENSING IN OPERATION**

The Council is committed (pending approval) to ensuring that the introduction of Selective Licensing is meaningful in terms of improving the designation areas by raising the standard of property management and quality of housing. The intention is to inspect all privately rented properties licensed under the proposal. The purpose of the inspection is to both ensure that properties meet the required standards and provide advice and assistance to landlords and tenants.

Licensing also places a legal requirement on landlords (or their managing agents) to undertake a reference check on tenants prior to offering a tenancy. By doing so the licence holder will be able to make an informed choice as to whether a prospective tenant is suitable for the property. Prospective tenants will be assessed if they are low, medium or high-risk tenants. Support will be provided to tenants, who require support to help them maintain a tenancy. This approach can support the area by ensuring tenants are not excluded from living in the East Marsh, near to family and support networks.

All aspects of the administration of the licensing application process (including undertaking property inspections, and advice to support landlords throughout the process will be undertaken by a dedicated Selective Licensing Team. Fee income from licence fees shall be used to cover the additional costs incurred by the Council in employing these staff.

Initially, the Council anticipates that the introduction of Selective Licensing will see an increase in the level of housing condition and anti-social behaviour enforcement activity, within the designated area. Enforcement action will be taken by the respective enforcement teams.

The Council also recognises that a tenant's behaviour is equally as important as a landlord in securing improvements within our local communities. We intend to work closely with residents to ensure they understand their responsibilities as a tenant. Selective Licensing Officers will provide an increased local presence within the designated areas, which will allow them the opportunity to get to know and build relationships with residents to identify issues and concerns at an early stage. The property inspection visit will also provide an opportunity to discuss tenant responsibilities as detailed in their tenancy agreement and offer support to ensure the tenant can successfully sustain their tenancy.

In conclusion, the Council's Selective Licensing proposal will enable a period of intense support to landlords, tenants, and residents.

## THE PROPOSED FEE STRUCTURE

It will be necessary to charge a fee to cover the costs and overheads associated with operating the scheme. The Council's proposed fees are based on the actual costs of administering a scheme in the proposed designated area. **The Council is not permitted and nor does it intend to seek or make a financial profit from Selective Licensing.**

Proposed fees have been calculated based on the staff needed to cover the processing of the estimated number of applications, the operation and development of the scheme. Cost estimates for the scheme include salaries and on costs and all anticipated non-salary revenue spend.

Each year the Council will review the cost of running the scheme and the projected revenue stream from licences. This means that the fee charged may need to be adjusted upwards, or downwards after each annual review depending upon whether the applications received deviate from the number of private rented properties we have assumed will need to be licensed.

The Council proposes to set the fee at a level that ensures full cost recovery for the scheme and is a balance between a reasonable cost for landlords whilst also seeking to ensure that the scheme is successful and appropriately resourced.



The proposed fee for the scheme is in the region of **£899 - £1,284 or (£3.45 - £4.93 per week)**.

The cost of licensing a property is an eligible expenditure, which can be claimed back through a landlord's tax return.

The Council propose to offer early bird discounts of 10% for applications made within the first 12 months. An additional 10% discount will be offered to landlords who are a member of a recognised Landlord Accreditation Scheme, for example the DASH (Decent and Safe Homes) Landlord Accreditation Scheme which has run successfully throughout the Midlands and Lincolnshire area for many years. Discounts are also available for recognised Charitable Landlords who have a proven track record providing ethical landlord practices.

## **RISK ANALYSIS**

The 2015 Selective Licensing Guidance requires local authorities to carefully consider any potential negative economic impacts that licensing may have in their area. The Council has considered potential risks and how these can be mitigated. A Risk Assessment details current and proposed controls that would be implemented subject to the scheme receiving approval to proceed. Risks would be managed within the Council's existing management systems.

An overview of the key risks is detailed below:

### **A selective licensing designation will have a negative impact on the proposed areas**

The Council has identified the area as needing support and intervention. The proposed introduction of Selective Licensing should not have a negative impact on the chosen areas as 'intensive support' will be provided during the period of the designation.

#### **Displacement**

Good and bad private sector landlords could decide to sell their properties and move elsewhere due to the proposed introduction of Selective Licensing (linked to the licence fee and the potential increase in obligations).

The Selective Licensing Team will play a key role in convincing landlords of the economic benefits of investing in their properties, renting them out responsibly and retaining them for the long term to generate an income that over time will offset the Selective Licensing fees, as well as generating confidence and greater stability in the area.

It has been shown that whilst this was a risk in other schemes, there is little evidence to suggest that displacement occurs.

#### **Rogue landlords move to other areas**

It is unlikely that such landlord will move to other areas of the borough where property prices are likely to be higher. The enforcement of housing conditions will continue in all areas of the borough. However, there will be 'Areas of Action' in parts of Sidney Sussex and Heneage wards that will work with landlords to improve housing conditions. Officers will also be working closely with the West Marsh community, to ensure that this area is not affected.

