

**Wirral Council**

**Selective Licensing Business Case**

**December 2019**

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## **1 Foreword**

Since 2001, Wirral has seen a significant increase in its private rented sector of nearly 80%. This represents both an opportunity to create a strong and sustainable housing market and offer for the Borough but also a challenge in that some of these properties are being poorly managed and are in areas with higher rates of private rented stock, suffering low demand, criminal damage, high turnover and empty properties which are all directly affecting the local neighbourhood.

Wirral wants to see a healthy private rented sector with good quality properties and management standards. In order to achieve this there is a need to address some of the housing and related social issues which continue to affect areas especially those to the East of the Borough. Many landlords act responsibly, and Wirral has worked in partnership over a number of years to drive up standards through the Landlord Accreditation Scheme where in total 3,805 properties have been accredited. While this is a great achievement there are many areas where accreditation has not worked and where tenants are reluctant or unwilling to report poor housing conditions. In eight of these areas, Wirral has already introduced Selective Licensing, the first scheme in 2015 and the second scheme in 2019. This scheme has highlighted the need for a rigorous, targeted approach to enforcing minimum standards. Licensing inspections in these areas have so far demonstrated that almost 70% of privately rented properties do not comply with licensing conditions, so clearly more needs to be done to protect vulnerable residents living in the private rented sector in certain parts of Wirral.

We will continue to use existing powers we have available to tackle irresponsible landlords and tenants and at the same time offer support and assistance to improve conditions and management practices. But we also need to do more. This Business Case therefore sets out a proposal to extend Wirral's Selective Licensing Scheme in the 4 areas of the first Selective Licensing Scheme for a further 5 years as well as to an additional two new small areas. At the same time, we are committed to building on our existing relationships with those landlords operating in the Borough, particularly those in existing and proposed Selective Licensing Areas. We aim to focus complementary investment into these areas to make a clear commitment to tenants, residents and stakeholders in these neighbourhoods that we can make a positive change for the future by driving up management standards and practices in the private rented sector in their communities.

***Councillor Stuart Whittingham, Wirral Council, Cabinet Member for Housing and Planning***

## 2 Executive Summary

Wirral has a growing private rented sector within its housing market. There are around 23,000 privately rented properties in Wirral<sup>1</sup> and the sector is vital in meeting the borough's housing needs, so it is important that what is on offer is of high quality.

Although many landlords operate professionally, Wirral Council is concerned about a number of landlords who rent properties that fail to meet satisfactory standards of tenancy and property management.

Almost one in six properties within Wirral's private rented sector contains one of the most serious hazards. This has a detrimental impact on the health and welfare of local communities. It also impacts negatively on a housing market that is already vulnerable in terms of vacant properties, low house prices and depressed rental values.

Poorly managed properties can lead to problems such as low demand, anti-social behaviour, fly-tipping, and can cause blight on the borough's neighbourhoods. Wirral Council wants to ensure that it has a good quality private rented sector, that tenants can be confident in, and believes that a Selective Licensing Scheme can play a major part in helping achieve this.

Selective Licensing is a scheme where all private landlords within a defined boundary must have a license before they can let a property out. The license will have conditions attached to ensure the properties are in good condition, safe and well managed.

Wirral introduced its first Selective Licensing Scheme on 1<sup>st</sup> July 2015 in four small areas and introduced a scheme in four further areas in 2019. The 2015 scheme has been in operation for almost four years and has had a significant impact in improving properties through compliance inspections and pro-active engagement with landlords, tenants and residents. Selective Licensing schemes have a maximum duration of five years and the 2015 scheme is due to end in July 2020. Wirral Council cannot simply extend Selective Licensing in the current areas if it wishes but must demonstrate the continued need in the existing areas or, utilising the evidence, introduce a scheme into new areas. The Council must first demonstrate the case for this continued or new intervention. This document therefore makes the case for continuing Selective Licensing within all of the 2015 geographical areas which the evidence shows are continuing to experience the worst symptoms of low demand and poor property condition in the Borough. It also makes the case for introducing selective licensing into two new small areas which are showing similar symptoms.

Wirral Council undertook a consultation exercise to ensure that everyone who is likely to be affected by the proposed scheme had an opportunity to express their

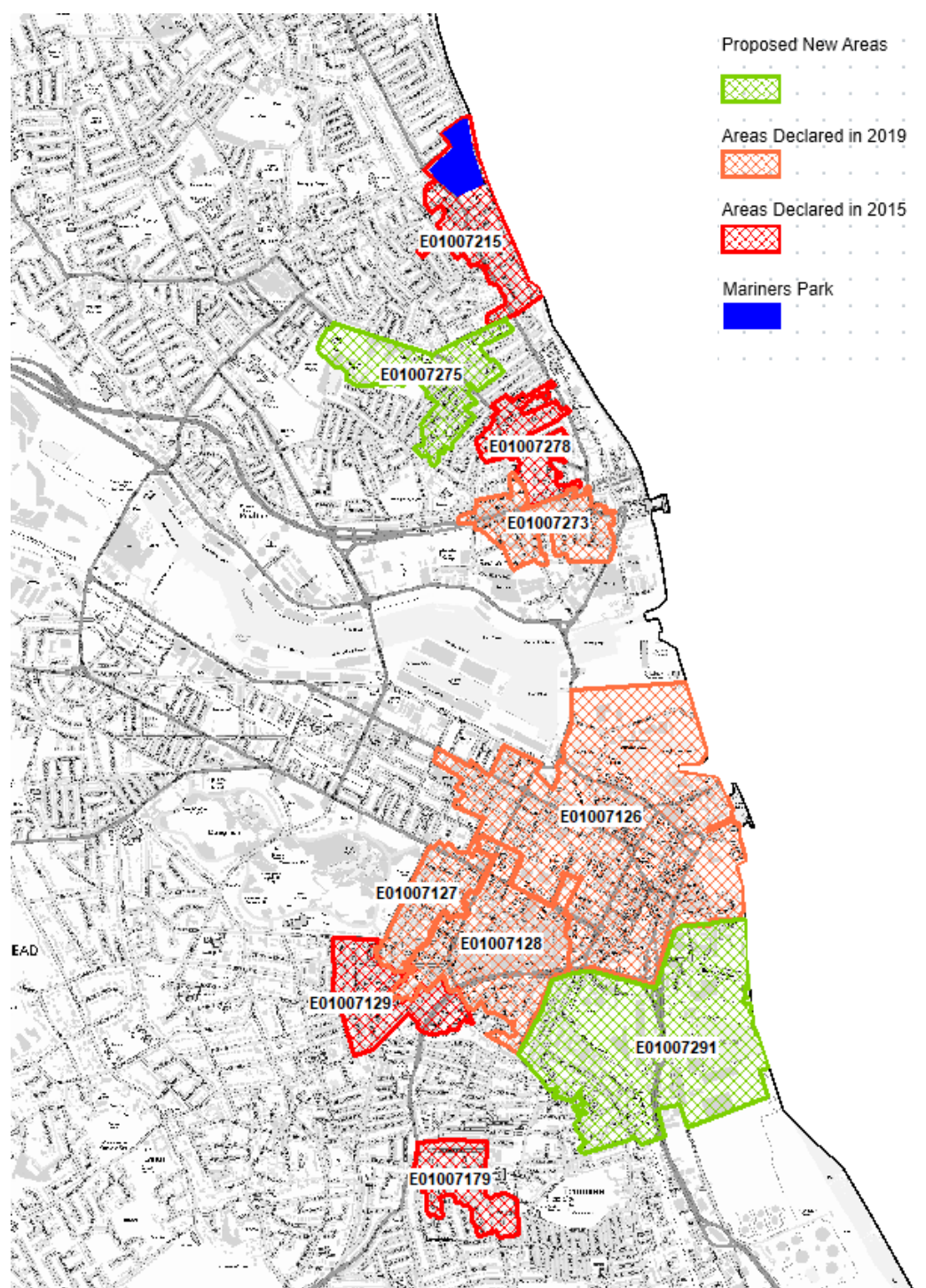
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<sup>1</sup> 2011 Census, Office for National Statistics

views and understand the rationale or 'business case', which supports the introduction of a scheme.

### 3 Introduction

This is the Business Case to support the proposal for the continuation of Selective Licensing in four areas of the Borough (excluding the Mariners' Park Estate in Egremont Promenade South (E01007215) indicated below by the blue shading) and the introduction of Selective Licensing into two new areas to operate from 2020 until 2025, as shown in the map below. (The red shading indicates the areas that began with Selective Licensing in 2015, the orange shading indicates the areas that began with Selective Licensing in 2019, and the green shading indicates the two proposed new areas.)



These areas have been identified through an evidence-based approach using research collated by the Council's Wirral Intelligence Service.

Some key aspects of this evidence have been incorporated into Section 5 of this report, however a full breakdown of the methodology and findings of the evidence base can be found in Appendix 1 together with a matrix combining all the data-sets for the worst Lower Super Output Areas (LSOAs) for the Borough. The evidence demonstrates that there is a clear link between high levels of private rented properties in the proposed selective licensing areas and low demand with its associated socio-economic issues, as well as evidence of issues caused by the poor management of private rented properties.

Larger maps of each proposed designated area, together with a list of streets / properties included in the proposed areas are shown in Appendix 2.

During the consultation period, the Nautilus Welfare Fund, the owners of the Mariners' Park estate in Egremont, submitted a compelling case for the estate's exclusion from the scheme. The Nautilus Welfare Fund is a registered charity which provides housing, care and support to retired merchant mariners and their dependents. It has occupied the site and supported beneficiaries since the 1880's.

The arguments for exclusion centred around the uniqueness of the estate within the Egremont Promenade South LSOA, in that the 125 properties, all located within a distinct geographical area, do not suffer from low demand and that property standards are high. These arguments are borne out by the following:

- The properties currently have a waiting list of 80 and have a high occupancy rate, typically over 97%;
- There is a low turn-over rate of tenants. Residents who move to Mariners' Park invariably live out their life on the Park. There are many tenants who have lived there for over 10, 20 and even 30 years in some cases. The main reason for vacancies is residents passing away.
- All homes meet the Decent Homes Standard, and this has been evidenced by visits from the council's Housing Standards Officers to a randomly selected sample of Mariners' Park homes over the course of the current selective licensing designation period.

The Business Case therefore proposes that Cabinet, if it approves the proposed LSOAs for Selective Licencing in Wirral from 2020 to 2025, also approves the exclusion of the Mariners' Park estate from the scheme.

Analysis on the impact of removing the estate from the Egremont Promenade South LSOA has shown that the LSOA would remain in the top 10 for all the indicators for which it was selected originally from the Matrix in the Evidence Base (Appendix 1 of the documents approved for consultation by Cabinet on 22<sup>nd</sup> July 2019).



## 4 Strategic Housing Context

Wirral's Housing Strategy, published in July 2016, focusses activity in Wirral to achieve the 2020 Pledge, "Good quality housing which meets the needs of residents". It is clear that access to good quality housing is a foundation on which people can build happy and successful lives and is a crucial component of strong and sustainable communities.

The Strategy has three clear themes:

- Building more homes in Wirral to meet our economic growth ambitions;
- Improving the quality of Wirral's housing offer for our residents;
- Meeting the housing and support needs of our most vulnerable people to enable them to live independently.

The private rented sector underpins each of these themes and in particular plays a major role in improving the quality of Wirral's housing offer. The sector does however often contain many vulnerable households, has the least security of tenure, has twice as many people living in hazardous homes than the owner-occupied sector and a third of all private rented homes are non-decent. Continuing pressure on the availability of affordable homes for rent in the social sector means it is important to support people to consider all available housing in the borough and as such a good quality private rented housing offer is a fundamental part of meeting housing need.

Table 1 below summarises the links between Selective Licensing and local strategies and policies.

Table 1

Local Strategy / Policy	Relevant aim of strategy / policy	What Will Selective Licensing Contribute
The Wirral Plan: a 2020 Vision	Good quality housing which meets the needs of residents.	Selective Licensing contributes to addressing the need for quality, affordable and safe homes which in turn assists in driving forward improvements to the quality of life, health and levels of achievement for our residents.
Wirral Strategic Regeneration Framework	High Quality Housing	Access to good quality housing is a crucial component of strong and sustainable communities and maintaining and developing sustainable housing

		markets is at the heart of the Strategic Regeneration Framework. The framework also seeks to maintain, and where appropriate, increase levels of choice in the market whilst protecting the character of our successful neighbourhoods.
Wirral Growth Plan	Housing Growth	The provision of good quality housing that meets the needs of Wirral's current residents and those of the future workforce is a key enabler of growth. It is therefore critical that we work with partners to be clear about how housing investment should be quantified, prioritised and targeted.
Private Sector Housing Financial Assistance Policy	Assisting vulnerable households to remain in their homes by removing hazards, relating to disrepair, improving their affordable warmth and bringing long term empty properties back into use.	Selective Licensing will help to identify those in need of assistance and target resources where they are needed most to generate improvement to the quality of the housing stock in these areas, generate confidence and protect vulnerable residents.
Homelessness Strategy	Increasing Access to the Private Rented Sector	Licensing will support the ongoing development of a suitable private rented sector offer for all client groups, including advice and support to both clients and landlords. In addition, following the Localism Act 2011, the Council is now able to discharge its homeless duty in the private rented sector; good quality private rented sector stock will increase the range of properties available to carry out this duty.

Home Energy Conservation Act 1995; 2019 Progress Report Action Plan.	Increasing standards in the Private Rented Sector.	The Plan states the Council will continue to offer support to households through Wirral Healthy Homes in the Selective Licensing areas in order to improve housing standards and in particular reduce excess cold hazards.
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## 5 Wirral's Socio Economic & Housing Profile

### *Population*

Wirral has a population estimated at 323,235 as at mid-2018<sup>2</sup>. Between 2004 and 2018 the Borough's population increased by 2.6<sup>3</sup>%. The rate of growth has been slower than that of the UK which was 10.8% between 2004 and 2018<sup>4</sup>.

### *Age Profile*

Wirral's population profile differs from that of England, the North West and of Merseyside. It has a larger population of older people, both those aged 65-84 and those aged 85 and over<sup>5</sup>.

Table 2

<b>Area</b>	<b>0-14</b>	<b>15-44</b>	<b>45-64</b>	<b>65-84</b>	<b>85 and over</b>
Wirral	17.9%	37.9%	25.8%	15.9%	2.4%
Merseyside (Met County)	17.0%	38.0%	26.0%	16.4%	2.5%
North West	18.1%	37.3%	26.1%	16.2%	2.3%
England	18.1%	38.1%	25.6%	15.7%	2.4%

The predicted change in age profile from 2019 to 2039 reflects the predictions for the North West and England in that there is likely to be a significant growth of the older population. Those aged 65 and over are predicted to make up 28.1% of Wirral's population by 2039<sup>6</sup>.

Table 3 shows the age profile of the proposed areas for selective licensing as recorded by the 2011 Census<sup>7</sup>. All areas exhibit a younger age profile than the Wirral average.

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<sup>2</sup> Estimates of the population for the UK, mid-2018, ONS June 2019

<sup>3</sup> Estimates of the population for the UK, mid-2018, ONS June 2019

<sup>4</sup> Estimates of the population for the UK, mid-2018, ONS June 2019

<sup>5</sup> Estimates of the population for the UK, mid-2018, ONS June 2019

<sup>6</sup> Wirral Compendium of Statistics, Wirral Intelligence Service, 2019

<sup>7</sup> Age by Single Year, (QS103EW), Office for National Statistics, 2011

Table 3

<b>Area</b>	<b>0-14</b>	<b>15-44</b>	<b>45-64</b>	<b>65-84</b>	<b>85 and over</b>
Birkenhead South	19.7%	43.6%	24.5%	11.3%	0.8%
Egerton North	18.7%	46.1%	24.3%	9.5%	1.5%
Egremont Promenade South	19.6%	36.7%	24.4%	15.8%	3.6%
Egremont South	20.4%	45.2%	23.1%	10.6%	1.3%
Seacombe Library	23.3%	43.0%	21.3%	11.3%	1.2%
Tranmere Lairds	16.9%	49.3%	22.8%	13.7%	0.6%
<b>Wirral</b>	<b>17.3%</b>	<b>35.0%</b>	<b>27.5%</b>	<b>17.5%</b>	<b>2.7%</b>

Table 4 shows the changes in population and age profile, between the Censuses of 2001 and 2011, of the proposed areas compared to Wirral, the North West and England. It shows a particularly marked increase in the total population of Tranmere Lairds, reflecting a 22% increase in the number of dwellings in this LSOA (see Table 12 further on in this report). Tranmere Lairds has also seen a shift in the age demographic away from older people. Conversely, Egremont Promenade South has seen a large increase in the rate of households aged 45-64. It also shows a significant growth in older population groups in Birkenhead South, Egremont South and Seacombe Library.

Table 4

<b>Area</b>	<b>All people</b>	<b>0-14</b>	<b>15-44</b>	<b>45-64</b>	<b>65-84</b>	<b>85 and over</b>
	<b>Percentage change between 2001 and 2011</b>					
Birkenhead South	15.86	8.83	16.38	18.58	20.41	30.00
Egerton North	0.08	-14.54	8.38	5.37	-11.51	-17.39
Egremont Promenade South	17.44	7.59	11.85	53.15	-0.40	48.72
Egremont South	1.4	-18.3	4.6	23.6	3.8	-5.0
Seacombe Library	-0.47	-13.13	-4.37	23.14	11.33	-10.53
Tranmere Lairds	29.4	0	50.1	27.8	-18.7	-56.5
<b>Wirral</b>	<b>2.40</b>	<b>8.24</b>	<b>1.91</b>	<b>13.12</b>	<b>6.16</b>	<b>19.13</b>
North West	4.79	4.89	2.92	13.01	7.40	19.86
England	7.88	1.02	5.64	15.23	9.14	23.70

## ***Ethnicity***

The ethnicity of the population in five out of the six proposed selective licensing areas mostly reflects that of Wirral's population as a whole. Tranmere Lairds differs, notably in that there is a much higher proportion of people of Asian or Asian British ethnicity<sup>8</sup>.

Table 5

<b>Area</b>	<b>White</b>	<b>Mixed/multiple ethnic groups</b>	<b>Asian/Asian British</b>	<b>Black/African/Caribbean/Black British</b>	<b>Other ethnic group</b>
Birkenhead South	96.43%	1.75%	0.81%	0.56%	0.44%
Egerton North	96.67%	2.05%	1.15%	0.13%	0%
Egremont Promenade South	95.05%	1.42%	2.37%	0.81%	0.34%
Egremont South	96.16%	1.86%	1.60%	0.19%	0.19%
Seacombe Library	96.98%	0.70%	1.86%	0.46%	0%
Tranmere Lairds	93.23%	1.20%	4.91%	0.48%	0.18%
Wirral	97.52%	0.75%	0.75%	0.26%	0.71%

## ***Health Inequalities and Deprivation***

Along with factors such as education, unemployment and health care services, housing is a crucial determinant of health. The links between these 'wider determinants' health (see diagram below) and health outcomes and inequalities are long standing and well evidenced.

A range of local authority services can help reduce the inequalities in these determinants and improve people's health and wellbeing; including environmental health, leisure, planning, schools, transport and key to this report – housing.

Those living in poverty are likely to live in the poorest quality housing in society and also face a range of other disadvantages which impact negatively on their health.

In 2015-17 for example, there was 10 years difference in life expectancy between the most and least deprived areas of Wirral. Life expectancy in Heswall for example was 85.5, compared to just 75.3 in Rock Ferry<sup>9</sup>.

<sup>8</sup> ONS, Census 2011

<sup>9</sup> Wirral Compendium of Statistics, Wirral Intelligence Service, 2019

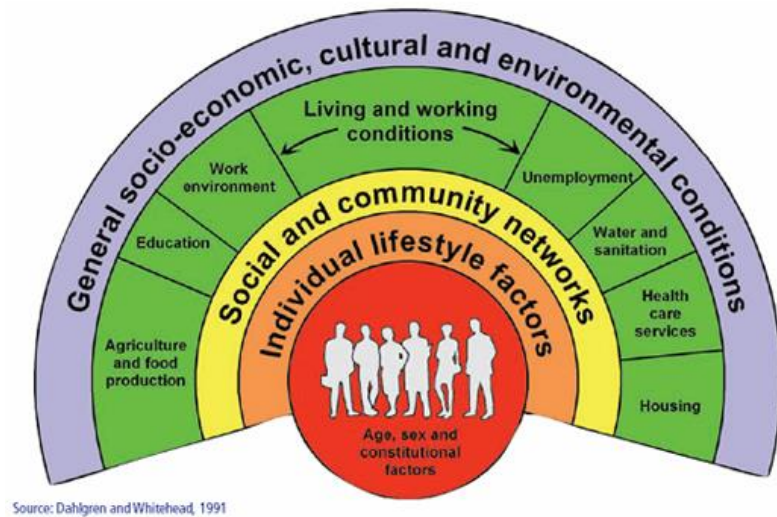


Table 8 shows that the proposed areas for Selective Licensing are all highly ranked on the Index of Multiple Deprivation (IMD)<sup>10</sup>. There are 32,844 LSOAs in England and Wales of which the proposed areas are all within the top 5%.

Table 8

Area	IMD Rank out of 32,844
Birkenhead South	84
Egerton North	1,405
Egremont Promenade South	652
Egremont South	1,621
Seacombe Library	273
Tranmere Lairds	456

<sup>10</sup> Indices of Deprivation 2019, Lower Super Output Areas, Office for National Statistics / Ministry of Housing, Communities & Local Government

Table 9

LSOA	Health, Deprivation and Disability
	Rank out of 32,844
Birkenhead South	42
Egerton North	510
Egremont Promenade South	186
Egremont South	1,585
Seacombe Library	142
Tranmere Lairds	146

The IMD is made up of seven individual ‘domains’ (or different dimensions of deprivation) which together make up the overall IMD. One of these domains is “Health, Deprivation & Disability” which measures premature death and the impairment of quality of life by poor health and considers both physical and mental health. The ranks for this domain for the proposed areas for selective licensing are in table 9. All are ranked within the top 5% of LSOAs nationally for Health, Deprivation and Disability.

### ***Household Incomes***

Data from 2018<sup>11</sup> (table 10) shows that in Wirral, the average annual earnings for full-time employees **living** in Wirral are higher than the North West average, at £27,685. Wirral has the second highest earnings for employees in the Liverpool City Region behind Sefton, however, earnings for full-time employees **working** in Wirral are significantly lower than the North West and Great Britain. Wirral has the fourth lowest average earnings by workplace in the Liverpool City Region at £25,655 per annum. However, the difference in performance between people living and working in Wirral implies that people living in Wirral are accessing high value employment outside of the borough and people working in Wirral are not in as highly paid employment.

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<sup>11</sup> ASHE (via Nomis), 2018



Table 10

Area	Average Annual Pay (workplace)	Average Annual Pay (resident)
Halton	£28,890	£27,482
Knowsley	£32,367	£26,638
Liverpool	£27,236	£26,703
Sefton	£25,651	£28,746
St Helens	£24,770	£25,899
<b>Wirral</b>	<b>£25,655</b>	<b>£27,685</b>
North West	£27,315	£27,492
Great Britain	£29,648	£29,661

### ***Fuel Poverty***

The official definition of fuel poverty using the Low-Income High Costs (LIHC) indicator defines a fuel poor household where:

- They have required fuel costs that are above average (the national median level); and
- Were they to spend that amount, they would be left with a residual income below the official poverty line.

Nationally, 19.4% of private rented households are defined as fuel poor. This is much higher than in the owner-occupied sector (8.0%)<sup>12</sup>. In Wirral, it is estimated that fuel poverty affects 21% of private rented households compared to 9% of owner-occupied households<sup>13</sup>.

The rates of fuel poverty within the proposed areas for selective licensing compared to the Wirral and English averages are as follows:

<sup>12</sup> BEIS 2017 Fuel Poverty Statistics, June 2019

<sup>13</sup> Integrated Dwelling Level Housing Stock Modelling & Database, Client Report for Wirral Council, BRE 2018

Table 11

Area	Rate of fuel poverty (all housing tenures)
Birkenhead South	24.3%
Egerton North	25.4%
Egremont Promenade South	24.9%
Egremont South	21.5%
Seacombe Library	25.7%
Tranmere Lairds	20.9%
Wirral	13.5%
Liverpool City Region	14.5%
England	10.9%

The main drivers of fuel poverty are income, fuel prices and energy efficiency. The depth and likelihood of being fuel poor increases markedly with lower energy efficiency levels. In 2017, 23.4 per cent of English households living in G-rated properties were fuel poor compared to only 3.2 percent of A, B and C-rated properties<sup>14</sup>.

### ***Number of households***

Table 12 shows information from the 2001 Census and the 2011 Census. It shows that there have been increases in household numbers across four out of six of the LSOAs, most significantly in Tranmere Lairds.

Table 12

	2001	2011	% change
Birkenhead South	718	761	5.99
Egerton North	632	612	-3.16
Egremont Promenade South	740	784	5.95
Egremont South	637	680	6.75
Seacombe Library	680	658	-3.24
Tranmere Lairds	746	917	22.9
Wirral	139221	140583	0.98%

### ***Tenure breakdown***

The 2011 Census reported that 15.8% of Wirral's households rented privately (22,275). This has significantly increased since 2001 when it was 8.8%. The tenure breakdown in the proposed areas, in Wirral<sup>15</sup> and in England<sup>16</sup> in 2011 was as follows:

<sup>14</sup> BEIS 2016 Fuel Poverty Statistics, June 2018

<sup>15</sup> Tenure - Households 2011 (QS405EW), ONS, 2012

<sup>16</sup> 2011 Census: Table KS402EW Tenure, ONS, 2012

Table 13 shows that private rented households account for at least a quarter of the housing stock in the proposed LSOAs, far above the rate for the whole of the Borough.

