



## Economy Regeneration & Housing Committee

<b>Date:</b>	<b>Monday, 17 July 2023</b>
<b>Time:</b>	<b>6.00 p.m.</b>
<b>Venue:</b>	Committee Room One, Birkenhead Town Hall

**Contact Officer:** Bryn Griffiths  
**Tel:** 0151 691 8117  
**e-mail:** bryngriffiths@wirral.gov.uk  
**Website:** Wirral.gov.uk

Please note that public seating is limited, therefore members of the public are encouraged to arrive in good time.

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## AGENDA

1. **WELCOME AND INTRODUCTION**
2. **APOLOGIES**
3. **MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members are asked to consider whether they have any disclosable pecuniary interests and/or any other relevant interest in connection with any item(s) on this agenda and, if so, to declare them and state the nature of the interest.

#### **4. MINUTES (Pages 1 - 8)**

To approve the minutes of the meeting of the Economy, Regeneration and Development Committee held on 20 June 2023, attached.

#### **5. PUBLIC AND MEMBER QUESTIONS**

Please telephone the Committee Services Officer if you have not received an acknowledgement of your question/statement by the deadline for submission.

##### **5.1 Public Questions**

Notice of question to be given in writing or by email by 12 noon, Wednesday 12 July 2023 to the Council's Monitoring Officer via this link: [Public Question Form](#) and to be dealt with in accordance with Standing Order 10.

For more information on how your personal information will be used, please see this link: [Document Data Protection Protocol for Public Speakers at Committees | Wirral Council](#)

Please telephone the Committee Services Officer if you have not received an acknowledgement of your question by the deadline for submission.

##### **5.2 Statements and Petitions**

Notice of representations to be given in writing or by email by 12 noon, Wednesday 12 June 2023, to the Council's Monitoring Officer ([committeeservices@wirral.gov.uk](mailto:committeeservices@wirral.gov.uk)) and to be dealt with in accordance with Standing Order 11.1.

Petitions may be presented to the Committee. The person presenting the petition will be allowed to address the meeting briefly (not exceeding one minute) to outline the aims of the petition. The Chair will refer the matter to another appropriate body of the Council within whose terms of reference it falls without discussion, unless a relevant item appears elsewhere on the Agenda. Please give notice of petitions to [committeeservices@wirral.gov.uk](mailto:committeeservices@wirral.gov.uk) in advance of the meeting.

##### **5.3 Questions by Members**

Questions by Members to be dealt with in accordance with Standing Orders 12.3 to 12.8.

#### **SECTION A - KEY AND OTHER DECISIONS**

#### **6. PROPOSAL TO CONSULT ON SELECTIVE LICENSING SCHEME (Pages 9 - 122)**

The appendices to this report may not be suitable to view for people

with disabilities, users of assistive technology or mobile phone devices. Please contact [emmafoley@wirral.gov.uk](mailto:emmafoley@wirral.gov.uk) if you would like these documents in an accessible format.

**7. HIND STREET REGENERATION - DELIVERY (Pages 123 - 130)**

**SECTION B - BUDGET AND PERFORMANCE MANAGEMENT**

**8. 2023/24 BUDGET MONITORING FOR QUARTER ONE (THE PERIOD TO 30 JUNE 2023) (Pages 131 - 140)**

**SECTION C - WORK PROGRAMME / OVERVIEW AND SCRUTINY**

**9. WORK PROGRAMME (Pages 141 - 148)**

**10. EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

The appendix to item 7, Hind Street Regeneration – Delivery, contains exempt information.

RECOMMENDATION: That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds that it involves the likely disclosure of exempt information as defined by paragraph 3 of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.

**11. HIND STREET REGENERATION - DELIVERY - EXEMPT APPENDIX (Pages 149 - 150)**

**Terms of Reference**

The terms of reference for this committee can be found at the end of this agenda.

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## **ECONOMY REGENERATION & HOUSING COMMITTEE**

Tuesday, 20 June 2023

<u>Present:</u>	Councillor	A Hodson (Chair)	
	Councillors	GJ Davies	A Gardner
		R Pitt	J Bird
		M Skillicorn	E Lamb
		G Wood	E Tomeny
		J Robinson (for T Jones)	S Kelly (for H Raymond)

### **1 WELCOME AND INTRODUCTION**

Councillor Hodson opened the meeting. He explained that Councillor Jones (Chair of the Committee) had submitted his apologies for the meeting so he as Vice Chair of the Committee would chair the meeting. He reminded everyone that the meeting was being webcast and a copy would be retained on the Council's website for two years.

### **2 APOLOGIES**

Apologies were received from Councillor Tony Jones who was substituted by Councillor Jean Robinson. Apologies were also received from Councillor Helen Raymond who was substituted by Councillor Stuart Kelly.