#### **Increase in the number of empty properties**

Landlords may decide to leave their properties empty, to avoid paying the licence fee and complying with the Selective Licensing conditions. Officers will continue to work with these

landlords to help them bring properties back into use, or to ensure that they remain in good condition and not provide a blight to the area. Landlords leaving properties empty will attract an Empty Homes Premium. This could mean the landlord pays up to 300% of the Council Tax charge. In addition, properties left empty for a long period, are difficult to insure which would mean landlords are in breach of their mortgage conditions. This is because empty properties are typically more at risk of damage, for example flooding, squatters and vandalism. Property depreciation costs, cost of security and repairs, loss of rental income and cost of Council Tax, are far greater than the cost of a licence.

### **Increase in the number of evictions to avoid licensing**

It is illegal for a tenant to be evicted if the property is not licensed under a Section 21 notice, so the tenant and tenancy can be protected. Training of the Housing Options staff to ensure due process is followed with the threat of eviction and a defence provided for the tenant.

Tenants who receive a notice of eviction will be supported by the Council. The Council will also use its powers under the Protection of Eviction Act 1977 to intervene where appropriate and will consider enforcement action against landlords who have unlawfully evicted tenants.

### **Resistance from private sector landlords**

All attempts will be made to engage with landlords to help them understand the benefits that Selective Licensing will bring to the proposed area.

Some may consider that 'good' landlords are being penalised because of the 'bad' landlords. We are proposing that good landlords join an accredited Landlord Accreditation Scheme (for example, DASH). Landlords who are members of the scheme will receive a discount. Membership of an accreditation scheme will also prove they are a good landlord for tenants looking to rent properties from them in other areas too.

### **Rental charges increase as landlords pass on the cost of obtaining a licence to their tenants**

The Council has set a proposed fee which is as low as possible whilst meeting the costs of the scheme. Initially we anticipate the cost to be in the region of **£899 - £1,284**. This works out as **£3.45 - £4.93 per week**.

There is little evidence nationally to suggest that the implementation of Selective Licensing will directly increase rents. Where some areas saw rental increases, it was more likely associated with broader market factors and not as a direct result of the introduction of Selective Licensing. However, this does not take away from the fact that some landlords will look to pass the costs on. Any landlord increasing costs to an unaffordable level would need to consider the impact on the tenant, loss of rent, loss of tenant, potential void loss, cost of evicting the existing and sourcing a new tenant.

Accordingly, the evidence identified above is consistent with licensing costs being insignificant impact on rent increases which are driven by existing supply and demand dynamics.

### **Rogue or criminal landlords continue to operate without a licence**

A range of measures will be in place to monitor operation of private landlords in the area. The Council will operate a robust enforcement policy should an unlicensed landlord be identified.

Persons operating a rental property without a licence are subject to a civil penalty of up to £30,000 per offence. The council will use the full extent of their powers to secure compliance and issue fines where required.

## **HOW THE COUNCIL WILL CONSULT**

Part 3 of the Housing Act 2004 section 80 (9) states that when considering designating an area for selective licensing the local authority must:

- Take reasonable steps to consult persons who are likely to be affected by the designation; and
- Consider any representations made in accordance with the consultation and which are not withdrawn.

In preparing our Consultation Plan we have given due consideration to DCLG Guidance on 'Selective Licensing in the Private Rented Sector: a guide for Local Authorities' (published March 2015) and our statutory duty to consult and ensure we have taken reasonable steps to consult those likely to be affected by the proposed designations.

## **CONSULTATION PLAN OVERVIEW**

The Council will use a variety of methods to consult with those likely to be affected by the proposed designation. Appendix 3 'Consultation Plan' provides further details of the actions the Council will take to encourage feedback. Our methods of consultation will include:

- Consultation leaflet/letter delivered to all residents and businesses within the proposed designated area and immediate surrounding area.
- Door knocking to inform all residents.
- A mail out to landlords and managing agents.
- Press release to local media/press
- Social media posts
- Information on the Council website [www.nelincs.gov.uk](http://www.nelincs.gov.uk).
- Drop-in sessions for landlords and tenants, enabling parties with an interest to answer queries directly.
- Online consultation event for landlords who are unable to attend in person.
- Email to relevant ward members and MPs
- Email to relevant Council partners, stakeholders and other potential interested parties.
- An advert in the press on three separate occasions two weeks apart as required by law.

## **HOW TO RESPOND TO THE CONSULTATION**

A questionnaire will be available to complete on the Council's 'Have your say' web page. This will take place over a period of no less than 10 weeks. Hard copies of the consultation will be available upon request and made available at our drop in/door knocking sessions.

## **CONSULTATION RESPONSE/FEEDBACK**

Following the conclusion of the consultation period, the Council will consider all responses received (that have not been withdrawn) and will publish an anonymised summary of responses received and will explain how these have been either acted upon or not (and give reasons). A copy of this consultation report will be published.