Table 13

Area	Owner Occupied		Social rented		Private Rented		Other	
	No.	%	No.	%	No.	%	No.	%
Birkenhead South	235	30.9%	222	29.2%	287	37.7%	17	2.2%
Egerton North	252	41.2%	122	19.9%	231	37.7%	7	1.1%
Egremont Promenade South	283	36.1%	196	25.0%	293	37.4%	12	1.5%
Egremont South	388	57.1%	30	4.4%	238	35.0%	24	3.5%
Seacombe Library	273	41.5%	141	21.4%	235	35.7%	9	1.4%
Tranmere Lairds	295	32.2%	322	35.1%	240	26.2%	60	6.5%
Wirral		67.5%		15.2%		15.8%		1.5%
England		63.3%		17.7%		16.8%		2.2%

The proportions of private rented households in the proposed LSOAs are all above the Borough and national average.

### ***Housing Types***

The table below shows that both Birkenhead South and Tranmere Lairds have high proportions of purpose-built flats. Egremont South and Seacombe Library are dominated by terraced properties.

The breakdown of house types for the proposed LSOAs compared to Wirral as a whole is as follows (all tenures):

Table 14

<b>Area</b>	<b>Detached</b>	<b>Semi-detached</b>	<b>Terraced</b>	<b>Purpose-built flat</b>	<b>Converted / mixed-use flat</b>
Birkenhead South	1.5%	24.4%	27.1%	23.2%	20.6%
Egerton North	2.9%	23.2%	52.9%	15.5%	4.8%
Egremont Promenade South	4.7%	23.7%	34.3%	16.4%	15.1%
Egremont South	1.5%	22.8%	61.9%	4.5%	8.1%
Seacombe Library	3.0%	13.4%	68.0%	6.1%	3.5%
Tranmere Lairds	2.8%	14.5%	48.8%	30.9%	2.4%
Wirral	16.7%	41.0%	24.8%	11.8%	4.3%

### ***Empty dwellings***

The measurement used to assess the prevalence of empty dwellings in an area is dwellings that have been unoccupied and substantially unfurnished for over six months. These are known as long-term vacant dwellings. The rate of long-term vacant dwellings in Wirral in 2018 was the 3<sup>rd</sup> highest in Merseyside and although was below the average for Merseyside it was higher than the English average, as shown in the table 6.<sup>17</sup>

Table 6

<b>Area</b>	<b>Rate of long-term vacant dwellings<sup>18</sup></b>
Knowsley	1.31%
Liverpool	1.74%
St Helens	1.16%
Sefton	1.53%
Wirral	1.43%

<sup>17</sup> Table 615, Vacant Dwellings by Local Authority District, Ministry of Housing, Communities & Local Government, March 2019

<sup>18</sup> As a percentage of the total number of chargeable dwellings, Council Taxbase local authority level data 2018, Ministry of Housing, Communities & Local Government, November 2018.

Merseyside	1.51%
England	0.90%

As of April 2019, the rates of long-term privately-owned vacant dwellings as a proportion of privately owned properties for the proposed Selective Licensing areas were as shown in table 7<sup>19</sup>. It shows all of the target areas have higher proportions of long term private vacants than the Borough as a whole.

Table 7

<b>Area</b>	<b>% of long-term privately-owned vacant dwellings</b>
Birkenhead South	8.42%
Egerton North	7.47%
Egremont Promenade South	5.08%
Egremont South	3.00%
Seacombe Library	5.65%
Tranmere Lairds	16.67%
Borough	1.54%

### ***Profile and Stock Condition of the Private Rented Sector***

The main findings from the Integrated Dwelling Level Housing Stock Modelling & Database 2018 for Wirral, compiled by BRE, with regards to the private rented sector were as follows:

- 34% of private rented homes are occupied by low income households, compared with 16% in the owner-occupied sector and 78% in the social sector.
- Rates of Category 1 Hazard failure under the Housing Health & Safety Rating System were higher within the private rented sector at 15% of homes compared to 12% within the owner-occupied sector and 6% within social stock;
- Disrepair was estimated to be present in 7% of private rented homes, compared to 5% of owner-occupied homes and 2% of social homes.
- The private rented sector in Wirral performs better than the owner-occupied sector with regards to estimated energy efficiency ratings. Based on Simple SAP<sup>20</sup>, 28.3% of private rented dwellings are in the higher Energy Performance Certificate bands A-C, compared to 15.9% of owner-occupied dwellings.

### ***Housing Demand***

<sup>19</sup> Council Tax data, Wirral Council, April 2017

<sup>20</sup> An estimate of a residential dwelling's likely SAP score, not based on the full required range of data for a SAP calculation or a reduced SAP calculation (RdSAP), it should only ever be considered an estimate of the SAP score and used as a guide.

As at 20<sup>th</sup> May 2019, there were 3,063 households registered with Property Pool Plus Wirral (the choice-based lettings system for social housing) that were currently renting from a private sector landlord and wishing to move to social housing.

Property Pool Plus policy provides for priority to be given to people who are homeless or at risk of homelessness, living in overcrowded conditions or in some cases those living in serious disrepair where remaining in the home is not feasible/safe. Higher priority is given to these categories than those with no housing need, however allocations within Property Pool Plus enable rehousing for banding categories to support sustainable communities.

As such, the Property Pool Plus application form asks a series of questions in relation to the reasons why a household wishes to move from their current accommodation. Table 15 gives a breakdown of the reasons selected which directly relate to tenure for the 3,063 private sector tenants registered with the scheme (applicants may choose more than one reason):

Table 15

<b>Reason for wishing to move</b>	<b>Number</b>
Threat of Eviction by Landlord	188
Repossession / Eviction	103
Unable to afford Rent	822
Landlord Selling Property	321
Home in poor condition	421

The Property Pool Plus application form also asks a series of questions in relation to any disrepair issues in the current accommodation. The specific questions and answers given by the 3,063 private tenants registered are shown in table 16:

Table 16

<b>Questions relating to disrepair</b>	<b>Yes</b>	<b>No</b>	<b>Not Answered</b>
Are you living in a property in disrepair?	318	1982	763
If yes, does the disrepair affect your health or safety?	255	42	21
Have you reported the disrepair to your landlord?	288	19	11
If yes, have you reported this to your Local Authority?	64	213	41

### ***Rents and Sales Data***

Valuation Office Agency data provides information on monthly rents recorded between 1<sup>st</sup> April 2018 and 31<sup>st</sup> March 2019<sup>21</sup>. It shows that average rents charged by Wirral's private landlords are higher than those charged in Liverpool and St Helens and is higher than the Merseyside average but lower than those charged in Sefton, and Knowsley and lower than the North West and English averages.

Table 17

<b>Area</b>	<b>Average</b>	<b>Lower quartile</b>	<b>Median</b>	<b>Upper quartile</b>
Knowsley	£571	£495	£550	£625
Liverpool	£499	£371	£450	£575
Sefton	£578	£450	£550	£660
St Helens	£533	£445	£495	£595
Wirral	£550	£430	£500	£625
Merseyside	£525	£400	£495	£600
North West	£610	£450	£550	£695
England	£858	£525	£695	£975

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<sup>21</sup> Table 2.7 Summary of monthly rents recorded between 01.04.18 and 31.03.19 by admin area for England, Valuation Office Agency, December 2018

## **6 Why is Wirral Council continuing with Selective Licensing and introducing further areas?**

At least 16.8% of Wirral's housing stock is privately rented which has increased from 11% in 2001<sup>22</sup>. A more recent estimate in 2018 shows that it could now be as high as 18.1%<sup>23</sup>. The Selective Licensing scheme that commenced in 2015 has issued over 25% more licenses than was forecast using the 2011 Census information on private rented properties, suggesting that this sector is still growing. Housing conditions across the private sector are generally better than the national average however in Wirral, where 89% of properties are free of Category 1 hazards, this rate falls to 85% in the private rented sector<sup>24</sup>. These properties tend to be the older, terraced and flatted housing stock.

Wirral also has a high number of empty properties, which are concentrated in the older, terraced housing stock on the east side of the borough. Wirral Council, over recent years, targeted interventions in those areas which have a high concentration of empty properties. Realistically however tackling this problem alone is unlikely to reverse the trend, particularly in areas which are experiencing other symptoms of low demand such as low house values and a high number of privately rented properties where the turnover households is high. This all contributes to a feeling of transience and instability in a neighbourhood.

In July 2015, Wirral Council introduced Selective Licensing into four areas of the Borough and has licensed over 1,300 private rented properties. Over 997 properties have been inspected with only 30% of these properties meeting minimum standards. There have been 57 individual prosecutions so far for landlords who have failed to get a licence and other Housing Act 2004 offences. It is still too early to assess whether or not the scheme has had its intended impact of reducing low housing demand as indicators used have a time-lag. An initial review of the scheme which included feedback from residents, stakeholders and landlords, was undertaken in 2017. Whilst feedback was positive in many aspects such as satisfaction with areas and improving property conditions, what has become apparent is that housing conditions were worse than expected. In addition, a landlord and resident survey carried out in May and June 2019 found that overall, residents seem reasonably happy with the areas in which they live and have seen further improvement in their properties. Views on the living environment were more mixed, which remains a concern.

Wirral Council's Intelligence Service were again commissioned to undertake research into a wide range of evidence from a variety of data sources to help identify further areas of low demand and poor property condition where a Selective Licensing Scheme would be justified and where the Council could make a significant impact in specific neighbourhoods through the introduction of

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<sup>22</sup> Census 2011, ONS

<sup>23</sup> Figure 2, Integrated Dwelling Level Housing Stock Modelling & Database, Client Report for Wirral Council, BRE 2018

<sup>24</sup> Integrated Dwelling Level Housing Stock Modelling & Database, Client Report for Wirral Council, BRE 2018



a scheme or where the evidence showed, the continuation of a scheme in any of the 2015 areas. The evaluation this time involved an analysis of 17 individual data sets (shown in appendix 1) including the number of long term empty properties, low sales values and sales rates, high numbers of private rented properties, property condition as well of other socio-economic data that reflects areas suffering from low-demand.

Each of the indicators were scored either one or two points depending on their specific relevance to low demand as this is one of the main factors for which Local Authorities can apply for Selective Licensing. Consequently, all of the indicator measures used to indicate low demand and poor property condition as deemed by the Government were scored the highest.

All of the LSOAs in Wirral were ranked based on these indicators and the worst performing 10 LSOAs were entered onto a master matrix document. This represented the 5% worst performing LSOAs in terms of the low demand and property condition criteria that was evaluated.

The evidence highlighted that two LSOAs that hadn't been subject to Selective Licensing previously scored worse than the other LSOAs, namely Egremont South and Tranmere Lairds. The other LSOAs scoring highest on the matrix that were not the areas declared in 2019, were all areas where Selective Licensing were introduced in 2015 (Birkenhead South, Egerton North, Egremont Promenade South and Seacombe Library). The matrix shows some improvement upon the data gathered in 2014 however as they still score higher than LSOAs, there was a justification for including them in the consultation.

The introduction of a Selective Licensing Scheme in specific, targeted areas of low demand and poorer property standards would help to stabilise these neighbourhoods by declaring an intention to drive up property management practice and property standards in the private rented sector. In addition, it would continue to align other interventions including targeted activity to help bring empty properties back into use and Healthy Homes interventions. The use of Selective Licensing would help with other neighbourhood issues contributing to low demand and poor property condition within a neighbourhood through a multi-agency approach with wider public, community and voluntary sector stakeholders and residents in the designated areas.

### ***What have we been doing to improve the Private Rented Sector?***

#### ***Property Accreditation***

Wirral has operated a Property Accreditation Scheme since 2003 which is a voluntary scheme where landlords can sign up to a code of standards and sets a minimum standard for property condition and management practice. Wirral has accredited 7,271 properties since the scheme began, including renewals, however due to the level of churn in the private rented sector, there are currently only 1,613 properties accredited. Whilst recognised as a successful scheme by

other local authorities due to the high number of properties accredited, this still only represents just over 6% of the private rented stock in the borough. It also appeals to better landlords and agents operating in the property market as these landlords are more willing to make the necessary investment in their properties to ensure their properties comply with the standards. The accreditation scheme also introduced a tenancy bond scheme, tenant referencing, landlord forums, newsletters and training events in an effort to support accredited landlords to let their properties in a responsible way.

Experience of operating Wirral's accreditation scheme has demonstrated that poor landlords are unlikely to join a voluntary scheme, which is why the mandatory approach using Selective Licensing powers is needed as an additional tool to address poor standards in the private rented sector.

### ***Empty Property Policy Approach***

The council also offers a range of options to aid property owners in bringing their empty dwellings back into occupation.

An additional incentive for accredited landlords is the option of an Empty Property Grant for properties that have been long term empty for over six months. Whilst this assistance is available borough wide, grants have been targeted at empty properties in Selective Licensing areas where vacancy levels are significantly above the borough average. To date 67 Empty Property Grants have been approved in the existing Selective Licensing areas since the start of the licencing scheme of which 33 refurbishments have now been successfully completed and the properties brought back into use. Enhanced Empty Property Grant funding is available for properties in the Selective Licensing areas and access to the additional funding is dependent on the applicant providing nomination rights for private rented accommodation to Wirral Council for a period of 12 months to assist with the Council's statutory homelessness responsibility. Two of the existing four selective licensing areas have also previously been targeted as priority intervention areas under the Government's Empty Property Cluster Programme, which was specifically aimed at areas with clusters of long-term empty properties. This has attracted empty property grant funding and other funding to bring properties back into use in these areas. Other tools used by the Council in its strategic approach in tackling empty properties include:

- Support and assistance through the Housing Renewal Team to enable property owners to decide which option is the most suitable for their specific circumstances.
- Owners can sell their property to a private developer through the Developers list who will then refurbish the property for sale or let.
- Accredited properties can be advertised to thousands of potential tenants through the Council's Property Pool Plus website and the Housing Options Team can also help find a tenant for the property.

- The Council have also acquired and refurbished long-term vacant properties for sale to first time buyers/owner occupiers through the Home Ownership using Sustainable Empty Dwellings (HOUSED) initiative.
- Should vacant property owners not wish to take up an offer of assistance from the Council to return the property to use, then enforcement action has been successfully employed using a range of legislation to achieve the ultimate objective of the property being occupied. This includes the possibility of an enforced sale to enable a properties return to use.
- From April 2013 the Council implemented a 50% additional Long-Term Empty Council Tax premium for long term empty properties to encourage their return to use. After a property has been empty and unfurnished for two years an empty property premium of an additional 100% above the full Council Tax cost can now be charged due to recent amendment in Government legislation. From April 2020, the Council has decided to implement the option of increasing the Long Term Empty Premium for those premises vacant for a period longer than five years therefore owners will be liable for an additional 200% council tax premium from this date with the possibility of further future increases for those properties vacant for longer than ten years from April 2021.

### ***Homelessness***

An unregulated private rented market often means an unsupported environment for the most vulnerable in society. In order to tackle some of the key problems associated with vulnerable people entering and remaining in the private housing sector the Council's Supported Housing and Homelessness Division offers a range of interventions including:

- A Private Rented Access Scheme (PRAS) which is available to potential tenants who are vulnerable and are looking to rent privately in Wirral. This scheme assists the more vulnerable households in the Borough, especially those unable to raise the necessary deposit or meet their rent and helps to prevent and relieve homelessness. In 2018/19, 51 individuals have secured homes in the private rented sector across the borough as a result of the assistance of the PRAS.
- The availability of a range of floating support services that are able to deliver housing related support to vulnerable people with complex needs that may be experiencing difficulties in maintaining their accommodation. During 2018/19, floating support services assisted over 440 people across Wirral that were struggling to sustain their housing. Of this number, 28 households in the Selective Licensing areas received support via referrals through the Healthy Homes Team." The Council has recently recommissioned its floating support services to ensure a greater focus on homelessness prevention.

The implementation of the Homelessness Reduction Act in 2018 resulted in a significant increase in the legal duties placed on the Council to prevent and relieve homelessness and the private-rented sector makes a significant contribution to meeting the housing needs of more vulnerable households, including homeless households that the Council has a statutory duty to assist. This is where private renting directly supports the Council's Homeless Strategy. The Council works in partnership with a number of private landlords and would like to see this service area expand. Selective Licensing will ensure that the private rented sector is delivering better management standards which will enable an increased emphasis on homeless preventions that are attributed to tenancy breakdown or poor housing standards. Homelessness prevention activity assists to limit the financial impact of homelessness on wider Council services and agencies, whilst directly benefitting households.

The Selective Licensing scheme will also increase the number of landlords working with the Council with well-managed, good quality accommodation. In the future access to private rented properties will play a key role in the discharge of statutory homeless duties. The ability to offer good quality private rented accommodation, not only assists to minimise disruption to homeless household, but minimises their time spent in costly Council temporary accommodation, while waiting for settled housing.

### ***Healthy Homes***

Wirral's Healthy Homes Scheme has been in operation since 2010 when it was piloted in a targeted intervention area that was experiencing high levels of empty properties, privately rented properties and deprivation, including being one of the worst areas in the borough for health deprivation. The scheme employs a multi-agency approach co-ordinating services across a range of agencies and initially used council officers from a range of services including police, fire service and other agencies to undertake a door knocking approach in an effort to contact every household within the boundary area. Sub-standard privately rented properties were then brought up to standard and other services offered to provide a range of support and assistance aimed at tackling the wider determinants of poor health which included poor housing conditions.

*Within the current Selective Licensing areas, between July 2015 and December 2019, the Council have completed a total of **2,234** Healthy Homes surveys and visits and made **5,284** referrals to over 49 referral partners which include Energy Projects Plus, Tomorrow's Women, Merseyside Fire and Rescue Service, Stop Smoking Services, Inclusion Matters and other Local NHS Services.*

This approach complements Selective Licensing and offers a holistic service to improve the health and wellbeing of residents in addition to addressing low demand and poor property condition.

### ***Use of Existing Housing Act Powers***

In addition to the above schemes, the Council uses existing enforcement powers under the Housing Act 2004 to improve housing conditions including the operation of a mandatory HMO Licensing Scheme and a reactive approach to complaints from tenants and partner agencies. Whilst these powers are effective at improving conditions, taking prosecutions and undertaking work in default are resource intensive processes. Landlords are also able to avoid prosecution by doing a small amount of the required works but delaying completion or evicting tenants and sometimes selling the property on to a new owner. In these cases, the Council may have to invest a significant amount of time into tracking down new owners before any enforcement action can be taken. Selective licensing helps help to avoid this wasted time tracking down the person managing the property by making it a mandatory requirement for landlords to apply for a licence in designated areas.

### ***What alternative options have Wirral Council considered?***

All of the initiatives identified in this document, have contributed to improving standards and management practices in the private rented sector and it is proposed that these services will still be used to complement Selective Licensing.

With the rapid growth however in the sector since 2001 and following changes over recent years Council enforcement activity generally has been driven by tenant or partner agency complaints to tackle poor landlords. As at May 2019, 318 private rented tenants registered on Wirral's Housing Register said they were living in disrepair, but only 64 had complained to the Council. 421 private tenants gave "home in poor condition" as a reason for wishing to move. These reasons, together with the fact that many tenants of poor landlords feel vulnerable to eviction, has steered the Council to consider selective licensing in the worst areas suffering from low demand and poor property condition to ensure those neighbourhoods don't decline further.

A co-ordinated Selective Licensing approach where landlords must register, meet conditions, and where the ultimate sanction is that the responsibility of managing a property can be removed from them with a management order, represents a much clearer and stronger sanction. Wirral believes that this approach is justified and necessary in further neighbourhoods in order to prevent these areas from spiralling into further decline. This approach will also help to empower residents and the wider community to come forward and report poor practice, knowing that there are robust sanctions in place.

Wirral has very distinct housing markets which are clearly concentrated in small pockets in the east of the borough as evidenced in various research studies conducted in Wirral and the Merseyside sub-region into low demand. Although the former Housing Market Renewal programme has not operated since 2011

the recent Supporting Evidence from the Council's Intelligence Service in June 2019 (Appendix 1 of the Business Case approved by Cabinet for consultation on 22<sup>nd</sup> July 2019) still supports the fact that there is significant polarisation of the housing markets in different parts of the borough. The Council therefore needs to focus resources in the areas displaying the worst problems of low demand and poor property condition.

## **7.0 What is Selective Licensing?**

### ***Legal Provisions***

Selective licensing is a regulatory tool provided within Part 3 of the Housing Act 2004. Section 80 of the Act allows local housing authorities to designate areas for selective licensing that are suffering from one or more of the following factors: low housing demand, significant and persistent antisocial behaviour, poor property conditions, high levels of migration, high levels of deprivation or high levels of crime. A designation can be in force for a maximum of 5 years, but it can be re-declared for a further 5 year period after this time if there is evidence to support this. By making the designation, all privately rented accommodation in the designated area not fitting into the definition of a Mandatory Licensable House in Multiple Occupation (HMO) will require a selective licence.

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. Landlords will require a licence for any properties they rent out within the designated area.

### ***License Conditions***

The licence is valid for up to 5 years and will contain a series of conditions that the licence holder will be required to comply with. These conditions will include items relating to the management of the property, fire safety and anti-social behaviour. There will also be a requirement that landlords provide references for tenants that move on from their properties. The Selective Licensing Team will be responsible for ensuring compliance with the designation. Wirral's Selective Licensing Conditions were attached in Appendix 4 of the Business Case approved by Cabinet for consultation on 22<sup>nd</sup> July 2019.

### ***Fit & Proper Persons***

In addition to ensuring compliance with the license conditions, Wirral Council will need to determine the proposed licence holder as a 'fit and proper' person in terms of their suitability to manage their properties before issuing a licence. In deciding for the purposes of section 88(3)(a) or (c) whether a person is a fit and proper person to be the licence holder or the manager of the house, the local housing authority must have regard to:

(a) Any offences involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003.

(b) Any unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with the carrying on of any business.

(c) Any contravention of any provision of the law relating to housing or of landlord and tenant law.

(d) Any person involved in the management of the property has sufficient level of competence to be so involved.

(e) Any person involved in the management of the house is a fit and proper person to be so involved.

### ***Enforcement of Licensing Requirement***

Where a breach of licence conditions is identified, for example misleading information on a licensing application form, the licence holder may be prosecuted with a fine of up to £5,000 per breach. Failing to apply for a licence, when a property is being let, could lead to prosecution an unlimited fine. (Previously the limit was £20,000 but this upper limit has been lifted).

In addition to the above fines, Local authorities and tenants can claim back up to 12 months benefits/rents paid during the period a property has not been licensed. Ultimately landlords who continuously fail to licence a property can have control of their property taken away from them through a Management Order.

During the course of the designation the Housing Standards Team will be carrying out a programme of pro-active inspections and will take a firm approach where un-licensed properties or breaches of conditions are found, meaning that landlords in these circumstances are likely to be prosecuted. These enforcement activities will not be met from the revenue from fees and will be funded through Council investment into the Selective Licensing Team.

## **8.0 The Proposal**

The designation will be used to improve the area by raising the standard of property management of privately rented properties, improve property conditions through pro-active inspections and help to reduce the number of empty properties in the area by giving residents and local businesses confidence that the Council is focusing on improving the area through a range of complementary activities and investment.

Every privately rented flat, house or room (unless already licensed as a HMO under the existing mandatory scheme or classed as a business let such as tied

accommodation) will require a licence to operate in the area and landlords will be responsible for making an application to the Council for a selective licence.

Initially it is expected that compliant landlords will apply for the relevant licence shortly after the designation, however it will be necessary to introduce a comprehensive enforcement programme to capture un-licensed properties. Enforcement will be carried out on a phased approach in order to effectively coordinate the tackling of identified problems.

### ***Licensing Fees***

The Council has identified funding to meet some of the costs involved in running the scheme however the legislation allows the Council to recover certain other costs by charging fees.

Wirral's fees will be based on the actual costs of administering a scheme in the six proposed areas of the borough. Wirral will have regard to the fees set or proposed by other local authorities operating Selective Licensing Schemes in the region on a similar small area approach. The Council will also review the current scheme and look for opportunities for efficiencies to keep licensing fees as low as possible.

It is also proposed to offer the following discounts on license fees: -

- Applications made during the first 3 months of the scheme for each property
- Landlords with multiple properties
- Accreditation with the Council or a national landlord association

The following charges are also proposed: -

- Charge for yearly direct debits
- A pre-application fee
- Variation Fee
- A Temporary Exemption Notice Fee
- 1 year licenses where previous contraventions

Licenses will be applicable for 5 years unless enforcement action against the landlord has been taken within the previous two years due to poor property management practices. In this case an initial 1-year license will be issued which will be reviewed annually but can be upgraded to a full licence on meeting all the licensing conditions.

The final fee will be determined as part of the consultation process and detailed discussions with the Landlord Selective Licensing Working Group.