### **3 MEMBERS' CODE OF CONDUCT - DECLARATIONS OF INTEREST**

Members were asked to consider whether they had any disclosable pecuniary interests and/or any other relevant interest in connection with any item on the agenda and, if so, to declare them and state the nature of the interest.

Councillor Stuart Kelly declared a prejudicial interest in item 12 as Chair of the Planning Committee and member of the Strategic Applications Sub Committee. He noted that any planning proposal arising from any decision on this item would likely be determined by the Strategic Applications Sub Committee of which he would be a member. He would therefore leave the chamber for this item.

Councillor Jean Robinson declared a personal interest as a Joint Venture Board Member of the Wirral Growth Company in relation to items 5.2 and 6. It was clarified that as no decisions were due to be taken directly relevant to the Wirral Growth Company, Councillor Robinson would not be required to leave the chamber for any items on the agenda.

#### 4 **MINUTES**

**Resolved – That the minutes of the meeting held on 8 March 2023 be approved as a correct record.**

#### 5 **PUBLIC AND MEMBER QUESTIONS**

##### 5.1 **Public Questions**

The Chair indicated that 4 public questions had been received from 3 members of the public.

Arthur Shaw asked a question regarding Redbridge Quay on the Wirral Waters development and the lack of fencing at the edge of the water.

In response the Chair explained that the landowner had previously been offered grant funding for the installation of a cycle route around the dock edge and if this was to be installed there had been a recommendation to include a railing at the water's edge. The developer did not submit an updated design to include a barrier and the offer of grant funding had been withdrawn. The Council's view was that installation of a barrier along the dock edge was an appropriate response, however the decision in this respect was a matter for the landowner.

Arthur Shaw asked a supplementary question, querying what had changed during the development process as sections of the dock edge next to Redbridge Quay did have barriers.

The Chair noted that he sympathised with the issue and stated that the Council would ensure that Peel Holdings were made aware of Arthur Shaw's representations.

William Alan Featherstone on behalf of the Birkenhead Market Tenants Association asked two questions. The first question asked if Councillors would agree to release information previously requested of the Market Manager and whether Councillors would meet with members of the Birkenhead Market Tenants Association.

The Chair explained that the Committee was not the appropriate body to decide whether the information should be released or not and the appropriate route was via the Freedom of Information process which had already been

lodged with the Council's information governance team. Regarding meeting with the market traders, the Chair suggested that the Birkenhead Market Tenants Association should meet with the Market Manager.

Williams Alan Featherstone asked a supplementary question seeking clarity on the Freedom of Information process and that his understanding was that for a subject to be deemed financially sensitive, the onus was on the Council to prove that this was the case.

The Lead Principal Lawyer, at the request of the Chair, clarified that there were set internal procedures to challenge Freedom of Information Request responses and which could be further escalated to the Information Commissioner.

William Alan Featherstone's second question related to the number of unused stalls at Birkenhead Market and he asked whether the Committee felt that there was a deliberate policy to degenerate the market by raising vacant rents.

The Chair reported that rental values for the stalls at Birkenhead Market had been benchmarked against similar markets in the region and Birkenhead remained one of the most affordable. He noted that the Council had not increased market rents but had maintained current rental values over recent years. He stated there was very little evidence that rental values were a reason that stalls were not being used.

William Alan Featherstone asked a supplemental question regarding whether Birkenhead Market rents had not been increased between October and November 2021.

The Chair responded that he did not have those facts available to him and William Alan Featherstone would receive a response in writing within 10 working days.

David French asked a question relating to negotiating with the Market Manager for a stall at Birkenhead Market and whether the Council were trying to keep stalls empty.

The Chair stated that the Council had supported and would continue to support businesses at Birkenhead Market. He noted that commercial negotiations were confidential, and the Committee was not a suitable forum to discuss them. He referred the questioner back to the officers responsible for such discussions.

## **5.2 Statements and Petitions**

The Chair informed the committee that no statements or petitions had been received.

## **5.3 Questions by Members**

Councillor Ewan Tomeny asked a question relating to reported slippages in schedule within the Future High Streets Scheme and wanted to know when the combined Royal Institute of British Architects (RIBA) Stage 3 report was expected to be completed and when the demolition of the House of Fraser site in Birkenhead would begin.

The Chair responded that the combined RIBA Stage 3 draft report for Birkenhead Market had been received for review on 5 June 2023. He noted that this document was in excess of 900 pages and that officers were working through it with a view to providing feedback by the end of June 2023. In regard to the House of Fraser site, the Chair stated that subject to the completion of a tender appraisal and contract completion with the successful part, the winning tenderer required a minimum of 4 weeks to begin works.

Councillor Tomeny had a supplementary question asking when the planning application for the new Birkenhead Market was likely to be submitted.

The Chair responded that the planning application can be submitted once the RIBA Work Stage 3 review is completed.