## DRAFT

Details of the above will be reported back to the Council's Cabinet. Subject to the outcome of the consultation, the Council's Cabinet will then make a final decision as to whether to proceed (or not) with the Selective Licensing proposal (including the scope and the scale of the designated areas).

### THE PROPOSED SELECTIVE LICENSING IMPLEMENTATION TIMETABLE

Date	Action
11 <sup>th</sup> December 2024	Cabinet approves 'In Principle' to undertake public consultation with all those likely to be affected by the proposed Selective Licensing designation.
January 2025	The period of the consultation will be no less than the minimum of 10 weeks as required by the guidance to Local authorities.
April/June 2025	Analysis of consultation feedback and consultation report published. Consultation with the relevant Scrutiny Panels will also take place.
July 2025	Report back to Full Council for final consideration (report will include details of consultation replies). The final fee calculation will also be included.
Aug 2025	Pending approval from the Full Council to endorse the Selective Licensing proposal, notice of proposed designation will be published. This will run for three months.
November/December 2025	Commencement of the Selective Licensing scheme, at least 3 months after the designation as required by the Housing Act 2004.

Selective Licensing Appendices:

**Appendix 1**

**INFORMATION ABOUT SELECTIVE LICENSING & THE LEGAL FRAMEWORK**

**Licensing in the Private Rented Sector**

Within North East Lincolnshire the council undertakes licensing of Houses in Multiple Occupation (HMO) which is a Mandatory Licence. A HMO is a type of property that requires a license by law. The Housing Act 2004 requires mandatory licensing of certain HMOs where the HMO is occupied by five or more persons living in two or more separate households.

The Council may bring in Discretionary licensing, which is permissible under the Housing Act 2004. Before proposing a designation and embarking on a consultation, the local housing authority must identify the problems affecting the area to which the designation will apply and provide evidence to demonstrate the existence of the problems. It must also decide what other measures they will take along with other stakeholders to mitigate or eliminate those problems, enabling the aims of the scheme to be achieved. It should be noted that in making a selective licensing designation, the local housing authority must also take other measures to help address the problems.

Discretionary Licensing under the Housing Act 2004 falls into two forms of licensing:

- *Selective Licensing*, which requires all privately rented property in a designated area to have a licence from the Council, except for a number of exemptions (which include holiday lets, business premises, student premises where the university is the landlord/manager and premises where the tenant is a family member)
- *Additional Licensing*, which requires Houses of Multiple Occupation (HMOs) in a designated area to have a licence where they are shared by three to four tenants living in two or more households who share facilities such as kitchens and bathrooms.

**WHAT is a House of Multiple Occupation - HMO?**

An HMO is defined in Sections 254 and 257 of the Housing Act 2004. An HMO can be a building or part of a building if it is: -

- Occupied by persons who form more than one household, and where those persons share (or lack) one or more basic amenities, such as a WC, personal washing, and cooking facilities.
- A converted building containing one or more units of accommodation that do not consist entirely of self-contained flats. (There is no requirement that the occupiers share facilities).
- A converted building consisting entirely of self-contained flats, where the building work undertaken in connection with the conversion did not comply with the 1991 Building Regulations and more than one third of the flats are occupied under short tenancies.

The HMO must be occupied by 2 or more households: -

- As their only or main residence

- As a refuge by persons escaping domestic violence; or
- During term time by students.

In all cases: -

- Occupation of the living accommodation must be the only use of that accommodation; and
- Rents are payable or other considerations are provided.

Under the Housing Act 2004, a household comprises: -

- A single person (though a property will not qualify as an HMO if it is occupied by 2 single people who are separate households);
- Co-habiting couples (whether of the opposite sex); or
- A family (including foster children and children being cared for) and current domestic employees.

Bed and breakfast and hostel accommodation occupied by individuals as their main and permanent address are also considered to be an HMO.

Certain types of buildings will not be HMOs for the purpose of the Housing Act. They are:-

- Buildings, or parts of buildings, occupied by no more than two households, each of which comprise a single person only (for example, two-person house or flat shares);
- Buildings occupied by a resident landlord with up to two tenants;
- Buildings managed or owned by a public sector body, such as the police, local authority, registered social landlords, fire and rescue authority and the NHS;
- Buildings occupied by religious communities;
- Student halls of residence directly managed by an education establishment where the education establishment has signed up to an Approved Code of Practice; and
- Buildings occupied entirely by freeholders or long leaseholders.

## **MANDATORY LICENSING**

Under the Housing Act 2004, certain types of HMO (defined in Regulations by the Secretary of State) are always licensable. For these HMOs there is an obligation on the landlord to apply for a licence to the local authority where the HMO is located. Local authorities, therefore, must be able to manage the applications for licences. Originally, licensable HMOs were those comprising three or more storeys with five or more residents living as two or more households that share some facilities. From 1 October 2018, the definition of a mandatory licensable HMO changed and the rule regarding 3 or more storeys was removed.