### ***Implementation Timetable***

July 2019	In principle approval by Wirral's Cabinet to undertake public consultation within 6 areas of the borough.
August 2019	Formal consultation began for 10 weeks
October 2019	Consultation results & feedback analysed
November - December 2019	Finalised scheme to take account of consultation feedback
January 2020	Preparation of report to summarise consultation findings
February 2020	Report to Cabinet for final consideration of scheme
March 2020	Notice of proposed designation to run for 3 months
July 2020	Commencement of Licensing scheme (three months after designation as required by the Housing Act 2004)

## **9.0 Benefits of Selective Licensing**

Selective Licensing provides the Council with the powers to regulate the private rented sector. For it to succeed in its goals of improving demand for an area and make an impact on the area, it is important that the Council supports landlords and disseminates good practice in order to achieve the best possible outcomes.

It is expected that introducing these schemes into the four selected areas will have a number of benefits to the community, landlords, tenants and owners, both directly and indirectly.

The defined aim of the scheme and a key outcome for the project is to take measures that will lead to an improvement in management and property conditions in the area during the 5 year period of the proposed designation. A benefit for landlord's, tenants and the wider community will be a dedicated point of contact within the Council's Selective Licensing Team for complaints, advice and support.

The Council is now in a position to be able to offer the following support services:

- A named Selective Licensing Officer in proposed Selective Licensing areas that will raise awareness in the community about minimum

standards and act as a contact for complaints and queries about property management and standards

- Whilst the Council will not provide financial assistance for landlords to carry out improvements where their property falls below the minimum statutory standard, financial support (up to £3,000) will be provided towards renovation costs of empty properties that have been vacant for more than 6 months and Heating & Renovation Loans where tenants meet the qualifying criteria.
- The Council has four Healthy Homes Community workers currently employed to work exclusively in the existing Selective Licensing Areas, with their remit expanded into the additional proposed new areas if the scheme is approved. The workers act as a referral hub to multiple agencies to support tenants and residents living in designated areas and reduce health inequalities.
- The Council will offer information and advice to landlords and residents in proposed Selective Licensing Areas to help address issues relating to anti-social behaviour (ASB), will offer mediation where this is applicable and offer an Anti-Social Behaviour case management service to landlords where the level of ASB does not warrant enforcement action. Where appropriate cases can also be referred to the Troubled Families Project or Council commissioned tenancy support services Practical training sessions for landlords.
- A Tenancy Support Service is available to vulnerable tenants to help them sustain their tenancy when required.
- Tenant information to increased tenant awareness of their rights, where to seek help and their responsibilities to behave and act within the terms of their tenancy agreements

## **10.0 Risk Analysis**

### ***Displacement***

There is a risk that with the introduction / continuation of Selective Licensing in the six areas, landlords who are keen to avoid bringing their properties up to the minimum statutory standard and adhering to the mandatory conditions will decide to sell their properties, leave their properties empty, or decide to move elsewhere.

There have also been some landlords of very poor-quality rented properties who have sold their properties when they were made aware of the extent of work required to bring them up to a minimum standard. A number of these properties have been bought by more reputable landlords who have now brought the properties up to a good standard. Generally, however the level of vacant

properties has stayed broadly similar in existing areas. The Council will also ensure that in areas where there is the potential for displacement to occur, the Selective Licensing Team will raise awareness with tenants and service providers of landlord's statutory responsibilities which can still be enforced even if these areas haven't been declared as selective licensing areas.

Where landlords decide to leave their properties empty, to avoid paying a license fee and complying with management conditions, the Council will continue to ensure all long-term empty properties are actively targeted for intervention and brought back into use. This is the current approach taken for priority areas which have high volumes of empty properties.

The Council will take enforcement action on all long-term vacant properties that are in disrepair and causing blight in the community. Landlords and empty property owners with properties which have been vacant for more than two years will also have to pay a Council Tax Long Term Empty Premium of 100% of the standard council tax rate and, as previously stated, the Council has decided to implement legislation which allows for a further increase for those properties vacant for a period longer than five years of 200% additional council tax, from April 2020, and the possibility of a future further increase for those properties vacant over ten years of 300% from April 2021. The Council does however want to work positively with landlords in Selective Licensing Areas and subject to resources being available, will make Empty Property Grants available to landlords to help towards the improvement costs associated with bringing their long term empty properties (vacant 6 months or more) up to the required standard. The Council will also try to assist in finding suitable tenants for empty properties via its Housing Options Service.

The risk of displacement in Wirral with the controls outlined above are therefore considered to be relatively low, especially as Selective Licensing Areas are already experiencing low demand making it less advantageous for landlords to sell properties quickly in these areas for a reasonable return. 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, creating the right conditions for the housing market in these areas to grow.

There is little evidence from other similar Local Authorities with Selective Licensing Schemes that displacement has occurred. Local Authority areas including Blackburn with Darwin have re-designated and expanded existing Selective Licensing areas.

## ***Risk Register***

Other risks have been summarised in the Risk Register in Appendix 5 showing the current and proposed controls that would be implemented subject to the additional scheme getting approval to proceed.

One of the major risks to the scheme is a Judicial Review if landlords want to challenge that the Council has not followed due process in implementing a scheme, including the consultation process.

The risks would be managed through the Council's existing performance management framework.

### **11.0 How did we consult?**

Wirral completed a formal consultation process on the Selective Licensing proposals which lasted for a period of 10 weeks following Cabinet Approval in July 2019.

The Consultation closed on 14<sup>th</sup> October 2019 and a summary report and full report can be found on the Council's website:

[www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing)

### **12.0 Monitoring & Evaluation**

As with the current Selective Licensing Schemes, it is proposed that a robust set of annual indicators would monitor how effective the scheme was if it were implemented. The full 18 datasets that were used to determine low demand and poor property condition for the purpose of selecting the four selected licensing areas would be updated on a periodic basis, i.e. after two years and then repeated in year four of the scheme. It is also proposed that the following condensed set of indicators are to be measured and reported on an annual basis:

- 1 Number of properties licensed in each designated area
- 2 Number of properties improved
- 3 Reduction in empty properties (N.B it is anticipated that this figure may increase in the first year if some landlords sell their properties to avoid paying a licence fee)
- 4 Number of residents supported through Healthy Homes, ASB team or tenancy support services or partner agencies as a result of Selective Licensing

## Appendix 1 – Evidence Base



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# Wirral Council

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June 2019

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## Section 1: Introduction

The private rented sector is the only housing option available to some of the most vulnerable people in society [1]. However, in some areas, properties in the private rented sector suffer from poor condition and poor management, which are both a consequence and a cause of low demand [1]. The proportion of private rented properties in Wirral increased significantly between the 2001 Census and 2011 Census, from 11% to 16%. According to the English Housing Survey, the national figure in 2017-18 was 19% but hasn't increased in the previous five years. This figure is likely to be mirrored in Wirral.

The Housing Act 2004 enabled local authorities to introduce selective licensing, if deemed appropriate, for privately rented properties in designated areas as an additional tool to improve both the lives of tenants and communities.

Local authorities are permitted introduce selective licensing of privately rented properties in areas experiencing factors such as low housing demand and anti-social behaviour (ASB) to ensure a minimum standard of management is undertaken by landlords. On 1<sup>st</sup> April 2015 the Selective Licensing of Housing (Additional Conditions) (England) Order 2015 was made law which allowed local authorities to introduce selective licensing based on further factors including poor property conditions, high levels of migration, high level of deprivation and high levels of crime. Any new schemes can now only be introduced where the proportion of private rented properties in the designated area is above the national average of 19%. The Order also makes local authorities seek confirmation from the Secretary of State for any selective licensing scheme covering more than 20% of their geographical area, or affecting more than 20% of privately rented homes in the local authority area.

Wirral introduced its first Selective Licensing Scheme in the Borough on 1<sup>st</sup> July 2015 into four designated areas in Birkenhead, Tranmere, Seacombe and Egremont. Over 1,300 Licence applications have been granted in these areas representing over 99% of known licensable landlords. Checks have been completed to 825 privately rented properties. The compliance rate with license conditions has been found to be poor at only 30% of the properties inspected.

Following a refresh of the evidence and MCDA (Multi-Criteria Decision Analysis) process in 2017, a further four LSOAs in Wirral were designated in April 2019 to the existing four, to make eight LSOAs in Wirral where Selective Licensing would operate.

To May 2019, there have been 50 individual prosecutions so far for landlords who have failed to get a licence and other Housing Act 2004 offences. There is a requirement after 5 years of operation, to review how Selective Licensing schemes have operated. This means that the initial four areas of Wirral will shortly be up for review. This Supporting Evidence and Rationale will form part of that review process.

### *What is Selective Licensing?*

In areas subject to selective licensing, all private landlords must obtain a licence and if they fail to do so, or fail to achieve acceptable management standards, the Local Authority can take enforcement action - e.g. issuing an unlimited fine or in some cases, assuming management control of the property. The London Borough of Newham introduced a selective licensing scheme covering *all* private rented properties in the borough in January 2013 and since this time a number of authorities have also introduced this option of introducing Selective Licensing in the entire area under their jurisdiction, rather than in selected neighbourhoods. Since the 2015 Order referred to above, it is now much more challenging to do this. It is currently unknown how many local authorities have introduced selective licensing generally as the information is not held centrally. In the Liverpool City Region, Liverpool City Council, Sefton Council and Wirral Council have introduced schemes.

### *What can Selective Licensing achieve?*

If implemented effectively, selective licensing can increase the professionalism and quality of the private rented sector in an area by ensuring:

- That landlords are 'fit and proper persons'
- Good and fair management of tenancy relations
- Support for landlords to participate in regeneration and tackle antisocial behaviour effectively
- Protection for vulnerable tenants from the worst housing conditions and from bad landlords
- Strategic knowledge to support Local Authorities in targeting health and safety inspections
- Support for landlords to improve the worst properties by helping them to achieve decent minimum standards in housing conditions and management
- Successful schemes may also increase the supply and choice of housing stock and reverse housing market decline in housing market renewal areas when used in conjunction with other measures

## ***Benefits of Selective Licensing***

### **Benefits to neighbourhoods and communities**

- Increasing housing demand by improving property condition and reducing antisocial behaviour will improve problem areas, making these safer, more desirable places to live
- Reducing environmental costs and costs of crime, such as street cleaning and tackling fly tipping
- Making it easier to involve all landlords in wider strategies including crime reduction initiatives, local spatial strategies and other countywide plans
- Protecting vulnerable groups, who are often occupiers of privately rented accommodation which is poorly managed and maintained

### **Benefits to tenants**

- More professional landlords should bring improvements to the quality and management of properties
- Potential economic benefits, for example in reduced heating costs and improved likelihood of regaining deposits
- Improvements to neighbourhoods will also benefit private tenants sense of security and community and improve social capital
- Better management practices should help to increase length of tenure and reduced incidence of unplanned moves or homelessness

### **Benefits to landlords:**

- Responsible landlords will receive training, information and support
- A level playing field, where decent landlords are not undercut by an unscrupulous minority
- Poorly performing/inexperienced landlords will receive extra support to improve
- Improved rental incomes/fewer voids as areas improve
- Improvement in the reputation of all private landlords
- Shorter void periods and reduced tenant turnover
- The option to join the accredited scheme for additional support and advice
- A discounted selective licensing fee for landlord who already have their properties accredited within the selective licensing areas.

### **Benefits to Wirral Council**

- Increased supply of good quality homes
- Landlords who have not responded to previous voluntary measures (such as Wirral's property accreditation scheme) will be forced to engage with the Local Authority. Landlords not meeting housing and management standards will be forced to improve their practices or leave the market

- Wirral will gain more knowledge about private renting in particular areas, enabling the Council to target support, information and enforcement more effectively, and to better understand the root of the problems the areas face
- Selective licensing is not however, a panacea and benefits should be expected to be realised in the longer term, rather than straight away

A wide range of evidence from a variety of relevant data sources has been compiled in this document to help identify potential areas which would be most appropriate to become areas of Selective Licensing. Evidence must demonstrate that an area is experiencing one or more of the following factors:

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

The evidence sought by Wirral Council has concentrated on indicators which together can demonstrate low housing demand and poor property conditions, which are heavily interlinked. Some of the other factors can be demonstrated by local indicators, however making a case that selective licensing will positively contribute towards these factors, or that the private rented sector could at the moment be a negative contributor to these, is more challenging. Supporting evidence related to deprivation, anti-social behaviour and crime have however been used as secondary indicators.

All data used is the most recent available for each individual indicator. Some data is provided as a snapshot at a moment in time, other data is provided by financial year or calendar year and some indicators span more than one 12 month period to provide a fuller dataset.

Data on all of the indicators (summarised in Figure 1 below) is detailed in the following sections. The data is analysed on small geographic areas known as Lower Super Output Areas (LSOAs). LSOAs are used as they are the lowest level of geographic data for which indicators are generally produced by central Government and other agencies and allow Wirral Council to produce a more localised picture of the different areas within the Borough. All LSOAs in Wirral were ranked based on these indicators and the 10 worst performing areas for every indicator were entered onto a master matrix document. This number of LSOAs (10) was decided upon, as it represents the 5% worst performing LSOAs in Wirral. Other targeted community projects and initiatives in Wirral have also chosen to operate in the 5% worst performing Wirral LSOAs (e.g. the Health Action Area initiative).

No LSOA where the proportion of private rented properties was below the national average reported in the most recent English Housing Survey was included in the tables in the following sections, complying

with the Selective Licensing of Housing (Additional Conditions) (England) Order 2015 – Article 3 (1) (a) as Wirral Council is proposing to introduce selective licensing on the grounds of property conditions (as well as low housing demand). The 2017-18 English Housing Survey Headline Report released in January 2019 stated the national average was 19%.

**Figure 1.1:**  
Evidence used to  
determine the  
appropriate  
LSOAs for  
Selective  
Licensing in



Each of the indicators scored either one or two points. Those indicators which according to Government guidance [2] demonstrate low housing demand and poor property condition scored two points. Supporting indicators (e.g. which demonstrate deprivation) scored one point. The indicators and scoring differ from that used in the 2015 selective licensing scheme’s Supporting Evidence and Rationale written in 2014 due to the release of the 2015 Government guidance referred to above. The indicators also differ slightly from those used in 2017 for the Selective Licensing scheme begun in April 2019 due to the availability to the Council of certain data sources. The combined data sources and weightings applied remain a strong method for indicating of low demand and property condition within LSOAs.

Table 1.1 below shows the list of indicators and points awarded for each in the matrix (see end of this document for matrix).

**Table 1.1:** Matrix points awarded per indicator

<b>2 points</b>
<ul style="list-style-type: none"> <li>• House sales</li> <li>• House prices</li> <li>• Long Term Empty property</li> <li>• Time property spent empty</li> <li>• Private rented property (%)</li> <li>• Housing Health &amp; Safety Rating System (HHSRS) Category 1 hazards (%)</li> <li>• Deliberately started fires</li> <li>• Environmental Health Complaints</li> <li>• Housing Team Interventions</li> </ul>
<b>1 point</b>
<ul style="list-style-type: none"> <li>• Housing Benefit rates</li> <li>• Criminal damage</li> <li>• Deprivation (overall 2015 IMD)</li> <li>• Deprivation (Living domain of 2015 IMD)</li> <li>• Workless benefits (ESA/UC)</li> <li>• Workless benefits (JSA/UC)</li> <li>• Injuries (sustained in the home)</li> <li>• Educational Attainment (KS4)</li> </ul>

## Section 2: Privately rented properties in Wirral

Only privately rented properties are subject to Selective Licensing, therefore, those LSOAs in Wirral with the highest concentrations of this kind of housing are likely to be candidates for the scheme. The ten LSOAs with the highest concentrations are shown in the table below.

**Table 2.1:** Ten LSOAs with highest percentage of privately rented properties in Wirral (2011)

LSOA code	LSOA Name	Ward	% private rented	No. private rented
E01007240	Oxton North	Oxton	40.9%	352
E01007130	Tranmere North	Birkenhead & Tranmere	38.8%	278
E01007238	Victoria Parade	New Brighton	38.4%	335
E01007179	Egerton North	Birkenhead & Tranmere	37.7%	231
E01007129	Birkenhead South	Birkenhead & Tranmere	37.7%	287
E01007215	Egremont Promenade South	Liscard	37.4%	293
E01007244	Oxton East	Birkenhead & Tranmere	37.1%	339
E01007218	Egremont North	Liscard	36.2%	237
E01007217	Liscard Central	Liscard	35.9%	284
E01007278	Seacombe Library	Seacombe	35.7%	235
<b>Wirral average</b>			<b>15.8%</b>	<b>112</b>

Source: Census, 2011

As the table shows, 15.8% of housing stock in Wirral is privately rented (Census 2011), with an average per LSOA of 112 privately rented properties. All of the LSOAs shown here however, have rates of privately rented properties which are more than double this figure, with more than one in three of all the properties in the LSOAs shown, privately rented.

According to the Council's Housing Stock Modelling produced by BRE (2018), private rented property in the Borough is more likely to contain Category 1 hazards (the worst rating under the Housing Health & Safety Rating System) than the owner-occupied sector. High levels of private rented properties, when combined with other evidence, can therefore also indicate greater levels of poor property condition in an area.



## Section 3: Low housing demand

When Wirral Council was assessing evidence for the introduction of its current selective licensing scheme, official guidance as to how the authority should measure low housing demand was less specific than the subsequent 2015 Government guidance which recommends local authorities consider the following factors when deciding if an area is suffering from, or likely to become, an area of low housing demand:

- The value of residential premises in the area, in comparison to the value of similar premises in other areas which the authority considers to be comparable (whether in terms of type of housing, local amenities, availability of transport);
- The turnover of occupiers of residential premises (in both rented and owner occupied properties);
- The number of residential premises which are available to buy or rent, and the length of time for which they remain unoccupied;
- The general appearance of the locality and the number of boarded up shops and properties.

The indicators available to the local authority to LSOA level which can demonstrate the above and which have been used in the indicator matrix are described in more detail below.

### *Long term empty properties*

Long-term empty properties are those which have been empty for longer than 6 months. The data presented here is as of April 2019 and refers to privately owned empty property only. It shows that although *overall* Wirral has a low proportion of long term empty homes (privately owned), there are still many LSOAs with a much higher proportion of long term empties than the Borough average. Wirral's average long term vacant privately owned property rate of 1.7% (of the total stock) is very slightly higher than when this analysis was conducted in 2014 (when it was 1.6%). In 2014 Wirral Council introduced the "empty property premium" which increased Council Tax by 50% for those properties empty for more than two years in order to encourage landlords to bring empty properties back into use. In April 2019 the premium was increased to 100%.

Tackling empty homes and bringing them back into use can help tackle homelessness, prevent neighbourhood decline, improve the local economy and regenerate areas. It can also contribute providing wider housing choice and is an important part of the Government's Housing Strategy (2011) [3]. It is also seen as one of the priorities within the Government's most recent housing White Paper, "Fixing our broken housing market" (February 2017) [4].

The table below shows the ten LSOAs in Wirral with the highest proportion of private empty property in Wirral as of April 2019.

**Table 3.1:** Ten LSOAs with highest percentage of long term empty properties in Wirral (2019)

LSOA code	LSOA Name	Ward	Percentage empty*
E01007291	Tranmere Lairds	Birkenhead & Tranmere	16.67%
E01007295	Tranmere Urban Village	Birkenhead & Tranmere	9.70%
E01007129	Birkenhead South	Birkenhead & Tranmere	8.42%
E01007179	Egerton North	Prenton	7.47%
E01007126	Hamilton Square	Birkenhead & Tranmere	6.72%
E01007128	Birkenhead Central	Birkenhead & Tranmere	6.08%
E01007130	Tranmere North	Birkenhead & Tranmere	5.68%
E01007278	Seacombe Library	Seacombe	5.65%
E01007139	New Ferry West	Bromborough	5.16%
E01007215	Egremont Promenade South	Liscard	5.08%
<b>Wirral average (private stock only)</b>			<b>1.54%</b>

\*Percentage of privately owned stock empty for >6months

Note: Only those LSOAs where the proportion of private rented accommodation is in excess of 20% of all housing stock were included

Source: Wirral Council Tax data, Wirral Council Housing Services, 2019

### *Length of time empty properties remained empty*

As mentioned above, long term empty properties are those which have been empty for 6 months or longer. The table above showed properties which fell into this category as a percentage of all privately owned properties in Wirral (by LSOA). The measure shown in the table below shows the length of time (in days) that long term empty, privately owned property had been empty. The ten LSOAs with the largest number of empty days (to April 2019) are shown in the table and were entered onto the matrix.

**Table 3.2:** Length of time (in days) long term empty properties (privately owned) were empty, by LSOA to April 2019

LSOA Code	LSOA Name	Ward	Total days empty
E01007129	Birkenhead South	Birkenhead & Tranmere	32,697
E01007278	Seacombe Library	Seacombe	23,388
E01007215	Egremont Promenade South	Liscard	21,720
E01007291	Tranmere Lairds	Birkenhead and Tranmere	21,491
E01007244	Oxton East	Oxton	21,278
E01007130	Tranmere North	Birkenhead & Tranmere	21,253
E01007237	New Brighton North	New Brighton	18,341
E01007126	Hamilton Square	Birkenhead & Tranmere	18,006
E01007139	New Ferry West	Bromborough	17,499
E01007239	Oxton North East	Birkenhead & Tranmere	17,230
<b>Wirral LSOA Average</b>			<b>4,947</b>

Source: Wirral Council Tax data, Wirral Council Housing Services, 2019

## House sales

The data in Table 3.3 below refers to the total number of house sales per LSOA, compared to the total amount of private housing stock in that LSOA. The Wirral average was 8.5%, but many LSOAs in Wirral had rates significantly lower than this. The ten LSOAs with the lowest number of house sales (as a percentage of the total number of private housing stock), for the two pooled calendar years of 2017 and 2018 are shown in the table below and were entered onto the overall matrix (see end).

**Table 3.3:** LSOAs with the lowest rate of house sales as a proportion of private housing stock (2017-2018)

LSOA code	LSOA Name	Ward	Percentage (%)
E01007144	Clatterbridge West	Clatterbridge	4.2
E01007277	Town Hall	Seacombe	4.5
E01007270	Poultton South	Seacombe	4.5
E01007240	Oxton North	Oxton	4.6
E01007232	Egremont Promenade North	New Brighton	4.9
E01007215	Egremont Promenade South	Liscard	4.9
E01007275	Egremont South	Seacombe	5.4
E01007236	Liscard East	New Brighton	5.5
E01007180	Egerton West	Prenton	5.5
E01007181	Prenton North East	Prenton	5.6
<b>Wirral average</b>			<b>8.5%</b>

Source: HM Land Registry, 2017 and 2018

There were a total of 10,506 house sales in Wirral in 2017 and 2018, an average of 51 sales per LSOA over this period.

## House prices

The average house price in Wirral in 2017 and 2018 (2 years pooled) was £184,896 (median value £173,998), but this figure hides large variations between Wirral LSOAs. For example, the average price in Heswall North was £402,900 – which was five times higher than prices in Seacombe West. It is worth noting that since this analysis was last conducted (using 2013-16 data) the average house price in the LSOA with the lowest house prices in Wirral has increased from £46,000 (in Bidston St. James East) to £85,666 in Seacombe West, so prices at the lower end of the market have almost doubled in just a few years. The ten LSOAs with the lowest average sale prices in Wirral across 2017 and 2018 are shown in the table below. These ten were entered onto the matrix document at the end of this briefing.

**Table 3.4:** Ten LSOAs with lowest average sold prices in Wirral in 2017 and 2018 (2 years pooled)

LSOA code	LSOA Name	Ward	Average house price
E01007272	Seacombe West	Seacombe	£85,666
E01007275	Egremont South	Seacombe	£89,666
E01007179	Egerton North	Prenton	£94,980
E01007277	Town Hall	Seacombe	£104,766
E01007271	Poultton East	Seacombe	£104,837
E01007294	Tranmere Parklands	Birkenhead & Tranmere	£105,562
E01007295	Tranmere Urban Village	Rock Ferry	£106,428
E01007292	Higher Tranmere	Birkenhead & Tranmere	£107,588
E01007296	Tranmere Well Lane	Rock Ferry	£108,840
E01007273	Seacombe St Pauls	Seacombe	£108,875
<b>Wirral LSOA (average)</b>			<b>£184,896</b>

Source: HM Land Registry, 2017 and 2018

### *Deliberately Started Waste Fires*

Deliberately started small waste fires involve wheelie-bins and fly-tipped waste. They can destroy property and be a threat to life as well as being another indicator of the poor appearance of an area due to the fly-tipping. There was a total of 637 deliberately started fires between February 2017 and February 2019. This is an average of 4 per LSOA in Wirral, but as the table shows, the top LSOAs have more than double this number, with the highest LSOA having more than 7 times the Wirral average.

**Table 3.5:** Number of deliberately started reported fires by LSOA in Wirral, 2 pooled years: top 10 LSOAs

LSOAs	LSOA Name	Ward	Number (both years)
E01007126	Hamilton Square	Birkenhead and Tranmere	30
E01007155	Birkenhead Park East	Claughton	24
E01007275	Egremont South	Seacombe	19
E01007269	Seacombe Docks	Seacombe	19
E01007128	Birkenhead Central	Birkenhead and Tranmere	15
E01007291	Tranmere Lairds	Birkenhead and Tranmere	14
E01032903	Birkenhead North	Bidston & St James	13
E01007125	Bidston St James South	Bidston & St James	12
E01007131	West Tranmere	Birkenhead and Tranmere	11
E01007127	Birkenhead West	Birkenhead and Tranmere	11
<b>Wirral average per LSOA</b>			<b>4</b>
<b>Wirral Total</b>			<b>637</b>

Source: Wirral Council, Waste Reduction Team, 2019

## Environmental Health Complaints

Wirral Council's Environmental Health Team receives complaints on a range of subjects, much of which can indicate an area having a poor quality environment or poor housing conditions. The type of complaints used to compile the data include complaints against private landlords, low level private rented housing repair complaints, vermin and noise.