## **6 2022/23 BUDGET MONITORING FOR QUARTER FOUR**

The Director of Regeneration and Place introduced his report which set out the financial monitoring information for the Economy Regeneration and Housing Committee as at year end (31<sup>st</sup> March 2023) of 2022-2023. The report provided Members with an overview of budget performance, including progress on the delivery of the 2022-2023 saving programme and a summary of reserves to enable the Committee to take ownership of the budgets and provide robust challenge and scrutiny to officers on the performance of those budgets.

Members queried the Council's commitment to active travel, raising an example of funding having to be returned. The Director of Regeneration and Place noted that the scheme in question was not approved at the previous meeting of the Economy Regeneration and Housing Committee, however further funding had been sought and approved for active travel schemes in the borough.

Members noted that at the Policy and Resources Committee held on 14 June 2023, it was agreed Wirral Growth Company Profit be moved from Regeneration and Place reserves to Resource reserves and that this was not

reflected in this report to Economy Regeneration and Housing Committee. The Director noted that the decision by Policy and Resources Committee took place after the agenda for Economy Regeneration and Housing Committee was published and that the recommendation related to the Quarter 4 Outturn which pre dated the Policy and Resources Committee meeting.

**Resolved – That**

- 1. The revenue position presented at Quarter 4 Outturn be noted.**
- 2. The delivery of the 2022-2023 savings programme at Quarter 4 Outturn be noted.**
- 3. The level of reserves at Quarter 4 Outturn be noted.**
- 4. The Capital position of £17.474m at Quarter 4 Outturn be noted.**

**7 2023/24 BUDGET AND BUDGET MONITORING PROCESSES**

The Director of Regeneration and Place introduced his report which set out how the 2023-2024 budget would be monitored through the Committee System, which will facilitate the Policy and Services Committees (the Committees) to take ownership of their specific budgets and present appropriate challenge and scrutiny of Officers on the management and performance of those budgets.

Members asked a question on the requirement for a Homelessness Review every five years as stated in 2.1 of Appendix B to the report and queried when that review was next due. The Director of Regeneration and Place noted that the last review had been undertaken for 2019-20 which meant that the current strategy was robust up until 2025 with the review to be started in 2024.

**Resolved – That**

- 1. The process for in-year monitoring of the 2023/2024 budget be noted; and**
- 2. A Budget Monitoring Panel be established comprising of the Committee Chair and Spokespersons, with sessions led by the relevant Director/Assistant Director**

**8 APPOINTMENT TO ACTIVE TRAVEL WORKING GROUP**

The Lead Principal Lawyer introduced the report of the Director of Law and Governance which set out to enable the Committee to review the continuing need for the Active Travel Working Group and, subject to that, to appoint Members to serve on it.

Members noted that the appendix to the report made reference to the Membership of the Active Travel Working Group being appointed having regard to the political balance of the Council as a whole. If proportionality were applied this would mean that the Working Group would be comprised of 4 Labour Members, 2 Conservative Members, 1 Green Party Member and 1 Liberal Democrat Member. Members noted that for the past 2 years the Active Travel Working Group had disregarded political proportionality in favour of an equal split of 1 representative of each party from each of the parent committees (being Economy Regeneration and Housing Committee and Environment, Climate Emergency and Transport Committee). Members requested that this arrangement be continued for the 2023-2024 municipal year. This would give 8 Members with 2 Labour, 2 Conservative, 2 Green Party and 2 Liberal Democrat Councillors sitting on the Working Group. Members unanimously backed this suggestion.

**Resolved – That the Monitoring Officer be authorised as proper officer to carry out the wishes of the Group Leaders in allocating Members to membership of the Active Travel Member Working Group and to appoint those Members with immediate effect from the date at which the proper officer is advised of the names of such Members with 4 Members from Economy Regeneration and Housing Committee and 4 Members from Environment, Climate Emergency and Transport Committee with 1 Member from each political group from each committee.**

## **9 ESTABLISHMENT OF REGENERATION PROGRAMME WORKING GROUP**

The Lead Principal Lawyer introduced the report of the Director of Law and Governance which enabled the Economy Regeneration and Housing Committee to review the continuing need for the Regeneration Programme Working Group and, subject to that, to appoint Members to serve on it.

Members noted that the group had only met once during the 2022-2023 municipal year.

**Resolved – That**

- 1. The Monitoring Officer be authorised as proper officer to carry out the wishes of the Group Leaders in allocating Members to membership of the Regeneration Programme Working Group and to appoint those members with effect from the date at which the proper officer is advised of the names of such members; and**
- 2. Councillor Tony Jones be appointed Chair of the Regeneration Programme Working Group**

**3. Councillor Andrew Hodson be appointed Vice-Chair of the Regeneration Programme Working Group**

**10 WORK PROGRAMME UPDATE**

The Lead Principal Lawyer introduced the report of the Director of Law and Governance which reminded members that the Economy Regeneration and Housing Committee was responsible for proposing and delivering an annual committee work programme. This work programme was to align with the corporate priorities of the Council, in particular the delivery of the key decisions which were the remit of the Committee.