All properties that meet the following criteria therefore require a mandatory HMO licence: -

- It is occupied by five or more persons living in two or more separate households; and
- It meets either: -
  - The standard test under section 254(2) of the Act; or
  - The self-contained flat test under section 254(3) of the Act (but is not a purpose-built flat situated in a block comprising three or more self-contained flats); or
  - the converted building test under section 254(4) of the Act.

The Council currently licenses (as at September 2024) circa 120 licenses under the national mandatory scheme. Operating an HMO without a licence is a criminal offence and the Council will investigate and consider taking formal action in line with current legislation.

The Council will consider the following enforcement action in relation to an unlicensed HMO: the issuing of a civil penalty up to £30k or prosecution. Tenants can apply for a Rent Repayment Order to reclaim up to 12 months' rent where a landlord is found to have rented out an unlicensed property. In addition, while the property is unlicensed, a Notice of Seeking Possession under Section 21 Housing Act 1988 to evict tenants cannot be used.

The Council does not propose to undertake consultation on the bringing in of additional licensing at this time as the Council believes the use of selective licensing will address the issues identified in the selective licensing designated area. This is because the evidence indicates that the problems within the area affect all privately rented properties and not just houses of multiple occupancy.

## **SELECTIVE LICENSING**

In April 2015 the Secretary of State for Communities and Local Government gave Local Authorities general approval to introduce Selective designations in England without requiring the specific confirmation of the Secretary of State, if certain conditions are met: Local authorities are required to obtain confirmation from the Secretary of State for any selective licensing scheme which would cover more than 20% of their geographical area or would affect more than 20% of privately rented homes in the local authority area.

Together these rules enable local authorities to put in place effective licensing schemes to address specific problems arising in particular areas. Local authorities have powers to introduce selective licensing of privately rented homes in order to tackle problems in their areas, or any part or parts of them, caused by:

- low housing demand (or is likely to become such an area) and/or;
- a significant and persistent problem caused by anti-social behaviour;
- poor housing conditions;
- high levels of migration;
- high level of deprivation;
- high levels of crime.

Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation (England) General Approval 2015.

[The Housing Act 2004: Licensing of Houses in Multiple Occupation and Selective Licensing of Other Residential Accommodation \(England\) General Approval 2015 - GOV.UK](#)

Local Authorities should ensure that: -

- Exercising the designation is consistent with the authorities overall housing strategy;



- Seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and Anti-Social Behaviour affecting the Private Rented Sector. Both
  - (a) as regards combining licensing under this part with other course of action available to them, and
  - (b) as regards combining licensing such licensing with measures taken by other persons

The Authority must not make a designation unless: –

- (a) they have considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of achieving the objective(s) that the designation is intended to achieve, and
- (b) they consider that making the designation will significantly assist them to achieve the objective (s) (whether or not they take any other course of action as well)

Prior to making a designation, the legislation requires local authorities to take reasonable steps to consult with any one likely to be affected by the designation and to consider any representations made in accordance with the consultation.

Once a Selective Licensing Designation has been made following full consultation, for a minimum of 10 weeks and approved by the Council, a cooling off period, to allow for Judicial Review of 3 Months is required. The Council must engage with any review and have due regards to any recommendations if a review is called,

Designating an area for Selective Licensing means that any private landlord wishing to rent out properties within the designated area must apply for a licence. A separate licence must be obtained for every privately rented tenanted property within the designated area.

A house is defined as: -

- A building or part of a building consisting of 1 or more dwellings.
- If houses have been made exempt under the Selective Licensing of Houses (Specific Exemptions) Order 2006 the Local Authority cannot require them to obtain a licence (The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 ([legislation.gov.uk](http://legislation.gov.uk)). This includes business tenancies, tenancies which have a term over 21 years or buildings which are regulated under other legislation.
- Selective Licensing does not apply to any person registered as a social landlord under part 2 of the Housing Act 1996.

Local authorities should consult the latest available [English Housing Survey](#) or Census when considering whether an area has a high proportion of privately rented properties or conduct its own research.

In addition, in making a Selective Licensing designation, the local authority must, under section 81 of the 2004 Act:

- a) Ensure that it exercises its power to designate consistently with the Council's overall housing strategy; and
- b) Seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour, both as regarding

- (i) combining Part 3 licensing with other available courses of action and
- (ii) combining Part 3 licensing with measures taken by other persons.

Where a Selective Licensing designation is made it applies to privately rented properties in the area. Subject to certain exemptions all properties in the private rented sector which are let or occupied under a tenancy or licence, are required to be licensed by the local housing authority, unless a property is a House in Multiple Occupation and is required to be licensed under Part 2 of the Act.