**Table 3.6:** LSOAs with the highest ratio of environmental health complaints related to privately owned properties (ratio of complaints to privately rented properties), 2017 and 2018 (2 pooled years)

LSOA code	LSOA Name	Ward	No. of complaints	Ratio of complaints
E01007273	Seacombe St Pauls	Seacombe	44	4.6
E01007131	West Tranmere	Birkenhead & Tranmere	43	5.9
E01007220	Egremont Central	Liscard	25	6.3
E01007291	Tranmere Lairds	Birkenhead & Tranmere	37	6.5
E01007175	Egerton Park	Rock Ferry	34	6.6
E01007176	Rock Ferry West	Rock Ferry	25	6.7
E01007179	Egerton North	Prenton	33	7.0
E01007144	Clatterbridge West	Clatterbridge	16	7.1
E01007270	Poulton South	Seacombe	34	7.4
E01007127	Birkenhead West	Birkenhead & Tranmere	23	7.7
<b>Wirral average per LSOA</b>			<b>21</b>	<b>11.6</b>

Source: Wirral Council, Housing Services, 2019

As Table 3.9 shows, the average number of interventions per LSOA in Wirral between 2017 and 2018, was 21 and the average ratio was 11.6. The ratio of interventions per private rented units takes into account the amount of private rented accommodation in the area, so allowing for differences in the housing composition, a true comparison is possible. The ratio means that in the worst LSOA in Wirral (Seacombe St. Pauls), there was one intervention for every 4.6 (privately rented) houses in that LSOA. Just for comparison, the average for Wirral was that there was only one intervention for every 11.6 privately rented properties in the borough.

## Section 4: Properties in poor condition

In order to ensure the safety and wellbeing of local residents, Local Authorities have the duty to ensure that remedial action is taken on private properties where there are serious hazards that affect the health, safety and wellbeing of the occupiers. They carry out this duty using the Housing, Health and Safety Rating System (HHSRS) during inspections, a risk-based evaluation tool to help identify and protect against potential risks and hazards from deficiencies in residential properties. This was introduced under the Housing Act 2004 [5]. The underlying principle of the HHSRS is that, “*any residential premises should provide a safe and healthy environment for any potential occupier or visitor*” [5]. There are two categories of hazards in the HHSRS with category 1 hazards being the most severe (see the [Housing, Health & Safety Guidance](#) for more information on what these categories refer to).

### *Housing Services interventions due to poor property condition*

Given that a decision to enforce remedial action has financial implications for both the owner and the occupier (and such decisions may be subject to legal challenge and scrutiny), inspections clearly record information and are robust enough to provide evidence to support action. Decisions to intervene are not undertaken lightly and as such, are a good indicator to areas where housing in a state of poor repair may be concentrated. In addition to enforcement action, interventions may be informal such as a Healthy Homes visit, or request for help with heating via the former Cosy Homes heating grant. These measures are also an indicator of poor property condition in the private rented sector and so are included as interventions in the data below.

There was a total of 774 interventions in the two years of 2017 and 2018 (that could be matched to an LSOA). The ten LSOAs with the highest number of interventions as a ratio of all private housing stock, are shown in the table below.

**Table 4.1:** LSOAs with the highest number of interventions due to poor condition, 2017 and 2018

LSOA code	LSOA Name	Ward	No. of interventions	Ratio of interventions to private rented
E01007179	Egerton North	Prenton	66	7.5
E01007129	Birkenhead South	Birkenhead & Tranmere	56	10.8
E01007278	Seacombe Library	Seacombe	51	12.1
E01007215	Egremont Promenade South	Liscard	34	19.7
E01007127	Birkenhead West	Birkenhead & Tranmere	10	40.6
E01007220	Egremont Central	Liscard	15	42.4
E01007275	Egremont South	Seacombe	10	43.4
E01007294	Tranmere Parklands	Birkenhead & Tranmere	9	47.9
E01007291	Tranmere Lairds	Birkenhead & Tranmere	4	51.0



E01032903	Birkenhead North	Bidston and St James	12	52.6
<b>Wirral average per LSOA</b>			<b>5</b>	<b>228</b>

Source: Wirral Council, Housing Services, 2019

An average for Wirral of 228 means that there was one intervention for every 228 privately rented properties. As the table shows therefore, a ratio of 7.5 for Egerton North means that there was 1 intervention for every 7.5 privately rented houses in that LSOA, indicating severe issues with housing quality. Some of the top ranked LSOAs are already existing selective licensing areas, reflecting the concentration of activity in these areas over the past two years.

### ***Housing Health and Safety Rating System (HHSRS) Category 1 Hazards***

In 2018, the Building Research Establishment produced an Integrated Dwelling Level Housing Stock Modelling & Database for Wirral Council. This provides an overview of house condition at various levels of geography, including to LSOA level, for the different housing tenure types. Although the database is produced on modelled data, it provides a relatively accurate picture of the geographic and tenure differences for house condition. Amongst the indicators, the database provides the rate of those homes with hazards classed as Category 1 under the HHSRS. The highest rates amongst private rented sector stock within LSOAs is shown below.

**Table 4.2:** LSOAs with the highest rates of HHSRS Category 1 hazards in privately rented properties

LSOA code	LSOA Name	Ward	Percentage (%)
E01007141	Port Sunlight North	Bromborough	27
E01007217	Liscard Central	Liscard	27
E01007179	Egerton North	Prenton	26
E01007216	Liscard South	Liscard	24
E01007234	Magazine Promenade	New Brighton	24
E01007219	Egremont West	Liscard	23
E01007275	Egremont South	Seacombe	23
E01007278	Seacombe Library	Seacombe	22
E01007127	Birkenhead West	Birkenhead & Tranmere	22
E01007218	Egremont North	Liscard	21
<b>Wirral average</b>			<b>15</b>

Note: Only those LSOAs where the proportion of private rented accommodation is in excess of 20% of all housing stock were included

Source: Integrated Dwelling Level Housing Stock Modelling & Database for Wirral Council, BRE, 2018

## Section 5: Supporting indicators

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Supporting indicators have been identified which help provide a wider picture of areas that might additionally be experiencing three of the alternative factors which the Government stipulate can be used to introduce selective licensing: deprivation, anti-social behaviour and crime. Wirral Council however is not specifically introducing selective licensing to tackle any of these factors but a by-product of the scheme will be to have a positive impact on them.

### *Overall Indices of Deprivation (2015)*

The Index of Multiple Deprivation 2015 (IMD) is a measure of relative deprivation at a small area level, important in identifying disadvantaged areas so that limited resources can be targeted where they are most needed. The IMD covers a broad range of issues and refers to unmet need caused by a lack of resources of all kinds, not just financial resources. The IMD attempts to capture deprivation in its broadest sense, using seven distinct 'domains' (which together form the overall IMD).

Wirral's 2018 Housing Stock Modelling reported that the highest rates of poor housing conditions were in the geographical areas with the highest levels of deprivation. Table 5.1 shows the 10 most deprived LSOAs in Wirral by name and ward they fall within. These ten LSOAs were entered onto the overall matrix.

### *Living Environment deprivation (2015)*

One of the seven individual 'domains' (or different dimensions of deprivation) which together make up the overall IMD includes 'Living Environment' and this measures the quality of individuals immediate surroundings, including housing quality. There is a domain titled, 'Barriers to housing and services', but this is a less appropriate indicator for this work, since it deals primarily with distance and accessibility to local services. The IMD Living Environment domain is therefore a relevant and appropriate measure to use when considering areas for Selective Licensing. See Map 5.1 and Table 5.2 below for information on where the most areas of most acute need in Wirral are according to this measure.

**Table 5.1:** Ten LSOAs with most acute levels of deprivation according to the *overall* IMD (2015)

LSOA	LSOA Name	Ward	IMD Score*
E01007127	Birkenhead West	Birkenhead and Tranmere	78.2
E01007128	Birkenhead Central	Birkenhead and Tranmere	75.7
E01007129	Birkenhead South	Birkenhead and Tranmere	75.6
E01007220	Egremont Central	Liscard	69.5
E01007126	Hamilton Square	Birkenhead and Tranmere	69.4
E01007273	Seacombe St Pauls	Seacombe	67.6
E01007123	Bidston St James West	Bidston and St James	66.3
E01007292	Higher Tranmere	Birkenhead and Tranmere	65.8
E01007131	West Tranmere	Birkenhead and Tranmere	60.9
E01007290	Tranmere Esplanade	Rock Ferry	60.3
<b>Wirral average</b>			<b>42.4</b>

\*higher score indicates greater deprivation

**Table 5.2:** Ten LSOAs with most acute needs according to the IMD Living Environment domain

LSOA	LSOA Name	Ward	IMD Living Domain Score
E01007129	Birkenhead South	Birkenhead & Tranmere	53.51
E01007217	Liscard Central	Liscard	53.41
E01007234	Magazine Promenade	New Brighton	49.85
E01007276	Poultton North	Seacombe	49.48
E01007216	Liscard South	Liscard	48.99
E01007296	Tranmere Well Lane	Rock Ferry	47.96
E01007130	Tranmere North	Birkenhead & Tranmere	47.55
E01007127	Birkenhead West	Birkenhead & Tranmere	46.00
E01007233	Earlston Gardens East	New Brighton	44.95
E01007277	Town Hall	Seacombe	44.89
<b>Wirral average</b>			<b>23.24</b>

\*higher score indicates greater deprivation

## Housing benefits data

As Selective Licensing aims to tackle properties which are privately rented and in poor condition, rates of Housing Benefit claimants (renting from private landlords only) is likely to be an important indicator of where problems may be most acute.

Housing Benefit data for this indicator is sourced from the DWP's own data tool (Stat-Xplore) and is for November 2018.

**Table 5.3:** Wirral LSOAs with the highest percentage private rented households claiming Housing Benefit

LSOA	LSOA name	Ward	% Households
E01007215	Egremont Promenade South	Liscard	30.6%
E01007129	Birkenhead South	Birkenhead & Tranmere	23.6%
E01007273	Seacombe St Pauls	Seacombe	20.3%
E01007277	Town Hall	Seacombe	17.4%
E01007217	Liscard Central	Liscard	17.4%
E01007275	Egremont South	Seacombe	17.1%
E01007131	West Tranmere	Birkenhead & Tranmere	16.7%
E01007271	Poulton East	Seacombe	15.9%
E01007272	Seacombe West	Seacombe	15.6%
E01007292	Higher Tranmere	Birkenhead and Tranmere	15.5%
<b>Wirral Average</b>			<b>5.7%</b>

**Source:** Department for Work & Pensions (DWP) Stat-Xplore tool, November 2018

The ten LSOAs with the highest percentage of housing benefit claimants (renting from private landlords only) are shown in the table above. As the table shows, all of the LSOAs shown had rates that were around three times the Wirral average of 5.7%, whilst in the LSOA with the highest rates (Egremont Promenade South LSOA, in Liscard Ward), the claimant rate was six times higher than the Wirral average. As the table shows, one in three households in the LSOA (30.6%) claimed Housing Benefit. These ten LSOAs were the areas entered into the overall matrix.

## Out of work benefits

Those receiving out of work benefits are particularly vulnerable to poor housing conditions. The main out of work benefits are Job Seekers Allowance (JSA) and Employment Support Allowance (ESA) and those who have been moved onto Universal Credit. The ten LSOA's with the highest proportions of people of working age in receipt of these benefits are shown in the tables below (and have been entered onto the overall Matrix in Section 14).

**Table 5.4:** Wirral LSOAs with the highest percentage of Job Seekers Allowance and Universal Credit (combined) claimants (numbers rounded to nearest 10) as of March 2019

LSOA	LSOA name	Ward	Claimants	% LSOA population*
E01007126	Hamilton Square	Birkenhead & Tranmere	220	14.8%
E01007129	Birkenhead South	Birkenhead & Tranmere	130	12.6%
E01007128	Birkenhead Central	Birkenhead & Tranmere	130	11.9%
E01007273	Seacombe St Pauls	Seacombe	100	11.8%
E01007292	Higher Tranmere	Birkenhead & Tranmere	110	10.9%
E01007220	Egremont Central	Liscard	85	10.6%
E01007291	Tranmere Lairds	Birkenhead & Tranmere	130	10.5%
E01007127	Birkenhead West	Birkenhead & Tranmere	105	9.7%
E01007278	Seacombe Library	Seacombe	90	9.5%
E01007295	Tranmere Urban Village	Rock Ferry	80	9.4%
<b>Wirral average</b>			<b>37</b>	<b>3.4</b>

\*working age population

Source: NOMIS, June 2017

## Disability Benefits

Disability benefits were included for much the same reasons as outlined above (see out of work benefits). See table below for top 10 LSOAs for working age claimants of Employment Support Allowance or Universal Credit (disability element) as of March 2019.

**Table 5.5:** Wirral LSOAs with the highest percentage of Employment Support Allowance claimants, 2019

LSOA	LSOA name	Ward	Claimants	% LSOA population*
E01007129	Birkenhead South	Birkenhead & Tranmere	230	22.7%
E01007128	Birkenhead Central	Birkenhead & Tranmere	240	22.5%
E01007126	Hamilton Square	Birkenhead & Tranmere	295	19.9%
E01007127	Birkenhead West	Birkenhead & Tranmere	210	19.5%
E01007155	Birkenhead Park East	Claughton	220	19.4%
E01007273	Seacombe St Pauls	Seacombe	145	17.2%
E01007290	Tranmere Esplanade	Rock Ferry	200	16.8%
E01007270	Poulton South	Seacombe	185	16.4%
E01007215	Egremont Promenade South	Liscard	160	16.2%
E01007138	New Ferry East	Bromborough	165	16.1%
<b>Wirral average</b>			<b>77</b>	<b>8.1%</b>

\*working age population

Source: NOMIS, 2017

## *Criminal damage*

Crime results in unsettled communities, undermines efforts to regenerate areas and is associated with other social and economic problems including deprivation. Criminal damage was chosen as an indicator to demonstrate crime levels due to its overlap with anti-social behaviour, both of which are further factors in considering whether or not to introduce selective licensing into an area. The table below shows the 10 LSOAs with the highest rates of recorded criminal damage in 2018-19 (January 2018 to January 2019).

**Table 5.6:** Rate of reported criminal damage and arson by LSOA in Wirral in 2018-19: top 10 LSOAs (rate per 1,000 population)

LSOAs	LSOA Name	Ward	Rate (per 1,000) 2018-19
E01007128	Birkenhead Central	Birkenhead & Tranmere	5.9
E01007272	Seacombe West	Seacombe	4.6
E01007273	Seacombe St Pauls	Seacombe	4.5
E01032903	Birkenhead North	Bidston & St. James	3.2
E01007127	Birkenhead West	Birkenhead & Tranmere	3.1
E01007179	Egerton North	Prenton	2.9
E01007176	Rock Ferry West	Rock Ferry	2.5
E01007139	New Ferry West	Bromborough	2.4
E01007138	New Ferry East	Bromborough	2.4
E01007271	Poulton East	Seacombe	2.4
<b>Wirral Average</b>			<b>1.3</b>

Source: <https://data.police.uk>

**Note:** January 2018-January 2019

All of the ten LSOAs in the table have rates of criminal damage which are considerably more than the Wirral average of 1.3 per 1,000 – and one, Birkenhead Central, has a rate which is more than four times the Wirral average.

## *Injuries (sustained in the home environment)*

Data on injuries sustained in the home environment were provided by the [Trauma, Injury Intelligence Group \(TIIG\)](#). Clearly, not all home injuries are due to people living in non-decent, dilapidated homes. It is however, a contributory factor. It is therefore appropriate to include this indicator as part of the rationale for selective licensing in Wirral. Rates were calculated for the previous 2 years (2017/18 to 2018/19) and the table shows the ten LSOAs with the highest rates of home injuries in Wirral.

**Table 5.7:** Rate of A&E attendances for home injuries by LSOA, 2017/18 to 2018/19 (2 pooled years)

LSOA	LSOA name	Ward	No. home injuries	Rate per 1,000
E01007155	Birkenhead Park East	Claughton	211	120.8
E01007123	Bidston St James West	Bidston & St James	140	91.9
E01007290	Tranmere Esplanade	Rock Ferry	178	91.2
E01007144	Clatterbridge West	Clatterbridge	127	91.0
E01007291	Tranmere Lairds	Birkenhead & Tranmere	157	86.0
E01007236	Liscard East	New Brighton	113	83.4
E01007292	Higher Tranmere	Birkenhead & Tranmere	125	80.5
E01007175	Egerton Park	Rock Ferry	143	78.8
E01007128	Birkenhead Central	Birkenhead & Tranmere	131	77.7
E01007296	Tranmere Well Lane	Rock Ferry	122	76.6
	<b>Wirral average (per LSOA)</b>		<b>99</b>	<b>60.1</b>

Source: TIIG ([Trauma, Injury & Intelligence Group](#)), 2017



## Section 6: Matrix

All of the criteria examined in this briefing are show in the matrix below and indicate (via highest scores), those areas which are potentially the most suitable locations for Selective Licensing in Wirral.

LSOA code	LSOA name	Ward	Constituency	1 point										2 points										Total
				Injuries (occurring at home)	Deprivation (living)	Deprivation (overall)	Educational attainment (KS4)	Workless benefits (ESA)	Workless benefits (JSA & UC)	Housing Benefit	Criminal damage	Environmental Health	Housing Interventions	HHSRS Cat 1%	Deliberate fires	House sales	House prices	Long-term empty property	Time property spent empty	Private rented property (%)				
E01007127	Birkenhead West	Birkenhead & Tranmere	Birkenhead	1	1	1	1	1		1	2	2	2	2							14			
E01007129	Birkenhead South	Birkenhead & Tranmere	Birkenhead	1	1			1	1	1		2				2	2	2			13			
E01007179	Egerton North	Prenton	Birkenhead								1	2	2	2		2			2		13			
E01007275	Egremont South	Seacombe	Wallasey				1			1		2	2	2	2	2					12			
E01007291	Tranmere Lairds	Birkenhead and Tranmere	Birkenhead	1					1		2	2		2			2	2			12			
E01007215	Egremont Promenade South	Liscard	Wallasey					1		1		2			2		2	2	2		12			
E01007278	Seacombe Library	Seacombe	Wallasey						1			2	2				2	2	2		11			
E01007126	Hamilton Square	Birkenhead & Tranmere	Birkenhead			1	1	1	1				2				2	2			10			
E01007273	Seacombe St Pauls	Seacombe	Wallasey			1	1	1	1	1	1	2				2					10			
E01007128	Birkenhead Central	Birkenhead & Tranmere	Birkenhead	1		1		1	1		1			2			2				9			
E01007220	Egremont Central	Liscard	Wallasey			1	1		1			2	2								7			
E01007130	Tranmere North	Birkenhead & Tranmere	Birkenhead		1												2	2	2		7			
E01007292	Higher Tranmere	Birkenhead and Tranmere	Birkenhead	1		1			1	1						2					6			
E01007277	Town Hall	Seacombe	Wallasey		1					1					2	2					6			
E01007131	West Tranmere	Birkenhead & Tranmere	Birkenhead			1				1	2			2							6			
E01007295	Tranmere Urban Village	Rock Ferry	Birkenhead				1		1							2	2				6			
E01032903	Birkenhead North	Bidston and St James	Birkenhead								1	2		2							5			
E01007144	Clatterbridge West	Clatterbridge	Wirral South	1							2			2							5			
E01007272	Seacombe West	Seacombe	Wallasey				1		1	1						2					5			
E01007270	Poulton South	Seacombe	Wallasey					1			2				2						5			
E01007139	New Ferry West	Bromborough	Wirral South								1						2	2			5			
E01007217	Liscard Central	Liscard	Wallasey		1					1			2								4			
E01007271	Poulton East	Seacombe	Wallasey							1	1					2					4			
E01007296	Tranmere Well Lane	Rock Ferry	Birkenhead	1	1											2					4			
E01007294	Tranmere Parklands	Birkenhead and Tranmere	Birkenhead									2				2					4			
E01007290	Tranmere Esplanade	Rock Ferry	Birkenhead	1		1	1	1													4			
E01007155	Birkenhead Park East	Claughton	Birkenhead	1				1						2							4			
E01007240	Oxton North	Oxton	Birkenhead												2				2		4			
E01007244	Oxton East	Oxton	Birkenhead															2	2		4			
E01007218	Egremont North	Liscard	Wallasey										2						2		4			
E01007176	Rock Ferry West	Rock Ferry	Birkenhead								1	2									3			
E01007123	Bidston St James West	Bidston & St James	Birkenhead	1		1	1														3			
E01007236	Liscard East	New Brighton	Wallasey	1											2						3			
E01007175	Egerton Park	Rock Ferry	Birkenhead	1								2									3			
E01007238	Victoria Parade	New Brighton	Wallasey				1												2		3			
E01007216	Liscard South	Liscard	Wallasey		1								2								3			
E01007234	Magazine Promenade	New Brighton	Wallasey		1								2								3			
E01007125	Bidston St James South	Bidston & St James	Birkenhead											2							2			
E01007180	Egerton West	Prenton	Birkenhead													2					2			
E01007181	Prenton North East	Prenton	Birkenhead													2					2			
E01007232	Egremont Promenade North	New Brighton	Wallasey													2					2			
E01007138	New Ferry East	Bromborough	Wirral South					1			1										2			
E01007237	New Brighton North	New Brighton	Wallasey																2		2			
E01007239	Oxton North East	Birkenhead & Tranmere	Birkenhead																2		2			
E01007269	Seacombe Docks	Seacombe	Wallasey											2							2			
E01007217	Liscard Central	Liscard	Wallasey																2		2			
E01007141	Port Sunlight North	Bromborough	Wirral South											2							2			
E01007219	Egremont West	Liscard	Wallasey											2							2			
E01007233	Earlston Gardens East	New Brighton	Wallasey		1																1			
E01007276	Poulton North	Seacombe	Wallasey		1																1			
				10	10	10	10	10	10	10	10	10	20	20	20	20	20	20	20	20	260			

Those LSOAs marked in blue on the matrix denote the four LSOAs which were most recently designated areas of selective licensing. Those in yellow are the initial 4 areas which are coming up for review.

## Section 7: Conclusions & Maps

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As the matrix shows, excluding the four LSOAs marked in blue (second wave selective licensing areas, not currently due for review), there are a further 6 LSOAs which are either:

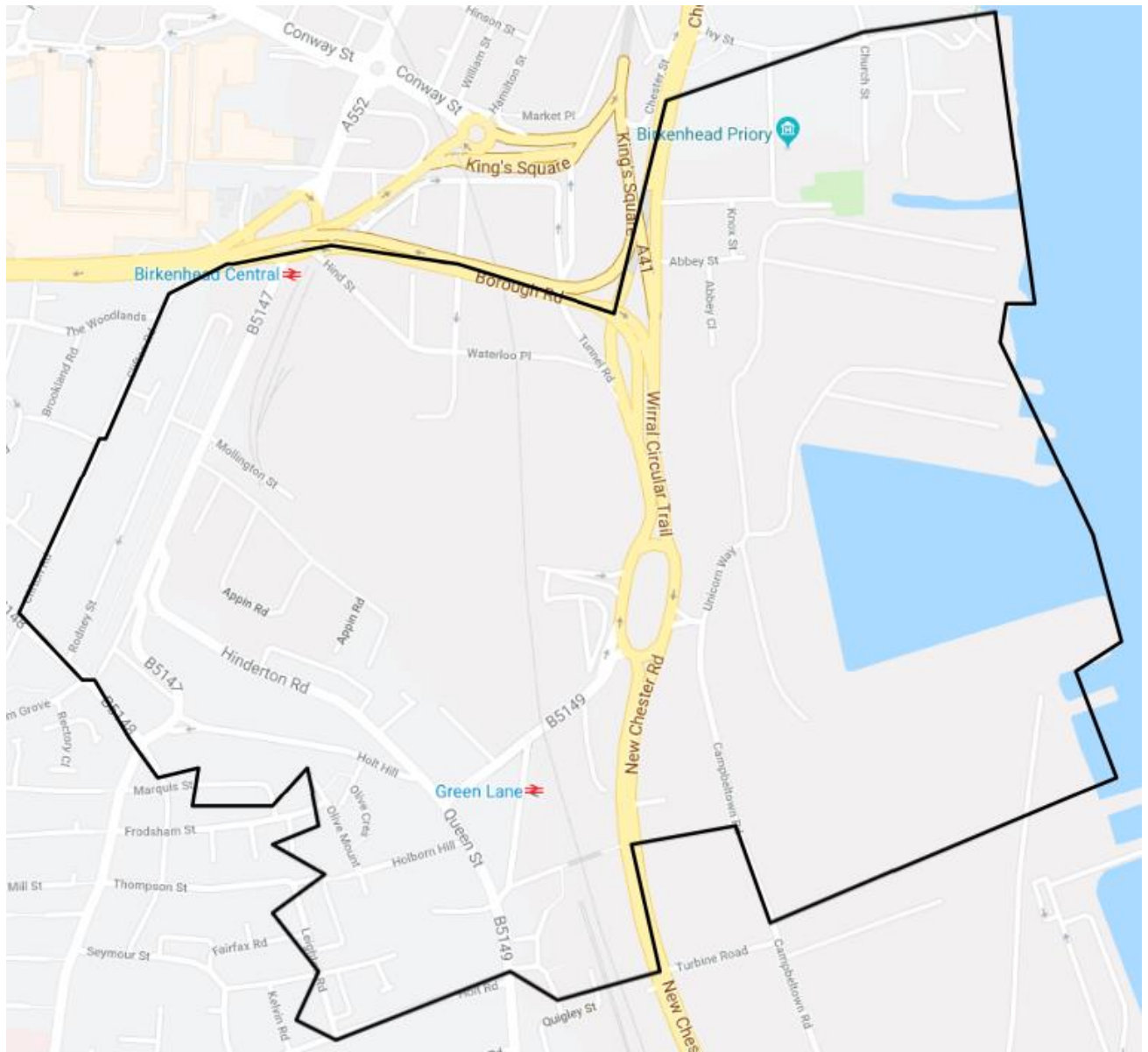
- a) Areas of selective licensing (first wave) now coming up to review (n=4)
- b) New LSOAs which have never before been areas of selective licensing (n=2)

These 6 LSOAs are shown in further detail in the following maps. The last map (Map 7.7 shows all of the proposed and current areas of selective licensing; it therefore shows a total of 10 LSOAs in total).