Owners of rented properties will be required to make an application to the Council for a licence and will need to nominate either the manager or the owner to be the licence holder and they will have to pass a fit and proper person test to ensure they are suitable to operate a Private rented property.

Landlords will require a licence for each individual property they rent out within the designated area. The data collected by the Council from the proposed area will need to be reviewed to ensure the scheme is meeting its objectives and how it contributes to the Council's strategic priorities. A report of the effectiveness of the scheme will be brought to Cabinet during Year 3 of the scheme.

## **LICENCE CONDITIONS**

Each licence is valid for up to 5 years and will contain conditions with which the licence holder will be required to comply. The conditions will include issues relating to tenancy management (including tenant referencing), ensuring properties are safe, and conditions on dealing with anti-social behaviour. The Council's draft Selective Licensing Conditions are detailed in this report.

## **FIT AND PROPER PERSON**

In addition to ensuring compliance with the licence conditions, the Council is required to determine that the proposed licence holder is a 'fit and proper' person in terms of their suitability to manage their property/properties before issuing a licence. The Council will use the statutory test set out within section 89 of the Act when determining fitness and propriety.

## **SELECTIVE LICENSING FEES**

**ALL COSTS** associated with the administration of a Selective Licensing scheme are recouped via fees charged to the landlord. Details of the Council's proposed Selective Licensing fee structure are detailed in Appendix 4.

## **SELECTIVE LICENSING ENFORCEMENT**

Failure to apply / obtain a licence when a property is let could result in an unlimited fine if convicted or a civil penalty of up to £30,000. In addition, where a breach of a licence condition is identified, this could lead to a conviction and a fine of £5,000 or a civil penalty for each breach.

Two civil penalties within 6 months would allow the local authority to obtain a banning order against a rogue landlord.

In addition, local authorities and tenants can claim back from landlords up to 12 months benefit/rent paid during the period a property has not been licensed (Rent Repayment Order – via the First-Tier Tribunal). Landlords who continually fail to licence a property can have control of their property taken away from them through a Special Interim Management Order, which could lead to a Final Management Order.

Once the Council has approved the designation of an area for selective licensing, a three month pause in case any party wishes to raise a Judicial Review. If this does not happen, the approval becomes law.

During the period of the designation, a programme of pro-active property inspections will be undertaken, and the Council will act where breaches of licence conditions are found. These enforcement activities will not be met from the revenue from fees.

Our enforcement activities will be targeted only at situations where action is needed and will be carried out in a transparent, accountable, proportionate, and consistent manner – in accordance with the Council's own Enforcement Policy. The Council will work constructively with individuals or businesses that can evidence they are trying to comply with the law and help them to comply with the law.

## Appendix 2

### Selective Licensing Conditions

The Local Authority has to follow mandatory conditions laid down in legislation for selective licensing and cannot make improvements directly to the property as provided by case law. *Brown v Hyndburn BC*. It can however ensure the property is free of any hazards and the property meets the decency standards. It may also include such conditions that allow the Council to meet the objectives of the scheme.

[Brown v Hyndburn Borough Council \[2018\] EWCA Civ 242 \(21 February 2018\)](#)

The licence holder must comply with the following conditions.

#### Permitted Occupation

1. The property must not exceed the maximum permitted number of persons or households for the house.
2. No persons will share a bedroom unless they are living as part of a family. Children under the age of 2 are permitted to share a room with the parent(s) 1 bedroom 2 persons of the same sex aged 10 and above 1 bedroom 1 or 2 children under 10yrs (not necessary of same sex) 1 bedroom.

#### Gas

3. If gas is supplied to the house, produce on demand to the Property Licensing team annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months.

#### Electrical

4. Ensure that every electrical installation in the house is in proper working order and safe for continued use; and
  - a) to supply the Authority, on demand, with a declaration by him as to the safety of such installations.
  - b) supply the Property Licensing Team, on demand, a copy of a valid and satisfactory Electrical installation condition report (EICR) obtained in respect of the house. Fire Safety.
5. Ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation, (including a bathroom or a lavatory). And
  - a) keep each such alarm(s) in proper working order.
  - b) supply the Property Licensing Team, on demand, with a declaration as to the condition and positioning of such alarms.
6. Keep electrical appliances and furniture made available in the house in a safe condition. a. Supply to the property licensing team, on demand, with a declaration as to the safety of such appliances and furniture.

7. Produce on demand to the Property Licensing team a declaration confirming the fire detection system is tested on an annual basis and at the start of every tenancy. The fire detection system should be maintained in accordance with manufacturer's instructions.

### **Carbon Monoxide**

8. Ensure that a carbon monoxide alarm is installed in any room in the house (including a hall or landing) which is used wholly or partly as living accommodation (including a bathroom or a lavatory, hall, or landing) and contains a fixed combustion appliance, other than a gas cooker;
  - a) keep any such alarm in proper working order,
  - b) supply the authority (property licensing team), on demand, with a declaration by him as to the condition and positioning of any such alarm.
  - c) Ensure all carbon monoxide alarms are installed in line with manufacturer instructions.