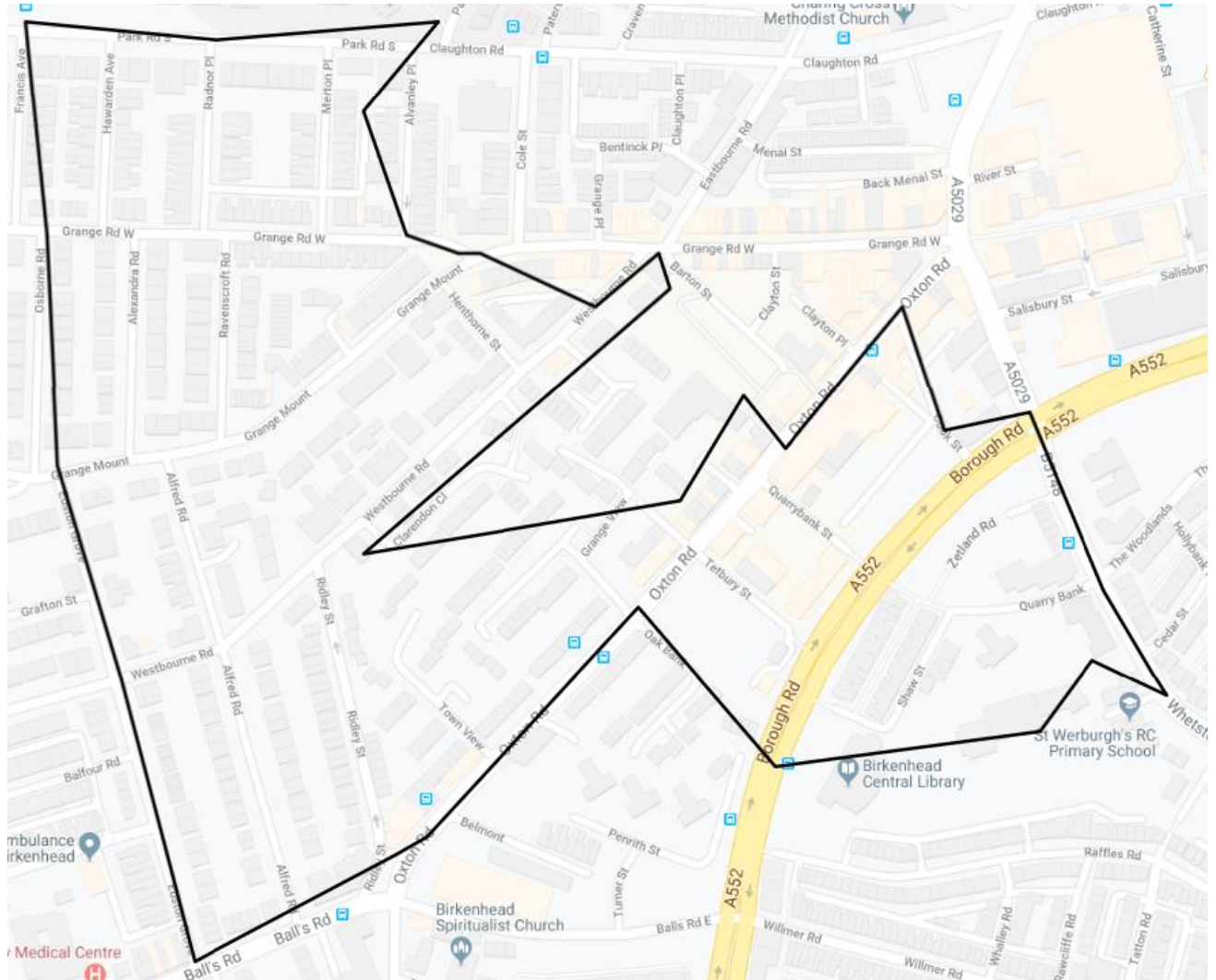
**Map 7.1:** Egremont South Lower Super Output Area (E01007275)



**Map 7.2: Tranmere Laids Lower Super Output Area (E01007291)**

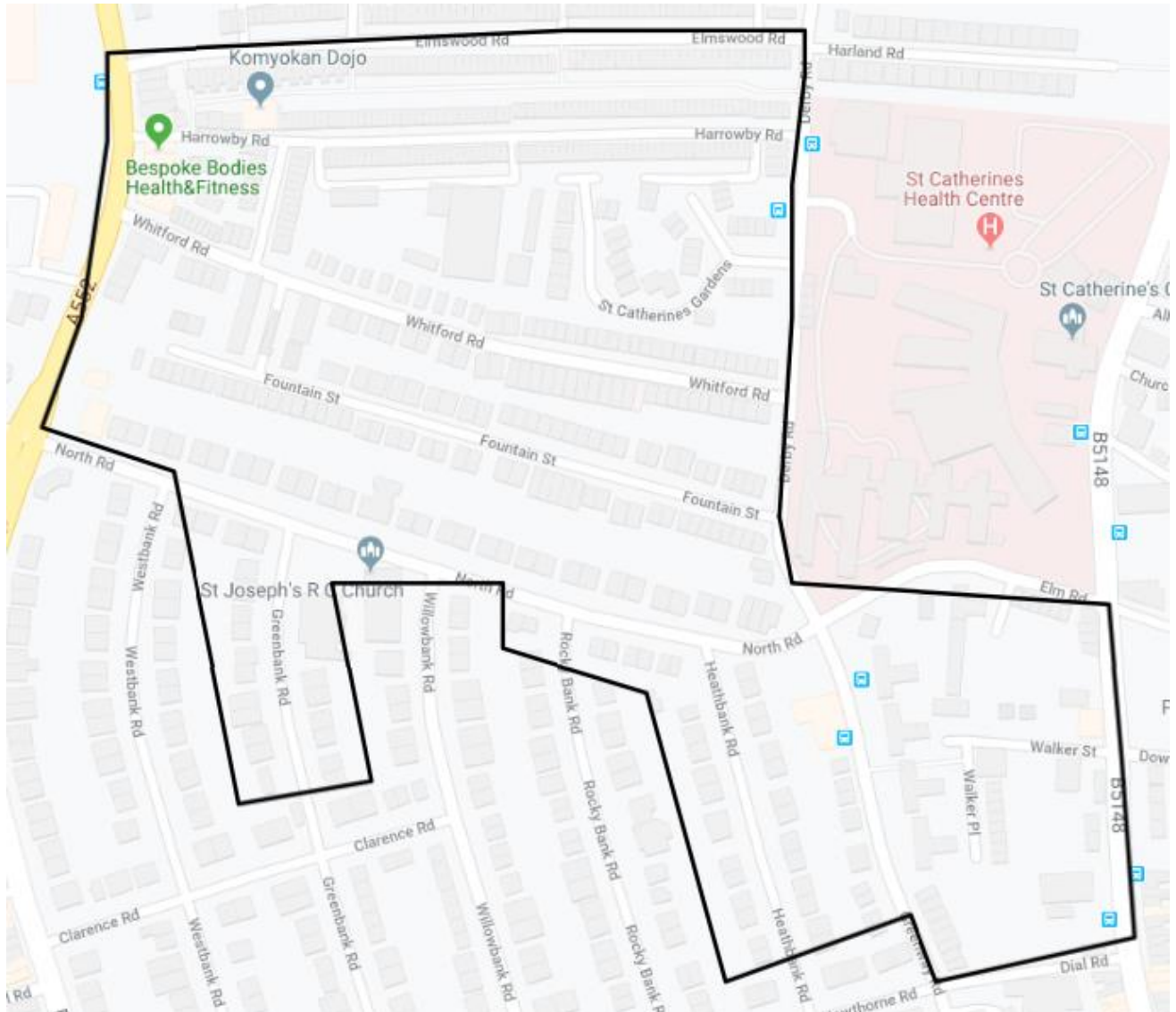


**Map 7.3:** Birkenhead South Lower Super Output Area (E01007129)

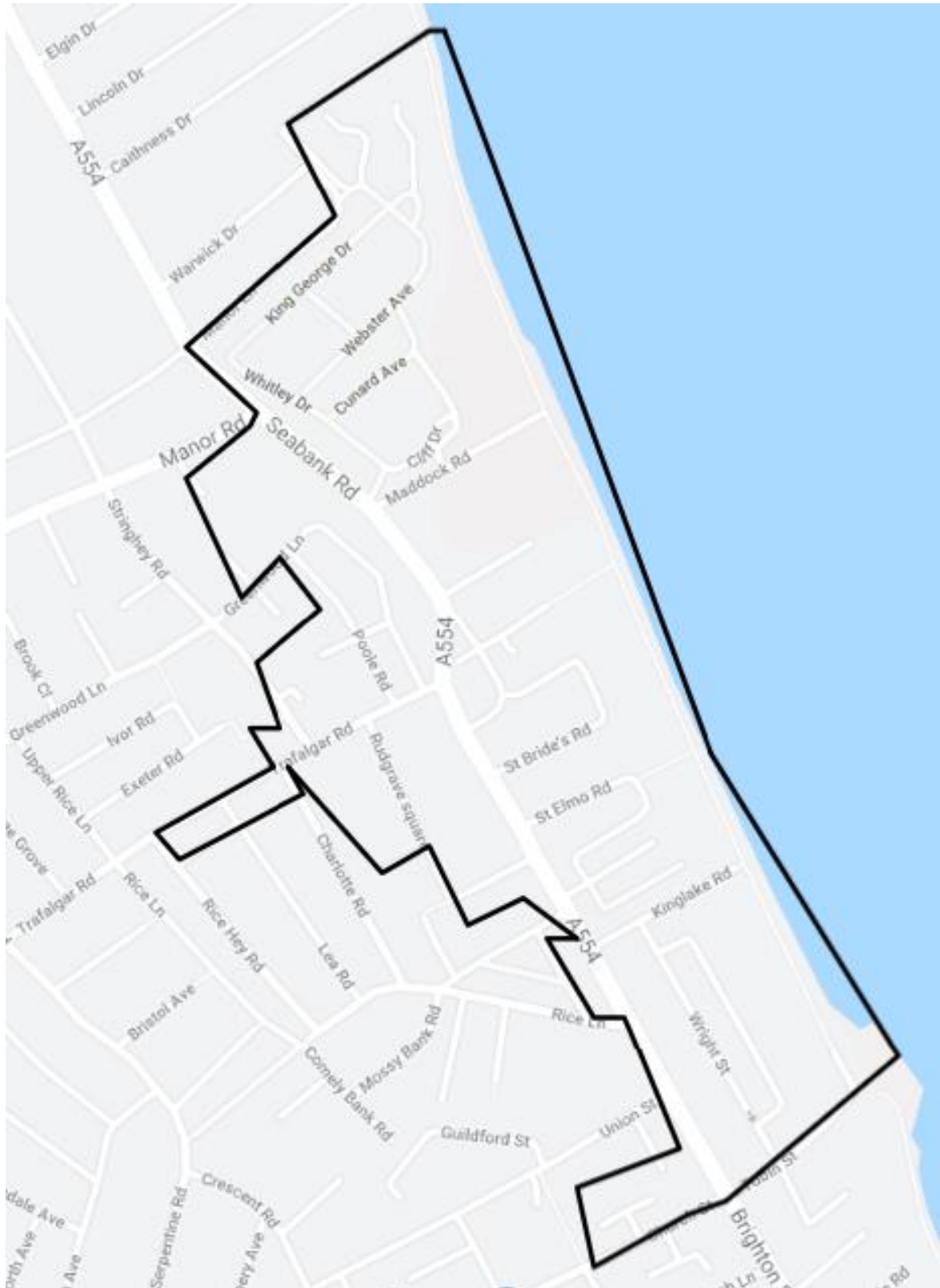




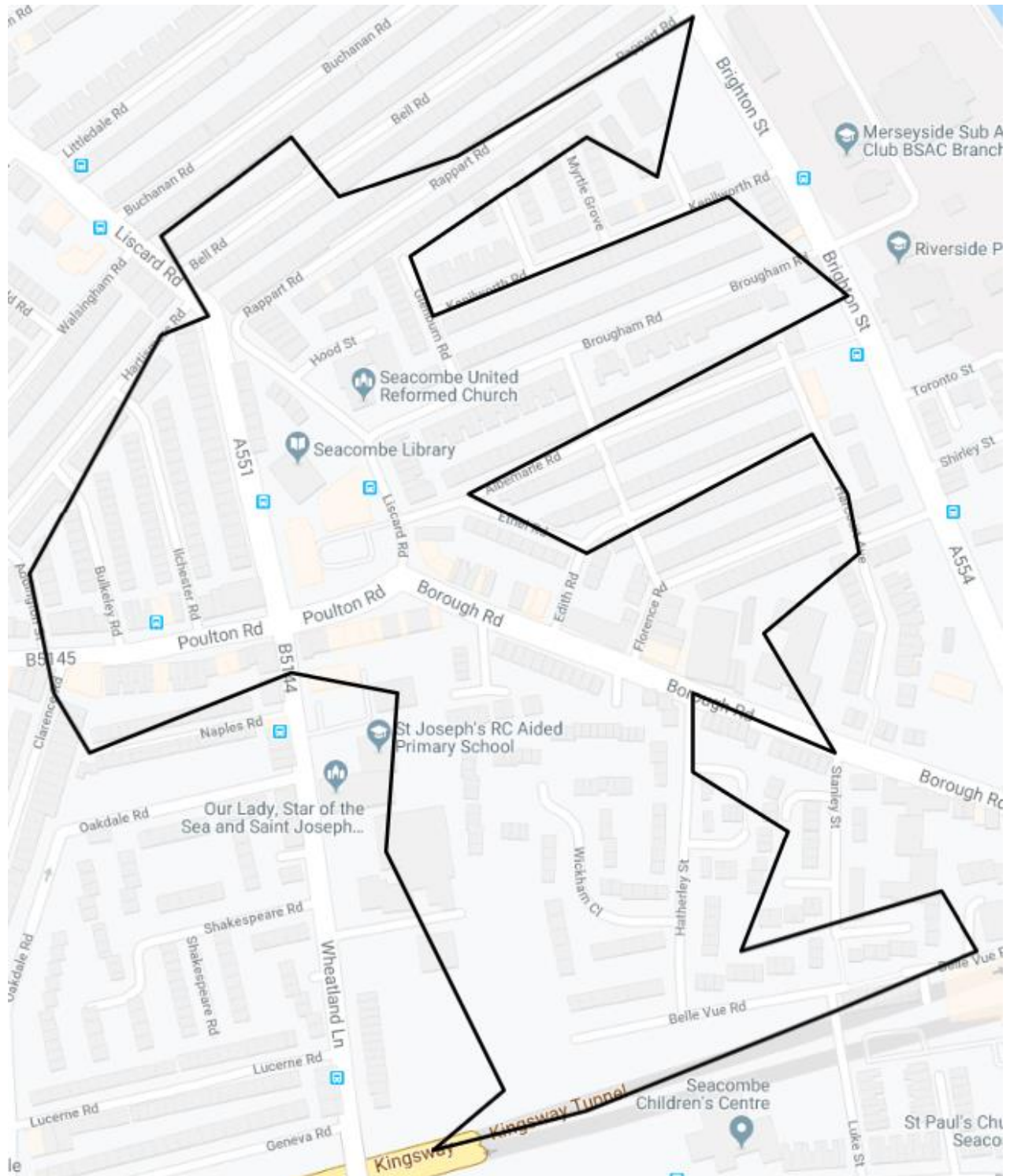
**Map 7.4: Egerton North Lower Super Output Area (E0107179)**



**Map 7.5:** Egremont Promenade South Lower Super Output Area (E01007215)



**Map 7.6:** Seacombe Library Lower Super Output Area (E01007278)





**Map 7.7:** Total current and potential Selective Licensing Areas in Wirral (10 LSOAs)



## Section 8: References

1. Selective licensing for local authorities: A good practice guide. Shelter (2006). Available at: [http://england.shelter.org.uk/data/assets/pdf\\_file/0008/57779/Selective\\_licensing\\_for\\_local\\_authorities.pdf](http://england.shelter.org.uk/data/assets/pdf_file/0008/57779/Selective_licensing_for_local_authorities.pdf)
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5. Housing Health and Safety Rating System Operating Guidance: Guidance about inspections and assessment of hazards. Housing Act 2004 (section 9). Office of the Deputy Prime Minister. February 2006. Available at: [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/15810/142631.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/15810/142631.pdf)

## Section 9: Glossary

### Lower Super Output Area or LSOA:

Small geographical areas with an average population of 1,500. There are 206 LSOAs in Wirral.

**Decent Homes Standard:** The Decent Homes Standard is a national standard against which all homes can be measured. There are four criteria that a home is required to meet before being classified as 'decent'. These are: it meets the current statutory minimum standard for housing (currently the Housing Health & Safety Rating System); it is in a reasonable state of repair; it has reasonable modern facilities and service, and; it provides a reasonable degree of thermal comfort. In Wirral, 23% of private sector dwellings fail the Decent Homes Standard, compared to 32% in the private rented sector. Where a household is on welfare benefits and living in the private rented sector, this rises to 36%.

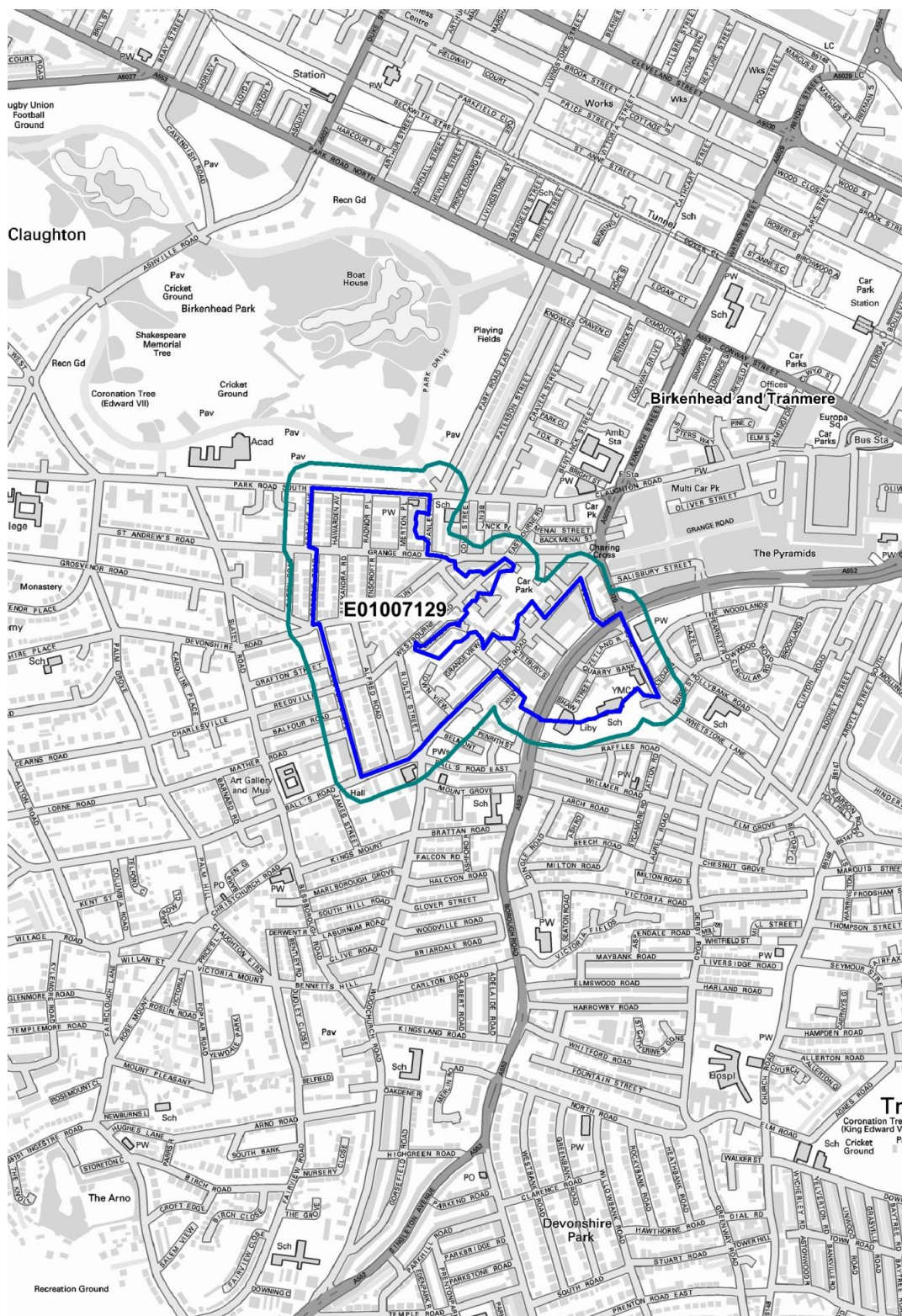
**Category 1 Hazard:** The Housing Health and Safety Rating System (HHSRS) outlines potential risks to health and safety from any deficiencies identified in homes. There are 29 hazards assessed within the HHSRS, arranged in 4 main groups reflecting the basic health requirements of living in a safe home. Once these hazards have been scored in a home, they are grouped into categories, with "Category 1" hazards being the most serious, for example, the hazard could lead to death, permanent paralysis, permanent loss of consciousness, loss of a limb or serious fractures. The Housing Act 2004 puts local authorities under a general duty to take appropriate action in relation to Category 1 hazards. In Wirral, 10% of private sector dwellings have Category 1 hazards, compared to 20% in the private rented sector.

**Housing Disrepair:** To meet the Decent Homes Standard, dwellings are required to be in a reasonable state of repair. Dwellings which fail to meet this criterion are those where either: One or more of the key building components are old and because of their condition, need replacing or major repair, or; Two or more of the other building components are old and because of their condition need replacing or major repair. Across Wirral, 13% of private sector dwellings fail the repair requirements of the Decent Homes Standard, compared to 17% in the private rented sector.

## **Appendix 2 Maps and Address List of Proposed Selective Licensing Areas**

The maps below show the proposed Lower Super Outputs Areas (LSOAs) for Selective Licensing. The LSOA boundary is shown in blue with the proposed boundary for consultation including neighbouring properties shown in green. Address lists are provided as guidance however any private rented properties located within the LSOA boundary at the time of designation or over the lifetime of the scheme would be liable for a licence.