### **Waste Provision**

9. No refuse shall be kept in the front, side or rear garden, yard and alley ways, other than in an appropriate storage container for that purpose.
10. Licence holders must respond reasonably and effectively if there are complaints concerning accumulations of waste and refuse at the property.
11. Any waste removal must be removed lawfully and collected by a registered waste carrier with the appropriate permit.

### **Property management**

12. The Licence Holder must reside in the United Kingdom for the duration of the licence. If there is any change, they must inform the Property Licensing Team within 14 days of change of address.
13. Ensure that inspections of the property are carried out at least every 6 months to identify any problems relating to the condition and management of the property. This includes detailing records of any damp and mould within the property.
  - a) The written records of such inspections must include details of who did the inspection, the date, any issues raised and signed by the tenant.
  - b) The written inspection record must be kept for the duration of the licence. Written inspection records must be supplied on demand to the property Licensing team.
  - c) In the event a payment of rent is missed, a visit must be made to the property no later than one month from the date the payment was due, to ensure that the property is secure and has not been abandoned.

14. Landlords/Lettings agents must ensure:
  - a) the exterior of the house is maintained in a reasonable decorative order and in repair.
  - b) all outbuildings, yards, forecourts, alley ways and gardens surrounding the house are maintained, in repair and kept in a clean, tidy, and safe condition and free from infestations.
15. Ensure that the Property Licensing Team is informed in writing, within 14 days of the following changes: a. any change in ownership or management of the property b. any change in the licence holder or management contact details.
16. Ensure that all monies in respect of the licence fee are paid to the Council within 28 days of a licence being issued. Tenancy Management
17. Supply all occupants of the property with a written statement of the terms under which they occupy it.
18. Ensure tenants are provided with:
  - a) a copy of the licence and conditions.
  - b) written information about arrangements in place to deal with repair issues and emergencies should they arise, including name of the licence holder or managing agent with contact details (include an emergency contact telephone number) and the expected timescales for a response.
  - c) written information on arrangements for the storage and disposal of waste to include specific detail about bins, collection days and information about the disposal of bulky items such as furniture.
  - d) copies of manuals/instructions for installations and equipment provided including any burglar alarm.
  - e) copies of the gas and electrical safety certificates and Energy Performance Certificate.
19. Obtain references from persons who wish to occupy the house before entering any tenancy, licence, or other agreement. The reference must be kept for the duration of the licence. The Landlord must supply the Property Licensing Team, on demand, a copy of any such references.
20. Ensure that the tenants' right to quiet enjoyment of the property is respected. If entry is required to the property, the tenant should receive at least 24 hours' notice in writing explaining why the entry is required.
  - 20a. Supply the Property Licensing Team, on demand, a copy of any such written notice.

21. The licence holder must protect any deposit taken under an assured short hold tenancy by placing it in a statutory tenancy deposit scheme. The tenant must be given prescribed information about the scheme being used at a time when the deposit is taken.
22. Provide the Property Licensing Team upon demand a written management statement explaining how you or your managing agent respond to issues of disrepair including timescales, emergency contact details and waste provisions in place for the property.
23. At the start of any new tenancy the licence holder must ensure there is no refuse or waste left inside the property or within the curtilage and alley ways.
24. The exterior of the property and all boundary wall fences and gates must be kept free of vandalism and or graffiti.

**Managing anti-social behaviour (ASB)**

25. Provide the Property Licensing Team upon demand a written statement explaining how you or your managing agent respond to issues of anti-social behaviour including environmental anti-social behaviour for example, noise.

25. Take all reasonable and practicable steps for preventing and dealing effectively with anti-social behaviour.
26. Tenancy agreements should contain:
  - a) a clause holding the occupants responsible for any anti-social behaviour by themselves and/or their visitors.
  - b) a clause specifying who is responsible for maintaining the gardens and other external areas (including the alley ways) within the curtilage of the property.
27. The Licence Holder is required to undertake an incremental process of investigation of any complaints which have been made either directly to them, or via the Local Authority, regarding their occupiers.
28. Copies of warning letters sent and/or notices of seeking possession served on the tenants of the property for breaching tenancy agreements and causing anti-social behaviour should be kept for the duration of the licence and supplied to the Property Licensing team on demand.
29. If the Licence Holder or agent has reason to believe that the anti-social behaviour involves criminal behaviour, they shall ensure the appropriate authorities are informed in writing and copies supplied on demand.



30. Where the Licence Holder is specifically invited, they should attend any case conferences or multi-agency meetings arranged by the Council or the Police.
31. The Licence Holder must ensure that within 28 working days of the property becoming vacant the Property Licensing Team is notified. He/she must ensure that all reasonable measures are taken to ensure that the property and curtilage are kept secure from unauthorised entry during periods when the property is unoccupied.

**Fit and proper persons – licence holders and managing agents.**

32. The Licence Holder must inform the Property Licensing Team in writing within 7 days of any changes in their circumstances as follows:
  - a) details of any unspent convictions not previously disclosed to the Property Licensing Team that may be relevant to the Licence Holder and/or the property manager and their fit and proper person status and in particular any such conviction in respect of any offence involving fraud or dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003.
  - b) details of any finding by a court or tribunal against the Licence Holder and /or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business.
  - c) details of any contravention on the part of the Licence Holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her.
  - d) information about any property the Licence Holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act or has revoked a licence in consequence of the Licence Holder breaching the conditions of his/her licence.
  - e) information about any property the Licence Holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004.
33. The Licence Holder must maintain and improve their knowledge and competency by keeping up to date with current housing issues and regulation to enable the effective management of their property and tenants. Licence holders must complete at least five hours professional development per year. Evidence of this must be provided to the Property Licensing Team upon request and could include attendance at:
  - a) Landlord Forums when attendance is taken.
  - b) Landlord Association meeting

- c) Certified On-line or in person training courses in relation to housing matters  
Optional conditions for accreditation
34. The property must fulfil the licence minimum standard for the full duration of the licence. Failure to do so will result in payment of the full licence fee, minus any payments already received, becoming due within 28 days. Notes "Authority" refers to the local housing authority, namely North East Lincolnshire Council. All records referred to in the conditions must be provided to the Property Licensing Team on demand in the specified time.

## Appendix 3

# Communications and Consultation Plan

## Proposed Selective Licensing – Parts of the East Marsh

The Housing Act 2004, Section 80 (9) requires a Local Authority to widely consult prior to considering designating an area of Selective Licensing within its Borough with two points enshrined within law, these are.

- To take reasonable steps to consult persons who are likely to be affected by the designation
- To consider any representations made in accordance with the consultation and not withdrawn. Section 6 of the Selective Licensing in the private rented sector: a guide for local authorities document, published by the Department for Levelling Up, Housing and Communities outlines the consultation requirements for any considered scheme. The guidance document outlines that the Council must undertake a full consultation for a period of at least 10 weeks.

Consultation may commence during January 2025, pending cabinet approval on the 11 December 2024.

Any consultation should include consultation with the following groups.

- Local Residents within the proposed designated area and immediate surrounding area.
- Tenants
- Landlords
- Managing Agents
- Business Operators within the designated area

Further to the groups included within the guidance document the Council will also consult with the following groups to ensure that the consultation is widely publicised. In most cases, the Council are already working with these partners.

- Humberside Police
- Humberside Fire and Rescue Services
- North East Lincolnshire Adult and Children services
- Local Council Elected Members
- Member of Parliament for Greater Grimsby & Cleethorpes
- Community Safety Partnership
- Integrated Care Board
- Navigo
- Registered Providers
- Local Community Housing Organisations
- Local Charities supporting residents

The plan outlining the methods and nature the Council use to engage with the groups listed to widely publicise the scheme is outlined within the communication plan below.

It is essential that the consultation provides a clear and informative outline of the considered designation, as the considered designation would account for less than 20% of the total rental property stock within the Borough and less than 20% of the total geographic municipal area, which means that any scheme will be considered by the members of the Council and would not require intervention by the Secretary of State for Housing.

Further information on the proposed area, proposed fees and discounts and the aims of the considered designation, will be published on the Councils website, with paper copies provided to residents upon request and for the digitally disadvantaged. This approach will ensure that those individuals that are able to review the information digitally are able to do so, whilst ensuring that individuals that are unable to are still able to access the essential information, whilst limiting the environmental impact.

Residents, local businesses and landlords will be made aware of the consultation, and how they can respond by the following methods;

- Consultation leaflet/letter delivered to all residents and businesses within the proposed designated area and immediate surrounding area.
- Door knocking to inform all residents.
- A mail out to landlords and managing agents.
- Press releases to local media/press to notify when consultation has commenced and before it ends.
- Social media posts
- Information on the Council website [www.nelincs.gov.uk](http://www.nelincs.gov.uk).
- Drop-in sessions for landlords and tenants, enabling parties with an interest to answer queries directly.
- Online consultation event for landlords who are unable to attend in person.
- Email to all elected members and MP's
- Email to relevant Council partners, stakeholders and other potential interested parties.

The Council will ensure that feedback can be provided through the following channels.