## 1. Birkenhead South (LSOA E01007129)

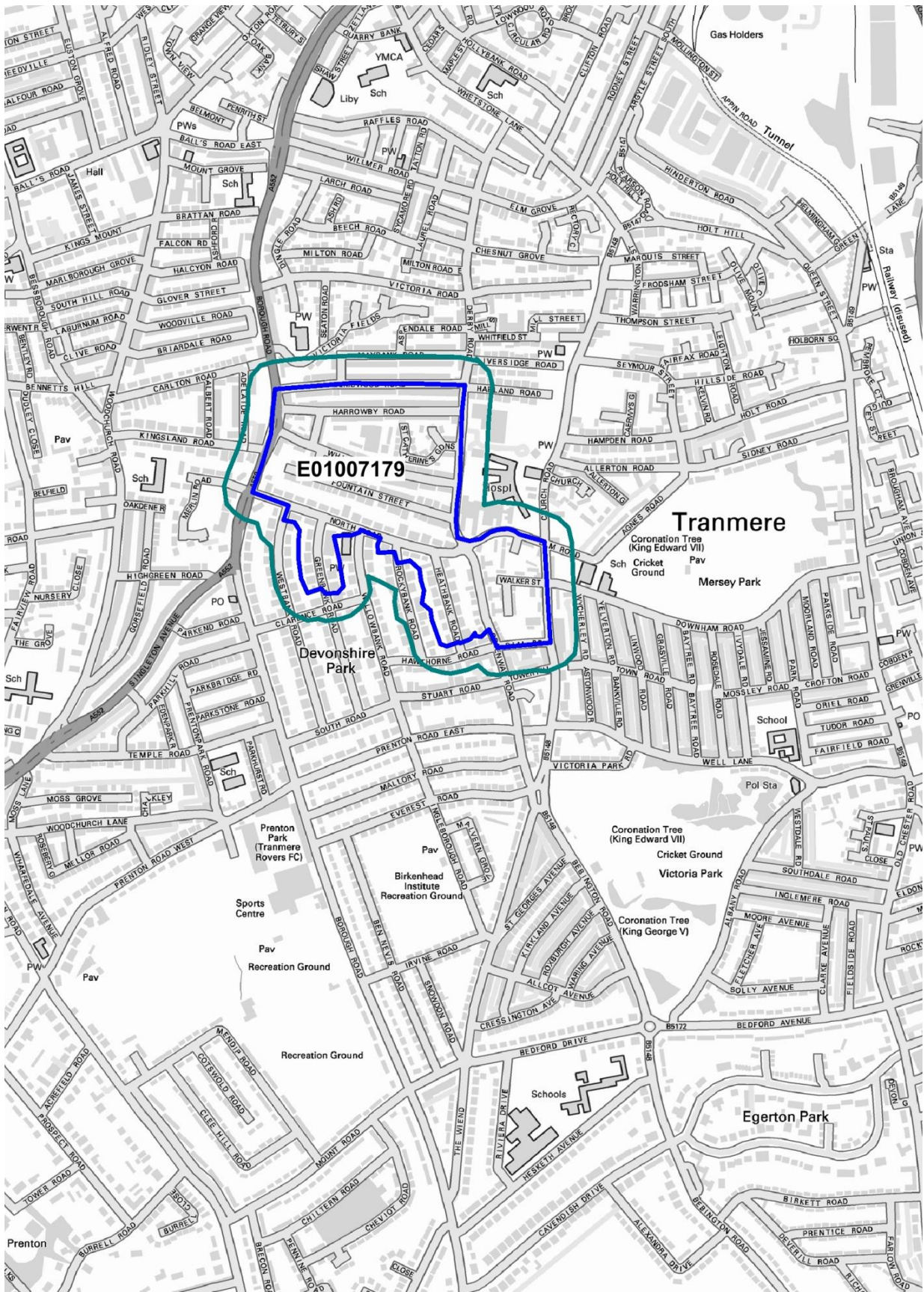


Prop Numbers		Street	Postcode	Post Town
1-24	ALL	ALEXANDRA ROAD	CH43 4XX	PRENTON
1-40	ALL	ALFRED ROAD	CH43 4TU CH43 4TX	PRENTON
12-24	EVENS	BALLS ROAD	CH43 5RE	PRENTON
1-8	ALL	BELMONT GROVE	CH43 4TR	PRENTON

298-300	EVEN	BOROUGH ROAD	CH41 2RB CH41 2UW	BIRKENHEAD
4-7	ALL	CARNFORTH CLOSE	CH41 2TX	BIRKENHEAD
3-39	ODDS	EUSTON GROVE	CH43 4TY CH43 4TZ	PRENTON
1-19	ODDS	FRANCIS AVENUE	CH43 4XL	PRENTON
1-65	ODDS	GRANGE MOUNT	CH43 4XN	PRENTON
4-58	EVEN	GRANGE MOUNT	CH43 4XW	PRENTON
1-14 THOMAS COURT	ALL	GRANGE MOUNT	CH43 4XU	PRENTON
75-125	ODDS	GRANGE ROAD WEST	CH43 4XB CH43 4XF	PRENTON
90-140	EVEN	GRANGE ROAD WEST	CH43 4XF CH43 4XG CH43 4XQ	PRENTON
1-28	ALL	GRANGE VIEW	CH43 4TN CH43 4TL	PRENTON
1-20	ALL	HAWARDEN AVENUE	CH43 4XJ	PRENTON
1-8	ALL	HENTHORNE STREET	CH43 4TA	PRENTON
1-21	ALL	MERTON PLACE	CH43 4XD	PRENTON
1-27	ODDS	OSBORNE ROAD	CH43 4XT	PRENTON
13-67	ODDS	OXTON ROAD	CH41 2QQ CH41 2TL	BIRKENHEAD
44-150A	EVEN	OXTON ROAD	CH41 2TP CH41 2TW	BIRKENHEAD
7-61	ODDS	PARK ROAD SOUTH	CH43 4UN CH43 4UW	PRENTON
1-23	ODDS	QUARRY BANK	CH41 2XF	BIRKENHEAD
1-22	ALL	RADNOR PLACE	CH43 4XH	PRENTON
1-20	ALL	RAVENSCROFT ROAD	CH43 4XY	PRENTON
1-45A	ALL	RIDLEY STREET	CH43 4TT	PRENTON
2-32	ALL	SHAW STREET	CH41 2XE	BIRKENHEAD
1-33	ALL	THE LINDENS, ALFRED ROAD	CH43 4YH	PRENTON
2-3	ALL	TETBURY STREET	CH41 2XP	BIRKENHEAD
1-11	ALL	TOWN VIEW	CH43 4YE	PRENTON
1-3	ODDS	TOWN VIEW MEWS	CH43 4YD	PRENTON
THE SPIRE	ALL	WESTBOURNE ROAD	CH43 4TG	PRENTON
12-98	ALL	WESTBOURNE ROAD	CH43 4JE CH43 4TF CH43 4TG CH43 4TQ	PRENTON
32-42	EVEN	WHETSTONE LANE	CH41 2TF	BIRKENHEAD



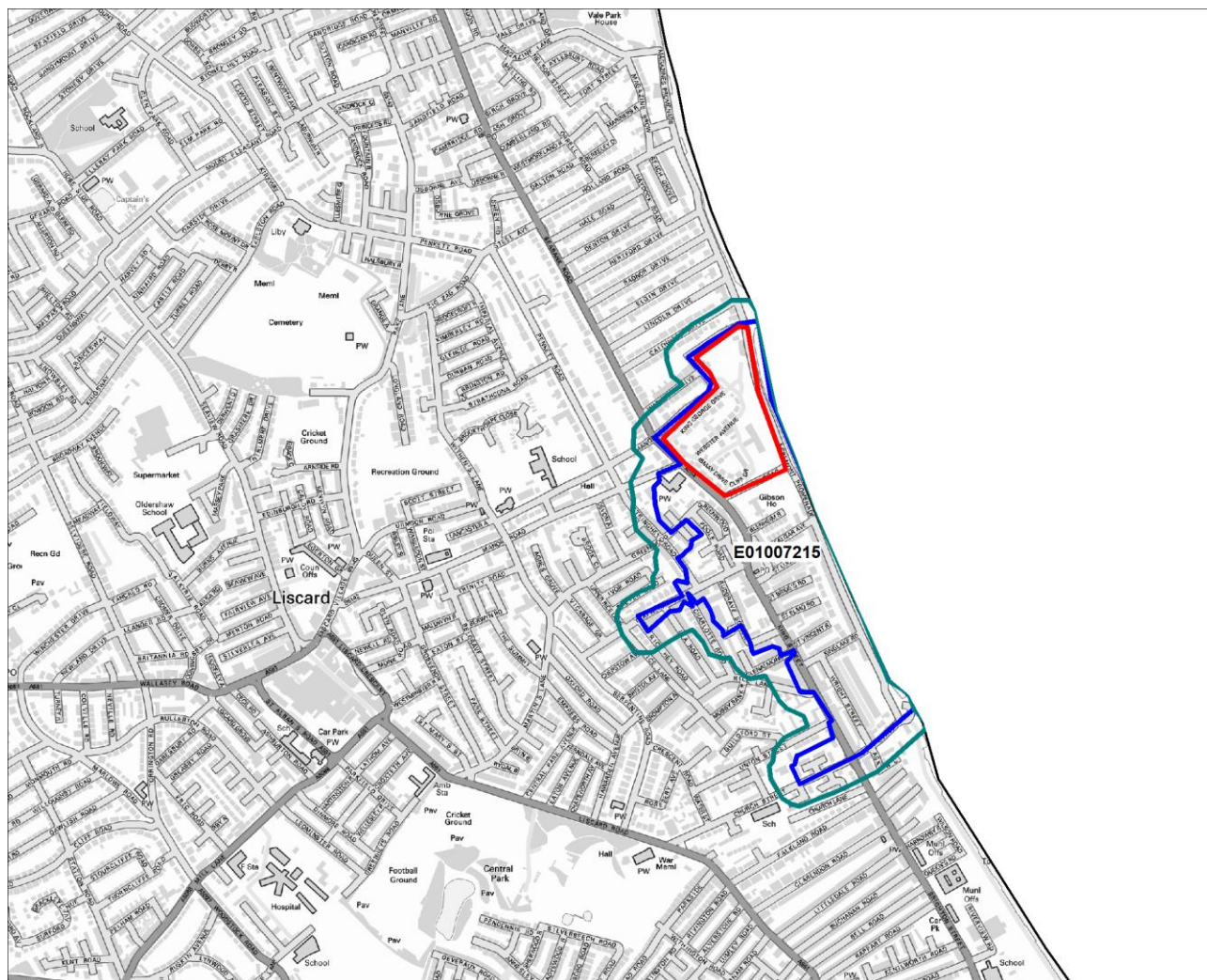
## 2. Egerton North (LSOA E01007179)



Prop Numbers		Street	Postcode	Post Town
575A-605	ODDS	BOROUGH ROAD	CH42 0HD	BIRKENHEAD
60-88	EVENS	CHURCH ROAD	CH42 0LH	BIRKENHEAD
70-124	EVENS	DERBY ROAD	CH42 7HD	BIRKENHEAD
18-28	EVENS	ELM ROAD	CH42 0LX	BIRKENHEAD
3-149	ODDS	ELMSWOOD ROAD	CH42 7HN CH42 7HW	BIRKENHEAD
1-89	ALL	FOUNTAIN STREET	CH42 7JD CH42 7JH	BIRKENHEAD
2-23	ALL	GREENBANK ROAD	CH42 7JS	BIRKENHEAD
1-57A	ALL	GREENWAY ROAD	CH42 0ND CH42 0NG	BIRKENHEAD
4-156	ALL	HARROWBY ROAD	CH42 7HU CH42 7HS	BIRKENHEAD
1-25	ALL	HARROWBY ROAD SOUTH	CH42 7HY	BIRKENHEAD
1-28	ALL	HEATHBANK ROAD	CH42 7LD	BIRKENHEAD
2-66	ALL	NORTH ROAD	CH42 7JE CH42 7JG	BIRKENHEAD
1-43	ALL	ST. CATHERINES GARDENS	CH42 7JJ	BIRKENHEAD
1-7A	ALL	WALKER MEWS	CH42 0NH	BIRKENHEAD
17-31	ODDS	WALKER PLACE	CH42 0LZ	BIRKENHEAD
4-10A	EVENS	WALKER STREET	CH42 0LY	BIRKENHEAD
1-19 WALKER HEIGHTS	3	WALKER STREET	CH42 0LY	BIRKENHEAD
1-128	ALL	WHITFORD ROAD	CH42 7HZ CH42 7JA	BIRKENHEAD



### 3. Egremont Promenade South (LSOA E01007215) excluding properties within Mariners' Park as shown by the red boundary



Property Numbers		Street	Postcode	Post Town
4-24	EVENS	BLenheim ROAD	CH44 8BR	Wallasey
1-23	ALL	CHURCH GARDENS	CH44 8HF	Wallasey
2-48	ALL	EGREMONT PROMENADE	CH44 8BG CH44 8BQ	Wallasey
AVENUE COTTAGE		GREENWOOD LANE	CH44 1DQ	Wallasey
1-5 YORK COTTAGES	ALL	GREENWOOD LANE	CH44 1DQ	Wallasey
2-132	EVENS	KING STREET	CH44 8AN CH44 8AU CH44 8AW	Wallasey
1-129 (EXC 73)	ODDS	KING STREET	CH44 0BY CH44 0BZ CH44 8AT	Wallasey
1-19	ALL	KINGLAKE ROAD	CH44 8BS	Wallasey
1-21	ALL	MARSDEN CLOSE	CH44 1EA	Wallasey



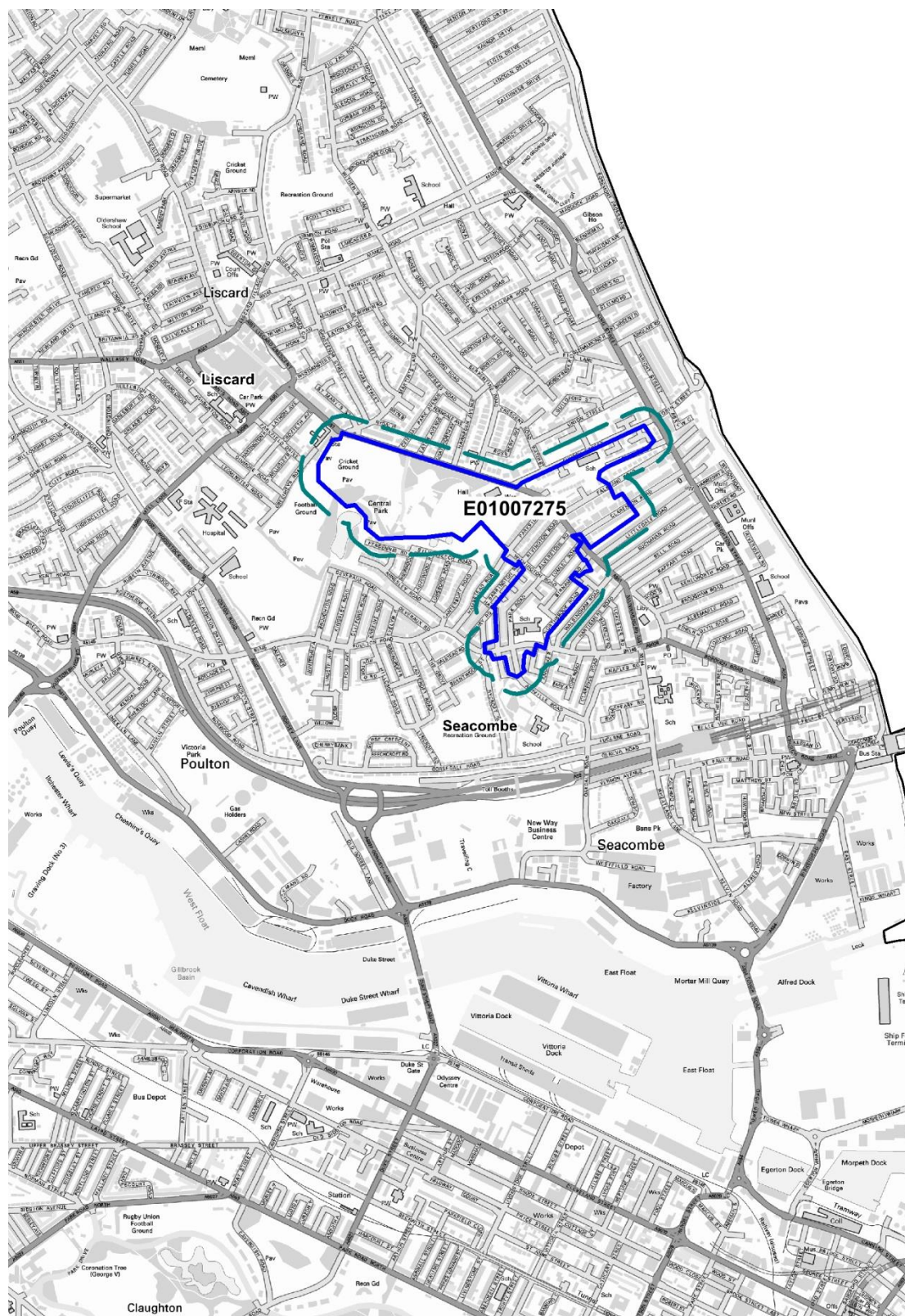
1-9	ODDS	POOLE ROAD	CH44 1EB	Wallasey
2-42	EVENS	POOLE ROAD	CH44 1ED	Wallasey
1-6	ALL	POOLEY CLOSE	CH44 0FA	Wallasey
2		RICE LANE	CH44 0AF	Wallasey
3-19	ODDS	RUDGRAVE PLACE	CH44 0EJ	Wallasey
2-8	EVENS	RUDGRAVE PLACE	CH44 0EJ	Wallasey
2-36	EVENS	RUDGRAVE SQUARE	CH44 0FD CH44 0EL	Wallasey
13-51	ODDS	RUDGRAVE SQUARE	CH44 0EL	Wallasey
1-16	ALL	SEABANK AVENUE	CH44 1EH	Wallasey
2-18	EVENS	SEABANK ROAD	CH44 8BA CH44 8BB	Wallasey
3-45	ODDS	SEABANK ROAD	CH44 0EE CH44 8BA	Wallasey
1-32	ALL	ST BRIDES ROAD	CH44 8BN	Wallasey
1-21	ALL	ST COLUMBAS CLOSE	CH44 8EY	Wallasey
1-29	ALL	ST ELMO ROAD	CH44 8BL	Wallasey
2-24	ALL	ST LUCIA ROAD	CH44 8BW	Wallasey
1-28	ALL	ST VINCENT ROAD	CH44 8BJ	Wallasey
3-17	ODDS	TOBIN STREET	CH44 8DF	Wallasey
1-21	ALL	TRAFALGAR AVENUE	CH44 8BP	Wallasey
6-26	EVENS	TRAFALGAR ROAD	CH44 0EA	Wallasey
11-73	ODDS	TRAFALGAR ROAD	CH44 0DZ	Wallasey
1-66	ODDS	WRIGHT STREET	CH44 8BD CH44 8BE	Wallasey

### Mariners' Park addresses within LSOA E01007215 excluded from the designation

Property Numbers		Street	Postcode	Post Town
2-19	ALL	CUNARD AVENUE	CH44 0ET	Wallasey
1-11	ALL	ISMAY DRIVE	CH44 0EU	Wallasey
FLATS 1 – 13, JOHN FAY HOUSE	ALL	ISMAY DRIVE	CH44 0BF	Wallasey
1A-31	ALL	KING GEORGE DRIVE	CH44 0ES	Wallasey
1-14 GIBSON TERRACE	ALL	ROYDEN AVENUE	CH44 0HN	Wallasey
FLATS A & B	MERE BANK	WEBSTER AVENUE	CH45 7AB	Wallasey
1-21	ODDS	WEBSTER AVENUE	CH44 0AE CH44 0EP	Wallasey
1-12	ALL	WHITLEY DRIVE	CH44 0ER	Wallasey



#### 4. Egremont South (LSOA E1007275)

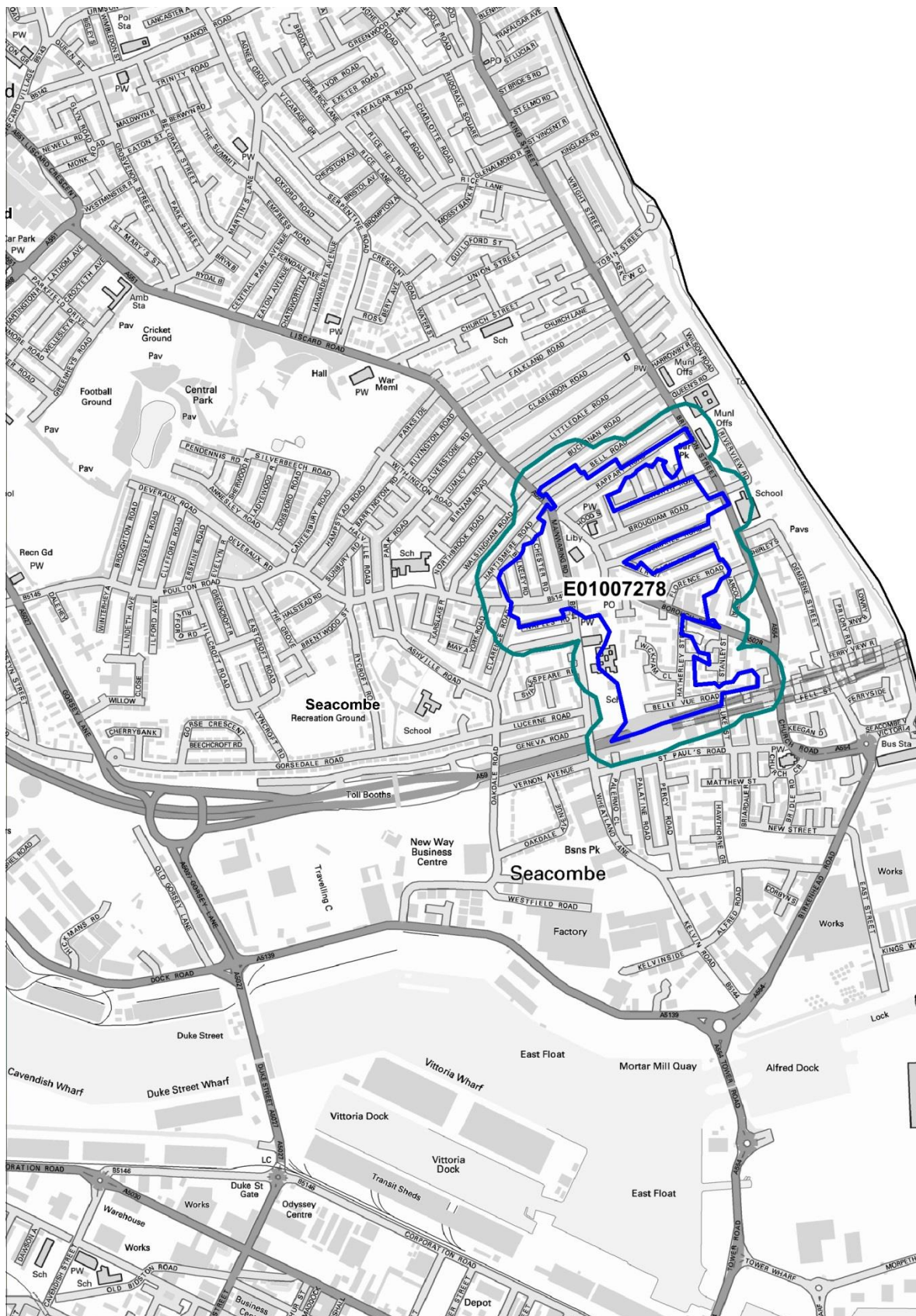


Prop Numbers		Street	Postcode	Post Town
1-42	ALL	ALVERSTONE ROAD	CH44 9AA	WALLASEY
2-56	ALL	BIRNAM ROAD	CH44 9AX CH44 9AY	WALLASEY

1-15	ALL	CHURCH CLOSE	CH44 8HG	WALLASEY
21-219	ODDS	CHURCH STREET	CH44 8AF CH44 8AG	WALLASEY
1-11	ALL	CHURCHMEADOW CLOSE	CH44 8HQ	WALLASEY
33-75	ODDS	CLARENDON ROAD	CH44 8EJ	WALLASEY
44-90	EVENS	CLARENDON ROAD	CH44 8EP	WALLASEY
1-16	ALL	DALEHURST CLOSE	CH44 8AE	WALLASEY
2A		DRAYTON ROAD	CH44 9EQ	WALLASEY
1-11	ALL	ELMBANK STREET	CH44 9BG	WALLASEY
49-87	ODDS	FALKLAND ROAD	CH44 8EW	WALLASEY
128-158	EVEN	FALKLAND ROAD	CH44 8ER	WALLASEY
1-12	ALL	GORSEBANK STREET	CH44 9BQ	WALLASEY
2-50	EVEN	HALVILLE ROAD	CH44 9AZ	WALLASEY
67-107	ODDS	LISCARD ROAD	CH44 8AE	WALLASEY
62A-84	EVENS	LISCARD ROAD	CH44 8AA	WALLASEY
South Lodge		LISCARD ROAD	CH44 0BS	WALLASEY
1-38	ALL	LUMLEY ROAD	CH44 9AB	WALLASEY
1-77	ALL	NORTHBROOK ROAD	CH44 9AP CH44 9AR	WALLASEY
1-9	ALL	OAKBANK STREET	CH44 9BE	WALLASEY
1-8	ALL	PARK AVENUE	CH44 9DZ	WALLASEY
1-77	ALL	PARK ROAD	CH44 9EA CH44 9EB	WALLASEY
1-46	ALL	PARKSIDE	CH44 9AH CH44 9AJ	WALLASEY
117-153	ODDS	POULTON ROAD	CH44 9DF	WALLASEY
102-122	EVENS	POULTON ROAD	CH44 9DJ	WALLASEY
1-17	ALL	REDFIELD CLOSE	CH44 8HY	WALLASEY
2-44	ALL	RIVINGTON ROAD	CH44 9AN CH44 9AW	WALLASEY
1-22	ALL	TRENTHAM ROAD	CH44 9EG	WALLASEY
1-22	ALL	WITHINGTON ROAD	CH44 9BH	WALLASEY



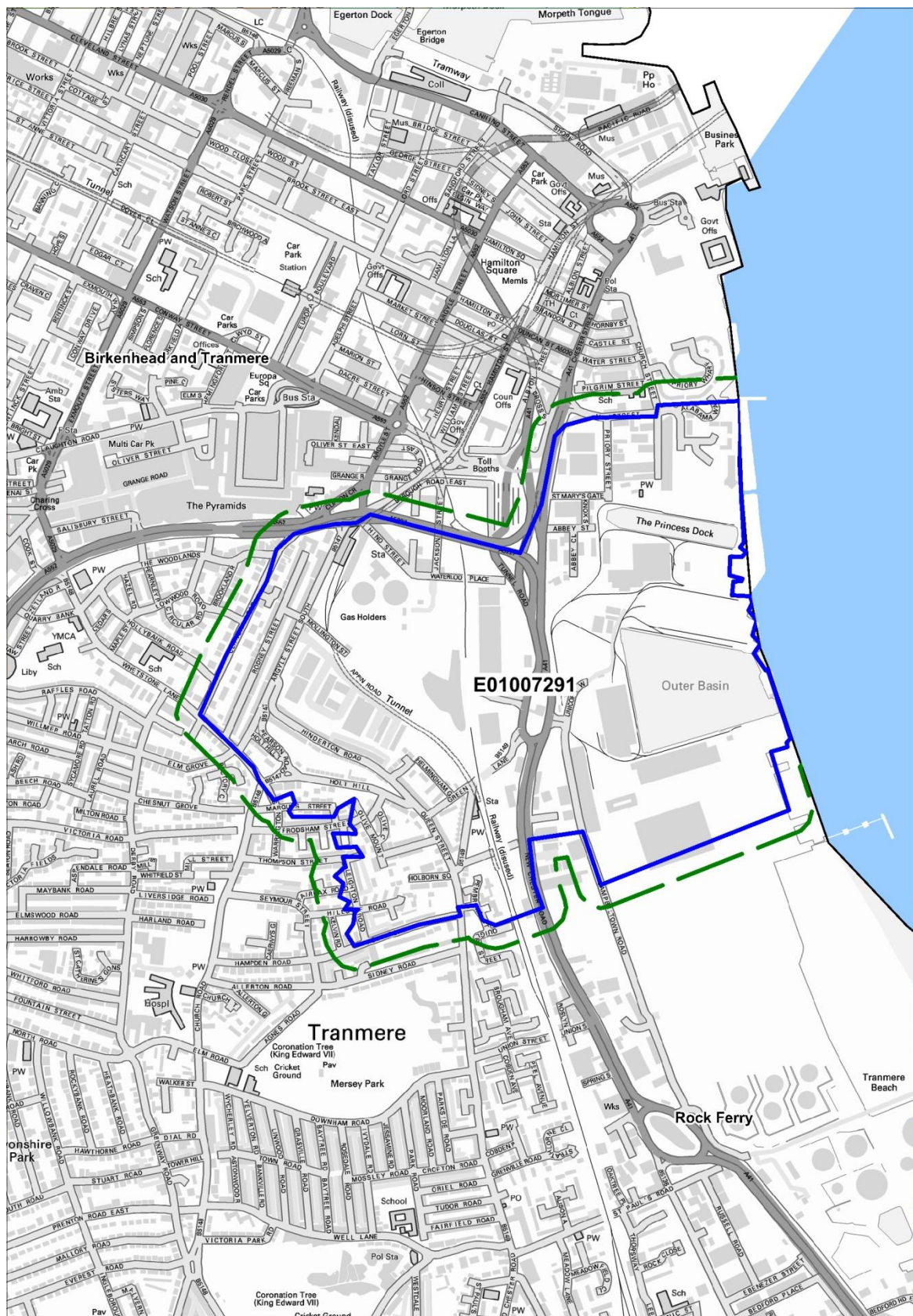
## 5. Seacombe Library (LSOA E01007278)



Prop Numbers		Street	Postcode	Post Town
4-14	EVENS	ADDINGTON STREET	CH44 9DS	WALLASEY
2-68	EVENS	ALBEMARLE ROAD	CH44 6LX	WALLASEY
71-103	ODDS	BELL ROAD	CH44 8DP	WALLASEY
78-108	EVENS	BELL ROAD	CH44 8DP	WALLASEY
8-64	EVENS	BELLE VUE ROAD	CH44 6JY	WALLASEY
136-192	ALL	BOROUGH ROAD	CH44 6NH CH44 6NE	WALLASEY
2-77	ALL	BROUGHAM ROAD	CH44 6PW CH44 6PN	WALLASEY
2-24	ALL	BULKELEY ROAD	CH44 9DR	WALLASEY
1		CLARENCE ROAD	CH44 9ES	WALLASEY
1-49	ODDS	EDITH ROAD	CH44 6LG	WALLASEY
1-17	ODDS	ETHEL ROAD	CH44 6LR	WALLASEY
2		ETHEL ROAD	CH44 6LR	WALLASEY
1-46	ALL	FLORENCE ROAD	CH44 6LE CH44 6LF	WALLASEY
1-10	ALL	GLADSTONE ROAD	CH44 6JZ	WALLASEY
1-19	ODDS	GLENBURN ROAD	CH44 6PY	WALLASEY
6-57	ALL	HATHERLEY STREET	CH44 6RA	WALLASEY
1-13	ODDS	HOOD STREET	CH44 6LS	WALLASEY
2-36	ALL	ILCHESTER ROAD	CH44 9DP	WALLASEY
1-63	ODDS	KENILWORTH ROAD	CH44 6QG	WALLASEY
2-42A	EVENS	LISCARD ROAD	CH44 6LN CH44 6LW	WALLASEY
31-37	ODDS	LISCARD ROAD	CH44 6LT	WALLASEY
1-45	ALL	MAINWARING ROAD	CH44 9DN CH44 9DW	WALLASEY
4-38	EVENS	NAPLES ROAD	CH44 7HL	WALLASEY
1-73	ODDS	POULTON ROAD	CH44 6LB CH44 9DD	WALLASEY
22-58	EVENS	POULTON ROAD	CH44 9DQ	WALLASEY
1-71	ODDS	RAPPART ROAD	CH44 6QD	WALLASEY
54-106	EVENS	RAPPART ROAD	CH44 6QF	WALLASEY
1-5	ODDS	WESLEY GROVE	CH44 6QB	WALLASEY
1-61	ALL	WICKHAM CLOSE	CH44 6RD CH44 6RB	WALLASEY



## 6. Tranmere Lairds (LSOA E1007291)



Prop Numbers		Street	Postcode	Post Town
2-178	ALL	ARGYLE STREET SOUTH	CH41 9BX CH41 9BY CH41 9BZ CH41 9DA	BIRKENHEAD
CENTRAL STATION HOUSE	35	BOROUGH ROAD	CH41 2XS	BIRKENHEAD
1A-53	ODDS	CLIFTON ROAD	CH41 2SE CH41 2SF	BIRKENHEAD
1-8 CLIFTON COURT	ALL	CLIFTON ROAD	CH41 2SE	BIRKENHEAD
9-16 VENTURE COURT	AL	CLIFTON ROAD	CH41 2SE	BIRKENHEAD
1-7	ALL	FAIRVIEW	CH41 9EH	BIRKENHEAD
16-28	EVENS	FRODSHAM STREET	CH41 9DN	BIRKENHEAD
1-18	ALL	GREEN LANE	CH41 9AG	BIRKENHEAD
1-23	ALL	HELMINGHAM GROVE	CH41 9EY	BIRKENHEAD
1-5	ALL	HILLSIDE CLOSE	CH41 9HU	BIRKENHEAD
34-60	ALL	HILLSIDE ROAD	CH41 9EQ CH41 9ER	BIRKENHEAD
1-11	ALL	HINDERTON CLOSE	CH41 9HE	BIRKENHEAD
2-165	ALL	HINDERTON ROAD	CH41 9AA CH41 9AB CH41 9AD CH41 9AE CH41 9AF	BIRKENHEAD
1-38	ALL	HOLBORN HILL	CH41 9DJ	BIRKENHEAD
1-86	ALL	HOLT HILL	CH41 9DG CH41 9DH CH41 9DQ	BIRKENHEAD
3-23	ODDS	HOLT HILL TERRACE	CH42 5LB	BIRKENHEAD
12-82	EVENS	HOLT ROAD	CH41 9ES	BIRKENHEAD
2-40	EVENS	LEIGHTON ROAD	CH41 9DZ	BIRKENHEAD
5-55	ODDS	LEIGHTON ROAD	CH41 9DU	BIRKENHEAD
1-31	ALL	MARQUIS STREET	CH41 9DU	BIRKENHEAD
2-48	EVENS	OLD CHESTER ROAD	CH41 9AU	BIRKENHEAD
45-69	ODDS	OLD CHESTER ROAD	CH41 9AW	BIRKENHEAD
STATION HOUSE	1	OLD CHESTER ROAD	CH41 9AN	BIRKENHEAD
1-12	ALL	OLIVE CRESCENT	CH41 9DR	BIRKENHEAD
8-48	EVENS	OLIVE MOUNT	CH41 9DP	BIRKENHEAD
31-37	ODDS	OLIVE MOUNT	CH41 9DL	BIRKENHEAD
THE WILLOWS	39	OLIVE MOUNT	CH41 9DP	BIRKENHEAD
1-2		PEARSON ROAD	CH42 5LA	BIRKENHEAD
1-64	ALL	PEMBROKE COURT	CH41 9BJ	BIRKENHEAD
1-49	ALL	QUEEN STREET	CH41 9AS	BIRKENHEAD
1-73 VINCENT	ALL	RODNEY STREET	CH41 2ZA	BIRKENHEAD



NAUGHTON COURT				
19-182	ALL	RODNEY STREET	CH41 2RG CH41 2RN CH41 2RQ CH41 2SB CH41 2SD	BIRKENHEAD
4 CROMWELL ROW		WARRINGTON STREET	CH41 9AL	BIRKENHEAD
1-2 MARQUIS MEWS		WARRINGTON STREET	CH41 9AP	BIRKENHEAD
1-19 MERSEY VIEW	ALL	WARRINGTON STREET	CH41 9AR	BIRKENHEAD
1-8 PRIORY VIEW	ALL	WARRINGTON STREET	CH41 9AX	BIRKENHEAD
1-19 RIVER VIEW	ALL	WARRINGTON STREET	CH41 9AQ	BIRKENHEAD
1-10	ALL	WESTBURY STREET	CH41 9DT	BIRKENHEAD
101-135	ODDS	WHETSTONE LANE	CH41 2TE CH41 9DE	BIRKENHEAD

# **WIRRAL COUNCIL**

## **CONSULTATION PLAN 2019**

### **PROPOSAL FOR IMPLEMENTATION OF SELECTIVE LICENSING IN DESIGNATED WIRRAL AREAS**

## **1.0 SUMMARY**

- 1.1 This report sets out Wirral Council's Consultation Plan in relation to the potential to continue to operate a scheme in the four original areas or extend to further areas, depending on the data analysis.
- 1.2 The consultation programme will be meaningful and comprehensive, providing interested parties with detailed, accessible information on the proposal and providing a choice of methods for providing their views.
- 1.3 Any concerns raised by stakeholders through this consultation process will be accurately reported to Members in order that due regard can be given, and informed decisions can be taken.

## **2.0 CONSULTATION**

- 2.1 Wirral is committed to asking everyone with an interest in the services that the Council provides, including residents, community groups, landlords, partners and staff, to consider proposals and share views so that they can be taken into account by Councillors when they make decisions on the future service delivery.
- 2.2 With particular reference to Selective Licensing, Part 3, Section 80 (9) of the Housing Act 2004 states that before considering making a designation for Selective Licensing the local housing authority must:
  - a) Take reasonable steps to consult persons who are likely to be affected by the designation; and
  - b) Consider any representations made in accordance with the consultation and not withdrawn.

- 2.3 The Department for Communities and Local Government has a procedural document on the subject of selective licensing: *Selective Licensing in the private rented sector. A guide for local authorities March 2015*.
- 2.4 Within this document it is clear that local authorities are required to conduct a full consultation in considering designation of selective licensing. Consultation should include local residents, including tenants, landlords and where appropriate their managing agents and other members of the community who live or operate businesses or provide services within the proposed designation. It should also include local residents and those who operate businesses or provide services in the surrounding area outside the proposed designation that will be affected.
- 2.5 The minimum statutory consultation period, on any proposed Selective Licensing Scheme, required by DCLG is ten weeks. If approved by Members, Wirral's Selective Licensing consultation will commence in August 2019 and end in October or November 2019, depending on the start date.

### **3.0 COMMUNICATIONS**

- 3.1 Consultation should be appropriate to the scale, scope and nature of the project being completed. Effective consultation that is meaningful and genuine depends on all stakeholders being sufficiently well-informed about the project, having clear, concise information, the opportunity to convey their perspectives and their concerns, and developing confidence that their perspectives are being reflected in the design.
- 3.2 It is common for consultation processes to result in changes to the project and to its design. In order to make the maximum contribution to risk management in return for the smallest cost, consultation therefore needs to commence early and continue throughout the project life-cycle.

3.3 This is at the heart of Wirral's consultation plan which has been set out for the proposed Selective Licensing Scheme and we will achieve this via:-

- publishing a draft business case outlining the reasons for the proposal, the method used to identify the proposed licensing areas, the components of the fee structure.
- priming of discussions by providing some initial information about the project;
- making sure there is ongoing dialogue with consultees throughout the consultation process;
- participation of those tenants and residents affected or likely to be effected by the proposed implementation in the designated areas;
- facilitated interactions among participants;
- making sure that there is sufficient diversity among those groups or individuals being consulted, to ensure that all relevant perspectives are represented, and all relevant information is gathered;
- making sure that each group has the opportunity to provide information;
- making sure that the method of consultation suits the consultation group, for example using workshops or focus groups as an alternative to, or even as well as, formal written consultation;
- making sure that the information provided and the perspectives, concerns and issues raised during the consultation process are analysed and duly considered in the final design and implementation of any scheme taken forward.

3.4 Consultation will be taking place using a survey, which will be promoted through the following methods:

- Wirral Council website:[www.wirral.gov.uk/selective-licensing](http://www.wirral.gov.uk/selective-licensing) and other social media.
- Direct mail-out to landlords and managing/letting agents.
- Engagement sessions with managing/letting agents.
- Mail drop to all residents and businesses or services within the selected areas.
- Direct mail and email to known local community groups such as tenant or resident groups in the areas and any other community group that may have an interest in Selective Licensing (this includes a number of harder to reach groups) and which may involve officers attending meetings to talk about Selective Licensing.
- Press releases to local media/press.

- Posters erected in local venues such as cafes, pub etc as appropriate in each area.
- Drop-in sessions planned for stakeholders directly affected across the proposed areas.
- Communications via LCD screens in council buildings;
- Written papers and presentations where appropriate.
- Telephone or face to face interviews with stakeholders.

3.5 The Council will also ensure a copy of the business case will be available on the internet or provided in written format if requested. A questionnaire will also be produced, which will be used to gather views from all stakeholders to the proposal.

3.6 All documents will be published on the Council website and promoted to key groups through the methods outlined in Section 4 below.

#### 4.0 STAKEHOLDER ENGAGEMENT

4.1 To ensure a true reflection of the views of affected groups related to this consultation, it is important that particular groups of stakeholders are effectively targeted with communications about the proposal and given every opportunity to share their views.

4.2 The following groups will receive direct communications about the proposal to request their views:

- **All residents in the proposed Selective Licensing area**

Notification of the consultation will be sent direct to the homes address of all residents living within the proposed selective licensing areas, inviting them to participate in the consultation. Some of the residents in the existing and proposed Selective Licensing areas may be interviewed on their doorstep in order to reach and gather the views of as many affected residents as possible.

- **Elected Members and local Members of Parliament**

The Business case and Consultation plan will be submitted to Cabinet for approval to go out to consultation. Following this the Elected members for the proposed areas, the four Members of Parliament and four parliamentary Constituency Managers will be e-mailed detailing the key aspects of the proposal. This e-mail will invite any feedback or comments regarding the proposal. The same will be sent to the Leader of each of the political parties to cascade to their colleagues.

- **Businesses/services within the proposed designation areas in Wirral and in the immediately surrounding areas**  
Mail drop - All properties within the proposed streets within the designated areas and in the immediately surrounding areas will be mail dropped a card providing information on the proposals and an invitation to participate. It will be designed to encourage businesses and stakeholders to also visit the website to obtain further information and complete the questionnaire either online or they can request a paper copy if required.
- **Social Landlords**  
All social landlords who operate in the designated areas or who could manage stock will be contacted directly by e-mail and advised of the consultation process, business case and will be invited to complete a questionnaire.
- **Private Landlords, Letting Agents/Estate Agents and National and Local Landlord Associations**  
Direct mail – all known landlords and letting agents and Estate Agents will be sent an email explaining what the proposal is and how it will affect them as landlords. The email will include links to the website where the full consultation document is available and will invite completion of the questionnaire.

The National Landlords Association, the Association of Residential lettings Agents, the Guild of Residential Landlords, Residential Landlords Association and the North West Property Owners Association will be contacted directly by email.

A separate invitation will be sent regarding a number of landlord sessions to be held at various venues and various times of the day. These sessions will be aimed predominately at those who are directly affected or are likely to be affected and will be informal so

landlords or the public can call in at any time. The sessions will be held so that landlords can find out more about the proposal, ask any questions and provide any comments/feedback. Council staff will be on hand to answer any questions.

- **Landlords recorded on Housing Benefit Records**

An email will be sent to all landlords who have properties where Housing Benefit is being claimed, directing them to the Council's website.

- **Stakeholders, Partners & Community Groups in the proposed Designated areas**

Community groups will be contacted by e-mail with details of the proposal. They will be advised of the information available on the website and that information sessions will be held with details to be made available on the Council website.

Stakeholders and interested parties such as Merseyside Police, Merseyside Fire & Rescue Service, Community Action Wirral (CAW) Citizens' Advice Bureau.

Whilst direct consultation will attempt to be as exhaustive as possible, any interested groups not already identified and consulted directly will also encouraged to complete the questionnaire or make comments. Groups not consulted directly are considered likely to hear about the proposal through mediums such as the website, posters and local press releases.

- **Wirral Council Staff**

An e-mail will be sent to relevant Departments/Teams to advise them of the proposal seeking comments. Relevant areas include but are not limited to – Housing Benefits, Community Patrol, Supported Housing and Homelessness, Streetscene, Environmental Health, Strategic Planning and Development Control. For any team who may experience a significant impact from the proposal, a meeting can



be arranged to discuss the implications and to provide an opportunity for Council officers to provide suggestions and feedback on the proposal. Information will be sent through to all staff via the Chief Executive's regular staff e-mail bulletin.

- **All Other Residents in Wirral**

Press releases will be issued to local media to promote the consultation. Posters will be placed around the proposed Selective Licensing areas advertising the consultation. The Council will create a micro site within the Council's own website where all information regarding the proposal will be posted. LCD screens in Council buildings will display information and highlight the consultation being undertaken. Some key local venues (shops/cafes/pubs) will be asked to display poster/leaflets.

Information will be available on the council website so any people with internet access will be able to find out more about the proposal as well as completing an online questionnaire which also enables the opportunity to add comments. Details will be made available on the website and posters, once they are confirmed, of the number of information sessions to be held in public places in order to make them as accessible as possible.

- **Landlords who operate in neighbouring Local Authority areas**

An email will be sent to all neighbouring authorities inviting them to contact the landlords on their contact lists to participate in the consultation by answering the questionnaire.

- 4.3 Further communication will be sent to a database resident email addresses with information related to the proposal and a direct link to the consultation questionnaire.

## **5.0 How issues raised will be dealt with as part of the consultation**

- 5.1 Throughout the consultation process a record of each consultation event or period that has been undertaken and what issues were raised from these will be formally logged. This will detail the date of the consultation, what form the consultation took place, who was consulted and what were the results/issues raised. Different methods of communications will be used as part of the consultation process and a separate consultation report will be produced for each event to enable a 'portfolios' to be produced as one document at the end, with each element represented as a section.
- 5.2 Wirral is committed to ensuring all comments received are recorded and there is a clear audit trail of all decisions made and how consultation responses were taken into consideration and balanced with any evidence and specific information gathered. The consultation report will be published and placed on the website.

## **6.0 TIMESCALES AND REPORTING**

- 6.1 The timetable for component elements of the consultation is in the project plan attached.

## Consultation and Timetable

Method	Target Audience	How	officer	When
Devise questionnaires	All stakeholders and members of the public	Devise questionnaires,  Set up on-line  Prepare for going-live  include telephone, email, on-line and post as options to complete the questionnaire.		July 2019
Questionnaires and leaflets	Tenants, Residents, Accredited landlords, as well as letting/ managing agents and businesses/service providers in the area	Questionnaire highlighted to all local residents, stakeholder and businesses also referral to full business case on website if required.		Duration of the consultation
Cabinet report	Cabinet Members	Cabinet report on Business Case and Consultation Plan for Approval to go out to consultation.		July 2019
E-mail/Letter Correspondence	Councillors,  Leaders of Three Political Parties  Members of Parliament	E-mail/Letters sent detailing aspects of proposal and inviting feedback/comments.		July/August 2019

Registered Providers	Registered providers in proposed area <del>and across Wirral</del>	E-mail sent to all Registered Providers in Wirral who form the strategic Housing Partnership advising of the proposal and seeking views		August 2019
Landlord Working Group	Accredited Landlords and letting/managing agents	Separate to questionnaire sent to all landlords. The landlord working group will be invited to comment specifically on licensing conditions, proposed component fee structure and operation of the scheme via regular working group meetings.		August / September 2019
Wirral Council staff/Teams	All staff but particular emphasis on :-  Housing Benefits  Community Patrol  Supported Housing and Homelessness  Streetscene	E-mails sent direct to relevant staff and Project Officer, with one to one meetings to take place if requested and Q & A session.		August – October 2019
National and Regional Landlord Agencies	National landlord Association,  Association of Residential Agents,  Guild of residential <del>Landlords</del>	Direct letters to all associations advising of proposal and ability to complete questionnaire and invites for meetings with Council officers to discuss partnership working.		August 2019
Landlords Briefing	All known landlords	Email sent to all known landlords		August 2019

Community Groups	Local community groups in the affected areas	Specific letters sent to known community groups operating in the affected areas, attendance of meetings if required.		August / September 2019
Press release and Posters	All Wirral stakeholders	Posters to be placed in service providers i.e. doctors, local venues (cafes/pubs)  Press release to be issue to local media.		August 2019
Partner agencies	CAB  CAW	Direct letters/e-mails to advise of proposal and also direct to complete questionnaires and feedback. One to one meeting to be held if requested and Q & A session.		August – October 2019
Internet	Residents  Landlords  Tenants and residents across the borough	Information on Wirral website with contact details  Information distributed and obtained via social media		Duration of the consultation
Council LED Screens	All users of key Council public buildings	Information on LED screens at One Stop Shops, Libraries and Leisure Centres		August – October 2019
Landlord reminder email	Landlords	Reminder sent to Landlords who have not responded as a reminder that consultation would be ending soon		October 2019
Open forum sessions	Landlords, tenants and business within proposed designated area or likely to be affected	Sessions (daytime and evening) for all stakeholders in the area to attend, included Q & A Sessions		September – October 2019

Unknown landlords in affected areas	Landlords	<p>Letters sent to tenants to forward to landlords regarding the open forums, if there are no details available.</p> <p>Send letters to 'The Landlord' to all empty properties we are aware of.</p> <p>Ask Landlord Association / Letting Agents to advise their members, including those which may not be known to the Council.</p>		August – September 2019
Interviews with stakeholders	Landlords, residents	Face to face interviews or telephone interviews where the questionnaire can be completed with comments to ensure the most people possible will complete the questionnaire		August – October 2019
Email inviting participation in questionnaire	Landlords of neighbouring boroughs	Write to neighbouring boroughs and ask to contact their known landlords to invite to participate in the consultation via questionnaire.		August 2019

**Wirral Council**

**Selective Licence Conditions**

**(Amended January 2019)**

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## **Selective licence conditions**

This document details the mandatory conditions which **must** to be included within any selective licence scheme under Schedule 4 of the Housing Act 2004 (“the Act”) and additional conditions which Wirral Council (“the Council”) would also like to introduce under Section 90 of the Act.

**In the attached conditions ‘dwelling’ means a building or part of a building which is required to be licensed under Part 3 of the Act.**

### **Section 1: Mandatory Conditions**

1. The licence holder is required:-
  - a) if gas is supplied to the dwelling, to produce to the council annually for their inspection a gas safety certificate obtained in respect of the house within the last 12 months;
  - b) to keep electrical appliances and furniture made available as part of the tenancy within the dwelling in a safe condition (**guidance note 1**);
  - c) to supply the Council, on demand, with a declaration by the licence holder as to the safety of such electrical appliances and furniture;
  - d) to ensure that appropriately sited smoke alarms are installed on each storey of the dwelling and to keep them in proper working order;
  - e) to supply the Council, on demand, with a declaration by him as to the condition and positioning of such alarms;
  - f) to ensure that an appropriately sited carbon monoxide alarm is installed in any room in the dwelling which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance;
  - g) to ensure that any carbon monoxide alarm installed in the dwelling is in proper working order;
  - h) to supply the Council, on demand, with a declaration by him as to the condition and positioning of any carbon monoxide alarm installed in the dwelling.
2. The licence holder must supply to the occupiers of the dwelling a written statement of the terms on which they occupy it. (**guidance note 2**)
3. The licence holder must demand references from persons who wish to occupy the dwelling before entering into any tenancy, licence or other agreement. The references must be kept for the duration of the selective licence. This information must be provided to the Council on demand within 7 days of the demand.