- Online (Through the Councils website)
- Face to Face through drop-in sessions for those affected by the scheme.
- Email through a dedicated Selective Licensing Email address
- Letter (Delivered to the Council Municipal Offices, Town Hall Square, Grimsby, DN31 1HU)

Following completion of the consultation period the results from the consultation and summary responses will be published on the Councils website and presented to Cabinet as part of the overall recommendations. The report will also explain why comments have either been acted on or not and the justifications for doing so

### Communication Plan

The table below outlines the various consultees that are being contacted, the methods and timeframes of how this will be undertaken. This will be a fluid document, and may change during the process, as we adapt to the requirements of consultees.

Method of Contact	Nature of Communication	Target/Specific Audience	Timescales and period	Method of Delivery
<b>RESIDENTS AND BUSINESS WITHIN THE DESIGNATED AREA</b>				
Advert in the Local Press the scheme consultation is about to start and the date. With link to consultation website	Press	All persons within the Borough	January 2024	Press Website Landlord Associations and Agents
Letters sent to all residences and businesses within the designated area	Postal	All residents and businesses impacted by the potential scheme area.	January 2024	Royal Mail
Drop-in sessions held in the East Marsh	Face to Face	Residents impacted by the proposed scheme	February 2024	Face to Face
Community Meeting	Face to Face	Residents impacted by the proposed scheme	February 2024	Face to Face – Venue to be confirmed.
Online Residents event	Online	Residents impacted by the proposed scheme	March 2024	Online event where residents can log into the session and raise questions.
Email and direct contact to all Faith groups	Posters and leaflets regard the consultation may need translation	Faith groups	January 2024	Email and direct contact Posters and leaflets
<b>LANDLORDS AND LETTINGS AGENTS IMPACTED BY THE PROPOSAL</b>				
Dedicated Landlord and Agent Drop-in Events	Face to Face	Landlords and Letting Agents	February 2024	Face to Face – Town Hall, Grimsby
Online dedicated Landlord and Agent Event	Online	Landlords and Letting Agents	March 2024	Online event where landlords/letting agents can log into the session

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				and raise questions.
<b>BUSINESS GROUPS AND MEMBERS OF THE PUBLIC</b>				
Online event for business groups and members of the public	Online	Business Groups and members of the public	March 2024	Online event where attendees can log into the session and raise questions
Article in the Grimsby Evening Telegraph	Newspaper	General Public	January/February 2024	Newspaper advert to promote consultation of the scheme.
Publication on the Council's Social and Media Platforms	Social Media	General Public	January – March 2024	Facebook, LinkedIn, X
'Have your say'	Website	All parties	January – March 2024	Council Website
Emails to partners, elected members and Members of Parliament	Email	Partners, elected members and Members of Parliament	January 2024	Email to all parties.
<b>LANDLORDS AND LANDLORD GROUPS/ORGANISATIONS</b>				
Direct communication with Landlord Groups/Organisations	Letter	National Residential Landlords Association (NRLA), Humber Landlords Association (HLA) and East Midlands Property Owners (EMPO) British Landlord Association (BLA)	January 2024	Royal Mail Email
Direct communication with SHELTER	Letter	SHELTER (National Homelessness Charity)	January 2024	Royal Mail Email

### Communication Plan

The table below outlines the various consultees that are being contacted, the methods and timeframes of how this will be undertaken.

Method of Contact	Nature of Communication	Target/Specific Audience	Timescales and period	Method of Delivery
<b>RESIDENTS AND BUSINESS WITHIN THE DESIGNATED AREA</b>				
Letters sent to all residences and businesses within the designated area	Postal	All residents and businesses impacted by the potential scheme area.	January 2024	Royal Mail
Drop-in sessions held in the East Marsh	Face to Face	Residents impacted by the proposed scheme	February 2024	Face to Face
Community Meeting	Face to Face	Residents impacted by the proposed scheme	February 2024	Face to Face – Venue to be confirmed.
Online Residents event	Online	Residents impacted by the proposed scheme	March 2024	Online event where residents can log into the session and raise questions.
<b>LANDLORDS AND LETTINGS AGENTS IMPACTED BY THE PROPOSAL</b>				
Dedicated Landlord and Agent Drop-in Events	Face to Face	Landlords and Letting Agents	February 2024	Face to Face – Town Hall, Grimsby
Online dedicated Landlord and Agent Event	Online	Landlords and Letting Agents	March 2024	Online event where landlords/letting agents can log into the session and raise questions.
<b>BUSINESS GROUPS AND MEMBERS OF THE PUBLIC</b>				
Online event for business groups and members of the public	Online	Business Groups and members of the public	March 2024	Online event where attendees can log into the session and raise questions
Article in the Grimsby Evening Telegraph	Newspaper	General Public	January/February 2024	Newspaper advert to promote

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				consultation of the scheme.
Publication on the Council's Social and Media Platforms	Social Media	General Public	January – March 2024	Facebook, LinkedIn, X
'Have your say'	Website	All parties	January – March 2024	Council Website
Emails to partners, elected members and Members of Parliament	Email	Partners, elected members and Members of Parliament	January 2024	Email to all parties.
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