## **Section 2: Additional Conditions.**

1. The licence holder **must** be a fit and proper person to be the licence holder under Section 88(3)(a) or (c) of the Act. Consideration as to the fit and proper person status of the licence holder and/or manager of the premises, is in accordance with section 89 of the act. **(guidance note 3)**
2. The licence holder must:-
  - a) provide a copy of the licence to the current or incoming occupant;
  - b) provide the tenants with a copy of the licence conditions if requested by the current or incoming tenant;
  - c) provide an emergency name, telephone number(s) and email address(es) to the tenants for the purposes of reporting responsive maintenance and repair issues. This information is also to be provided to the council;
  - d) provide all tenants with clear advice on what action is required in the event of an emergency; (**See Guidance note 4**)
  - e) ensure that the maximum number of persons allowed to occupy the property is not exceeded;
  - f) ensure that access to the licensed dwelling is given to officers from the council for the purposes of carrying out inspections, where a request has been made in writing giving reasonable notice to the occupant and licence holder as necessary;
  - g) co-operate fully if the council has reason to believe any conditions contained in the licence have been breached;
  - h) act lawfully and responsibly when dealing with rent payments, advanced payments, protecting and returning deposits and considering deductions from deposits.
3. The licence for this dwelling is not transferable to another person/organisation or other premises once granted in accordance with Section 91(6) of the Housing Act 2004.
4. Any payment paid in respect of licence fees is non-refundable.
5. The licence holder must notify the council immediately if:-
  - a) the contact information given in the licence changes, e.g. name, telephone number, address, email;
  - b) the licence holder ceases to have any involvement with the dwelling;
  - c) there is a change of managing agent and provide a new contact information including address, telephone number(s) and email address(es);
  - d) the licence holder is the managing agent and the person specified as the main contact ceases to be that contact. They must also provide a new contact, including telephone number(s) and email address(es);
  - e) there is a change in circumstances for either the licence holder or managing agent where they have:-

- i. Committed any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (c. 42) (offences attracting notification requirements); and/or;
- ii. Practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business and/or;
- iii. Contravened any provision of the law relating to housing or landlord and tenant law, and/or;
- iv. Acted otherwise than in accordance with any applicable code of practice and/or;
- f) they become aware that or suspect that any person involved with the management and/or ownership of the dwelling is not a fit and proper person **(see guidance note 3)**;
- g) any person proposed to be involved in the management of the house has insufficient competence and experience to be so involved;
- h) there are intended alterations or changes to the use and occupancy levels of the dwelling which may affect the conditions of the licence;
- i) there is any material change of circumstance affecting the licence holder or the operation of the dwelling. **(see guidance note 5)**

## **Section 3 Management Conditions**

### **3.1 Tenancy Management**

#### **1. The licence holder will provide the tenant with:-**

- a) a 'Tenant Information Pack' which will contain the following documentation:-
    - i. A true copy of the licence to which these conditions apply;
    - ii. A notice with the name, address/care of address, daytime, emergency contact number(s) and email address(es) of the licence holder or managing agent;
    - iii. A true copy of the current gas safety record;
    - iv. A suitable tenancy agreement including a statement of the terms on which they occupy the premises;**(see guidance note**
- 2)**
- v. A copy of the current energy performance certificate (EPC);
  - vi. A copy of current version of the Department for Communities and Local Government 'How to rent' guide. (Downloadable from [www.gov.uk](http://www.gov.uk)).
  - vii. Relevant details of the government backed approved tenancy deposit scheme in which any deposit is held;
  - viii. written instruction on the correct operation and setting of any fixed form of heating, cooking, washing and/or any electrical appliances where provided as part of the tenancy;
  - ix. Details of arrangements for the storage and disposal of household waste including details of when to present refuse for disposal; (see [www.wirral.gov.uk](http://www.wirral.gov.uk) for collection days);
- b) suitable emergency information and other management arrangements in the event of the licence holder's absence through illness, holidays, or similar.

#### **2. The Licence holder must:-**

- a) provide the Council with a copy of the 'Tenant Information Pack' (including any document contained within it) for inspection within 7 days of the demand;
  - b) carry out 'Right to Rent' checks in accordance with Home Office requirements prior to agreeing to a tenancy (guidance downloadable from [www.gov.uk](http://www.gov.uk));
  - c) provide to the Council on demand proof of the 'Right to Rent' check for inspection within 7 days of the demand.
3. The licence holder and his representatives will ensure that the tenant's right to quiet enjoyment of the dwelling is respected. Where entry is required to the premises for the purpose of undertaking landlord duties and responsibilities, the licence holder will ensure that the tenant receives at least 24 hours written notice of intention to enter the premises and tenants' consent is given before entering.

4. The licence holder shall ensure that any inspections of the premises carried out are recorded and suitable notes taken identifying any problems that may be relevant to any further dispute subject to the tenancy ending.
5. The dwelling must be inspected at least once within a 12-month period to ensure it is free from any disrepair and/or issues relating to the tenancy.
6. The records of any inspection must be kept for the duration of this licence.  
This information must be provided to the Council within 7 days of the demand.

### **3.2 Maintenance of Existing Installations and Equipment**

#### **The Licence Holder must ensure:-**

- a. the provision of adequate bathroom facilities and equipment within the premises such as lighting, ventilation, toilets, baths, showers, wash basins and any cupboards, shelving or fittings;
- b. the provision of adequate kitchen facilities for the safe storage and safe preparation of food within the premises such as lighting, ventilation, sink/drain, worktops (including splashbacks), cupboards, draws and readily cleansable surfaces;
- c. all facilities, installations and equipment are maintained and kept in good repair and full working order;
- d. all repairs to the dwelling and any installations, facilities or equipment are carried out to a good reasonable standard by competent and reputable persons;
- e. all surface finishes are to a good standard and decorative order where required following any remedial work;
- f. that they provide on-going maintenance of the gas installation. In addition to the mandatory condition of providing annual gas safety records for appliances, the Licence Holder of premises also has further duties under the Gas Safety (Installation and Use) Regulations 1998 and should not assume that carrying out annual gas safety checks will be sufficient to provide effective maintenance of all gas appliances. All such maintenance works and/or servicing should be carried to manufacturers recommendations and/or Gas Safety (Installation and Use) Regulations 1998 by a gas safe registered engineer which can be found at [www.gassaferegister.co.uk](http://www.gassaferegister.co.uk);
- g. that any mains voltage household electric goods supplied by the landlord/licence holder to the occupier, in the course of business, are maintained in a safe and working condition and supply to the Council, on demand, a declaration and/or a Portable Appliance Test record by a competent person as to the safety of such electrical goods;
- h. that the premises provides a safe and secure environment for the occupiers of the house;
- i. that the premises, as far as is reasonably practicable, shall not become overcrowded subject to the Housing Act 2004;
- j. they are familiar with the Landlord and Tenant Act 1985 S11 covenant for keeping in repair and good working order the installations for water, gas and electrical;

- k. that emergency works necessary to protect the security of the dwelling are undertaken within 24hrs of notification, e.g. damage to windows/entry points to the property, as far as reasonably possible.

### ***3.3 Alley Gates***

Where there are alley-gates installed to the rear and/or side entry of licensed dwelling, the Licence Holder must, at the time of letting, provide all new tenants with the appropriate alley-gate key. Replacement keys may be requested via the telephone number (0151) 606 5443.

### ***3.4 Pests and Infestations***

The licence holder shall take reasonable steps to ensure that the dwelling is free from any pest infestation at the start of a tenancy and where necessary carry out a treatment program to eradicate the pest infestation. Records shall be kept of such treatment programs and these must be provided to the Council within 28 days on demand.

### ***3.5 Fire Safety***

- a. In addition to the mandatory condition for installing smoke alarms (See Section 1(d) (e), ensure that fire precaution facilities and equipment are maintained in accordance with the current British Standard BS 5839 Part 6.

### ***3.6 Anti-Social Behaviour***

1. The Licence Holder must:-

- a. take reasonable and practical steps to reduce or prevent anti-social behaviour by persons occupying or visiting the dwelling and the use of the dwelling for illegal purposes;
- b. provide new occupants with a tenancy agreement that includes clauses that allow the licence holder to take steps to tackle anti-social behaviour (**guidance note 6**);
- c. have adequate facilities to receive and respond to initial complaints about the behaviour of other tenants and visitors;
- d. take reasonable steps to deal with anti-social behaviour, should it occur by the occupants or visitors to the premises;
- e. provide the relevant occupants of the dwelling with written confirmation detailing arrangements in place to report nuisance and anti-social behaviour;
- f. provide on demand a written action plan to the Council outlining procedures for dealing with anti-social behaviour. This must be reviewed periodically and submitted on request;
- g. obtain tenant references prior to granting a tenancy as to previous tenancy conduct, including behaviour of the proposed occupier and household and be satisfied that the tenant is not likely to cause any anti-social behaviour;
- h. keep records of any complaints received and action taken in respect of anti-social behaviour. These records should be kept for the duration of the licence and produced to the Council within 7 days of a demand.

### ***3.7 External Area, Refuse and Waste***

1. The Licence Holder must ensure that:-

- a. the exterior of the dwelling is maintained in a reasonable decorative order and state of repair. This includes, but is not limited to, chimney stacks, roofs, rainwater goods, drainage, exterior brickwork, external timberwork, boundary walls/fences, paths/yards and gardens (including any foliage);
- b. prior to the commencement of any tenancy and between tenancies any gardens, yards and other external areas within the curtilage of the dwelling are kept in reasonably clean and tidy condition and free from rodent infestation;
- c. at the start of each new tenancy suitable and adequate provision is made for storage of refuse generated in the property and that occupants use receptacles provided by the Council (one green wheeled bin and one grey wheeled bin for storage prior to collection, where applicable). Bins must be in good condition. The licence holder must notify the council of missing green and /or grey bins and if applicable provide new bin(s). A replacement bin may be requested via the following web-link [www.wirral.gov.uk/bins-recycling/request-newbin](http://www.wirral.gov.uk/bins-recycling/request-newbin);
- d. the receptacles, or plastic refuse sacks where receptacles have not yet been issued, must not be exposed for a period longer than 18 hours prior to collection and must not cause obstruction at any time;
- e. any new occupant of the dwelling is notified of the date of collection for the green and grey wheelie bins and the location of the nearest Council recycling centre/ rubbish tip.(see section 3.1)

### ***3.8 Energy Performance***

The Licence Holder must provide the tenant of the licenced dwelling with an Energy Performance Certificate (EPC). The Licence Holder must provide a copy of the EPC to the Council on demand. Please note that any new tenancy cannot be entered into after April 2018 where a property has an EPC rating of F or G (38 or lower).

### ***3.9 Training***

The licence holder of the dwelling shall attend any additional training as the Council see fit in relation to improving management skills to a sufficient level of competence to operate a licensed premises.

### ***3.10 HMOs***

Where the property is defined as a house in multiple occupation subject to section 254 to section 257 of the Housing Act 2004, the following conditions will also apply to a dwelling house as part of the selective licence conditions:-

***1. The Licence holder must:-***

- a) comply fully with the standards of the Licensing and Management of Houses in Multiple Occupation and Other Houses (Miscellaneous Provisions)(England) Regulations 2006, Statutory Instrument No. 373 as amended by Regulation 12 of the 2007 Statutory Instrument, No. 1903;

- b) comply fully with The Licensing and Management of Houses in Multiple Occupation (Additional Provisions) (England) Regulations 2007, when deciding the suitability for occupation of an HMO by a particular maximum number of households or persons;
- c) comply fully with the licensing and management regulations for HMOs 2007 that apply to buildings containing only self-contained flats, to which section 257 of the Act applies;
- d) provide adequate amenity standards identified in SI373 as amended. Should the amenities be below the required minimum standard, the Council will require the licence holder to provide the additional amenities. The Council will use its discretion on specifying a suitable and reasonable timescale for these amenities to be provided as part of the licence condition;
- e) where there are temporary battery smoke detectors installed within the premises carry out a Fire Risk Assessment of the premises in accordance with the Fire Safety Order 2006 to determine the appropriate mains powered Automatic Fire Detection system.
- f) where there are no temporary battery smoke detectors, or an Automatic Fire Detection system installed within the premises carry out a Fire Risk Assessment of the premises in accordance with the Fire Safety Order 2006 to determine the appropriate mains powered Automatic Fire Detection system.
- g) supply the Council, on demand, with a written declaration as to the condition and positioning of the smoke detectors. As a minimum one detector is to be suitably located in the hallway and another on the landing or similar area;
- h) ensure that the house is compliant with the council's guidelines and standards for Houses in Multiple Occupation, according to the type of accommodation offered. These standards will be reviewed periodically to ensure that they remain appropriate to the type of multi-occupied housing within the Council's area and needs of residents;
- i) ensure that the name and contact details of the licence holder and/or manager are on display in a prominent position within the premises;
- j) display at all times a copy of the licence certificate and licence conditions in a prominent position within the premises;
- k) make reasonable and adequate arrangements, if applicable, to ensure that gas and electric supplies to any common parts are installed on a separate landlords supply by means of a suitable credit meter and that any payment required by a utility service is made on request. Prepayment meters are not acceptable on a landlords supply;
- l) ensure that any present fire precaution facilities and equipment are maintained in accordance with the current British Standards and Codes of Practice;
- m) produce on demand within 7 days to the Council the logbook detailing regular weekly/monthly tests undertaken on any fire alarm and/or emergency lighting.
- n) produce on demand within 7 days to the Council for their inspection, a Fire Detection & Alarm System Certificate (in accordance with BS5839) obtained in respect of the house within the last 6 months;
- o) produce to the Council on demand a valid Electrical Installation Condition Report (EICR) or alternatively a valid Periodic Installation Report (PIR) for the whole of the electrical installations in accordance with current IEE wiring regulations. Such a report should be



provided by a competent person who is a member of an appropriate competent person scheme, details of which can be found at [www.competentperson.co.uk](http://www.competentperson.co.uk) (to comply with Part P of the Building Regulations). Where the report expires during the term of the licence, an up-to-date Electrical Installation Condition Report must be provided to the licensing team of the Council within 28 days of the expiry date; Ensure that any remedial works identified on the EICR or PIR are attended to subject to the required remedial action.

### **3.11 Licence fee payments**

Failure to maintain any licence fee payment arrangement made with the Council will constitute a breach of licence conditions and will result in the removal of any discounts applied. Failure to pay the licence in full within 14 days of a demand for payment may result in the existing licence being revoked and/or prosecution. It is the responsibility of the licence holder to ensure that any licence fee payment arrangement is maintained until the full licence fee balance has been paid to the Council.

### **3.12 New legislation and/or amendments in legislation**

Subsequent changes and/or additional legislative requirements with regards to the management of privately rented accommodation within the duration of a designated Selective licensing scheme under Part 3 of the Housing Act 2004 will also be bound by conditions of a Part 3 Licence.

# SELECTIVE LICENCING CONDITIONS

## GUIDANCE NOTES

### ***Guidance note 1***

Schedule 4 of the Housing Act 2004 stipulates that Licences under Part 2 (HMO's) and Part 3 (Selective Licensing) that it is a mandatory condition to keep electrical appliances and furniture made available to tenant in a safe condition. A portable electrical appliance is any item of electrical equipment with a lead and/or a plug and which is normally moved around or can be moved and is connected to the mains supply. Examples include but are not limited to cooking appliances, vacuum cleaners, heaters, washing machines, dryers, fridges, toasters, kettles, etc. A Portable Electrical Appliance (PAT) certificate is only required where the appliance is supplied as part of the tenancy agreement.

Upholstered furniture supplied with rented accommodation must comply with the Furniture and Furnishings (Fire)(Safety) Regulations 1988 (as amended). This means that all cover materials must have passed cigarette and match ignition tests and filling materials must have passed flammability tests. You should check to see that your furniture has a label permanently attached to the lining or underside giving the appropriate details.

### ***Guidance note 2***

The landlord should provide tenants with a written statement of the terms of their occupancy, stating the following:

- Address of the property being let, and what it is.
- Start and end dates of the tenancy period.
- Rent terms (frequency and method of payment).
- Deposit amounts (and how the deposit will be protected).
- Landlord's contact address in the UK for the service of notices.
- The landlord will inform the tenant in writing of any additional charges, utility bills, ground rent or maintenance charges that the tenant will be required to pay during the tenancy, stating where possible the amounts for each and the frequency and method of payment.
- The landlord will provide the tenant, at the beginning of the tenancy, with a telephone number or other means of contacting the landlord or their agent in an emergency; in particular when the landlord is absent.

### ***Guidance note 3***

Section 89 of the Housing Act 2004 states:

(1 ) In deciding for the purposes of section 88(3)(a) or (c) whether a person (“P”) is a fit and proper person to be the licence holder or (as the case may be) the manager of the house, the local housing authority must have regard (among other things) to any evidence within subsection (2) or (3).

(2) Evidence is within this subsection if it shows that P has—

- (a) committed any offence involving fraud or other dishonesty, or violence or drugs, or any offence listed in Schedule 3 to the Sexual Offences Act 2003 (c. 42) (offences attracting notification requirements);
- (b) practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in, or in connection with, the carrying on of any business; or
- (c) contravened any provision of the law relating to housing or of landlord and tenant law.

(3) Evidence is within this subsection if:-

- (a) it shows that any person associated or formerly associated with P (whether on a personal, work or other basis) has done any of the things set out in subsection (2)(a) to (c), and
- (b) it appears to the authority that the evidence is relevant to the question whether P is a fit and proper person to be the licence holder or (as the case may be) the manager of the house.
- (4) For the purposes of section 88(3)(a) the local housing authority must assume, unless the contrary is shown, that the person having control of the house is a more appropriate person to be the licence holder than a person not having control of it.
- (5) In deciding for the purposes of section 88(3)(d) whether the proposed management arrangements for the house are otherwise satisfactory, the local housing authority must have regard (among other things) to the considerations mentioned in subsection (6).

(6) The considerations are:-

- (a) whether any person proposed to be involved in the management of the house has a sufficient level of competence to be so involved;
- (b) whether any person proposed to be involved in the management of the house (other than the manager) is a fit and proper person to be so involved; and
- (c) whether any proposed management structures and funding arrangements are suitable.

(7) Any reference in section 88(3)(b)(i) or (ii) or subsection (4) above to a person having control of the house, or to being a person of any other description, includes a reference to a person who is proposing to have control of the house, or (as the case may be) to be a person of that description, at the time when the licence would come into force.

### ***Guidance note 4***

The tenant should be provided with clear advice on what action is required in the event of an emergency. This includes advising the tenant of the location of the water isolation valve (stop cock), the incoming gas supply isolation valve and electrical installation isolation switch (trip switch). Tenants should also be made

aware of the location of all fire egress windows and any other facilities to enable the safe evacuation of the property in an emergency situation.

### ***Guidance note 5***

Section 89 (6)(c) of the Housing Act 2004 states that the local authority must take into consideration whether any proposed management structures and funding arrangements are suitable. Therefore, the licence holder must advise the Selective Licensing team if they are subject to a bankruptcy order, debt relief order or in certain other arrangements where an individual is insolvent and powers to deal with assets are restricted.

### ***Guidance note 6***

The licence holder must ensure that any tenancy agreement granted after the issue of this licence includes the following clause within the tenant's obligations.

'Nuisance and Anti-social Behaviour: Not to cause, or allow household members, or visitors to engage in anti-social behaviour, which means any conduct causing or capable of causing a nuisance or annoyance to the landlord, other occupiers, neighbours or people engaging in unlawful activity within the locality. (Examples of anti-social behaviour include failure to control dogs or children, leaving gardens untidy, not properly disposing of rubbish, inconsiderate use of the property, as well as more serious problems such as noise, violent and criminal behaviour, domestic abuse, the supply and use of controlled drugs, and intimidation, harassment or victimisation on the grounds of a person's race, sex (gender), sexual orientation, disability, age, religion or belief, pregnancy or maternity status, socio-economic status).'

## Appendix 5 – Risk Register

Business Case Risk Register																		
Risk Description	unmanaged scores			risk category	risk owner	Planned controls	current scores			risk review frequency	additional controls	control owner	target date	target scores			current risk status	risk action update
	Likelihood	impact	total (LxI)				Likelihood	impact	total (LxI)					Likelihood	impact	total (LxI)		
Challenge of the councils decision by seeking judicial review of the decision resulting in cost implications for the council.	high	high	high		Emma Foley	Robust consultation plan to be agreed by cabinet Consultation with landlords and agents to promote benefits of a scheme and seek views on fee structure & conditions Licence conditions and fees amended where appropriate to reflect views and concerns from consultation	med / high	med		monthly up to implementation	Landlords working group in place and extended to reflect proposed new licensing areas and consulting with National Landlords Associations. Continue to engage following consultation Articles in Landlord Link-up Councils legal team involved in feasibility and consultation processes	Head of Operational Housing Services Senior Manager Selective Licensing Team and Housing Investment team	Mar-18	med	med	med		
Landlords do not licence their properties resulting in an income shortfall and or impact on staffing resources	med	high	med		Emma Foley	Comprehensive database Full consultation taken place All landlords receive regular information Enforcement and appropriate publicity undertaken to highlight successes early bird discounts to encourage landlords to come forward	low	high		quarterly	Support given to landlords to ensure all apply for licences Those landlords who do not apply for licences are unable to say did not know about requirement as a defense if Council progress with prosecution High profile publicity- reinforce message we will prosecute or impose civil penalty if they do not licence- thereby encourage other landlords to licence. Cabinet asked for additional resources.	Head of Operational Housing Services Senior Manager Selective Licensing Team and Housing Investment team	Apr-19	low	med	med		
Landlords sell properties instead of licence	med	med	med		Emma Foley	Promotion of licensing benefits Support and information to landlords Encourage landlords to join Accreditation Scheme	low/med	low/med		quarterly	promoting benefits of scheme to landlords publicising benefits e.g decreased empty homes / greater stability. If landlords selling property encourage professional landlords to acquire. Ensure new landlords are aware of scheme requirements	Selective Licensing Team	Feb-19	low	low	low		
Local authority inadequately manage the scheme	low	high	med		Emma Foley	Project plan is clear, concise and agreed Property resource team to coordinate scheme Ensure scheme is enforced in robust and consistent manner Clearly defined achievable expectations targets set and scheme outputs monitored using performance management framework	low	med		quarterly	Project reported to head of Service if additional resources needed to manage higher than anticipated volume of applications Staff performance appraisals, regular performance meetings and appropriate staffing structure in place to deliver scheme	Selective Licensing Team	Feb-19	low	low	low		
People move out of area or demand for housing decreases because of negative impression of area- high crime and ASB	low	med	low		Emma Foley	Positive publicity utilising local media, alndlord newsletter Community awareness events to promote good work Positive information given to letting agents for future tenants Landlords to promote positive message	low	low		quarterly	promoting outcomes of scheme to landlords & community publicising benefits e.g decreased empty homes / greater stability	Selective Licing Team	Feb-19	low	low	low		
ASB increases despite selective licensing	low	med	low		Emma Foley	Ensure ASB is dealt with in quick and effective manner Positive publicity Targeted information about how to report ASB Action group Information sharing Robust tenancy agreement enforcement action taken against landlord where conditions breached.	low	med		six monthly	Set up multi-agency meeting to target resources and address ASB Develop Action Plan if ASB ongoing	ASB Police Selective Licensing Team Landlords	Apr-19	low	low	low		
Standards of properties don't improve	med	med	med		Emma Foley	All landlords receive regular information Ensure that plan of inspecting properties is in place and is adhered to Ensure lack of action by landlords is enforced in robust and consistent manner Publicity including mail shot direct to all landlords Pursue active enforcement policy	low	med		quarterly	Publicise prosecution cases Pursue Management orders	EHOs Selective Licensing Team Landlords	Apr-19	low	low	low		
At end of five years, Selective Licensing has not achieved its aims	med	high	high		Emma Foley	Robust and regular annual monitoring during the scheme on key performance outcomes Ensure scheme is enforced in robust and consistent manner Clearly defined achievable expectations Clear exit strategy	low	med		Annual Review via questionnaire of residents and landlords in area, coupled with analysis of key performance data. Full 4 evaluation Report	Evaluate barriers, successes and failures of each of the schemes and where appropriate make the case to re-designate areas for a further 5 yr period	Selective Licensing team Police Fire Landlord working Group Landlords	Nov-22	low	low	low		
Illegal evictions	med	high	high		Emma Foley	Support and training for landlords Information to tenants about their rights Housing Options Case Worker assigned where tenant threatened with illegal eviction	low	med		quarterly	Housing Options Team Briefings Signposting of other partner agencies such as CAB Report to Head of Service if numbers affected become significant	Selective Licensing Team Landlords/Accreditation Scheme	Apr-19	low	med	med		
Displacement of irresponsible or inexperienced landlords	med	high	med		Emma Foley	Information sharing between relevant partners Support and training for landlords Use of early warning system in neighbouring areas to ensure it's identified early Benefits of Selective Licensing promoted	med	med		quarterly	Targeted work with landlords known to be considering selling their properties Promotion of benefits & positive outcomes of scheme resulting from Selective Licensing e.g greater stability, improved perception of landlords etc. LCR PRS group to share information on landlords / agents prosecuted Continue to explore this option if the Selective Licensing proposal is supported.	Housing Renewal Team Leader Housing Delivery teams	Apr-19	low	med	low		
Inability to process and respond to high level of licence applications all submitted at the same time	high	med	high		Emma Foley	Re-organisation of appropriate staff workloads and prioritisation of processing applications. Consider option if required to draft in temporary staff to support process	high	med		monthly	Extension of existing scheme online application and payments	Housing Services Senior Manager and Selective Licensing Team	Dec-18	med	low	low		