Members stated that they felt more items should be on the work programme and specifically requested that they would like to see a project delivery plan added for the next meeting.

**Resolved – That the work programme be noted.**

**11 EXEMPT INFORMATION - EXCLUSION OF THE PRESS AND PUBLIC**

**Resolved – That, under section 100 (A) (4) of the Local Government Act 1972, the public be excluded from the meeting during consideration of the following item of business on the grounds it involves the likely disclosure of exempt information as defined by paragraph 3 of Part I of Schedule 12A (as amended) to that Act. The Public Interest test has been applied and favours exclusion.**

**12 HIND STREET DELIVERY**

The Head of Regeneration Delivery presented the report of the Director of Regeneration and Place.

**Resolved – That the recommendations as detailed in the report be approved.**

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## ECONOMY REGENERATION & HOUSING COMMITTEE

Monday, 17 July 2023

REPORT TITLE:	PROPOSAL TO CONSULT ON SELECTIVE LICENSING SCHEME
REPORT OF:	DIRECTOR OF REGENERATION AND PLACE

### REPORT SUMMARY

This report sets out a proposal to consult on a Selective Licensing Scheme in Wirral through re-designating two Selective Licensing areas that have been in place since 2019 and are due to end on 31<sup>st</sup> March 2024 and extending the scheme to include two further new areas, both in East Wirral based on a robust evidence base for selection.

Selective Licensing is a scheme to improve private rented sector homes within specific designated neighbourhoods by requiring private landlords to obtain a license and comply with certain agreed conditions. A Business Case which supports the extension of the scheme and relevant appendices are attached to this report. Members are asked to agree that this evidence is the subject of a 10-week statutory consultation exercise to seek wider views on the proposal.

The Scheme contributes to the Wirral Plan 2021-26 Working for safe and vibrant communities where our residents feel safe and are proud to live and raise their families as well as the Birkenhead Regeneration 2040 Framework by promoting access to good quality housing within strong and sustainable communities.

The Wards affected are Bidston & St James, Birkenhead & Tranmere, Claughton, Liscard and Seacombe.

This is a key decision.

### RECOMMENDATIONS

The Economy, Regeneration & Housing Committee is recommended to:

1. approve the draft proposal for Selective Licensing in the following four areas from 1<sup>st</sup> April 2024 until 31<sup>st</sup> March 2029:
  - Birkenhead West
  - Seacombe St Paul's
  - Bidston & St James West

- Egremont North;
2. approve the Business Case set out in Appendix 1 to this report as the basis for the rationale for wider consultation on Selective Licensing;
  3. approve the consultation plan as set out in Appendix 3 of the Business Case; and
  4. authorise the Director of Regeneration and Place to undertake any minor amendments to the Business Case should further evidence be made available which should be included in the consultation.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 There is clear evidence within the Business Case on the rationale for commencing with a ten-week consultation process on the proposed continuation of Selective Licensing in two of the existing designated areas in the borough which commenced in 2019 and the introduction of Selective Licensing in two further areas. There is a requirement to undertake a consultation exercise with those stakeholders affected. The consultation will obtain the views of tenants, residents, landlords and stakeholders and is a requirement of the approval process required by the Department of Levelling up, Housing and Communities. Consultation will take place through press releases, individual letters, events, and forums to enable all relevant parties to have a number of mechanisms to have their say. A Consultation Plan is attached in Appendix 3 of the Business Case
- 1.2 At the end of the consultation period Economy Regeneration & Housing Committee will be provided with a further report summarising the outcome of the consultation exercise. This report will be used to determine any final recommendations for Members on the future of a Selective Licensing scheme in the proposed areas.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 The Council can cease operating the Selective Licensing Scheme that was declared in 2019 once it comes to an end on 31<sup>st</sup> March 2024 and could decide not to consider consulting on any further areas. The evidence base from the Wirral Intelligence Service has recently identified that while there has been an improvement in the ranking of two of the initial four areas, two of these original areas, Birkenhead West and Seacombe St Paul's are still in the top 8 Lower Super Output Areas for Wirral in terms of the indicators that contribute to low demand and poor property condition and therefore intervention is still required in these areas to bring the properties up to a good standard.
- 2.2 A Borough wide approach to Selective Licensing was also considered but the Selective Licensing of Housing (Additional Conditions) (England) Order 2015 only allows new schemes to be introduced in areas where the private rented stock is greater than the national average at 19%. Private rented stock in Wirral is just below the national average, at 18.9% and so a Borough wide scheme would not be permitted under the regulations. Furthermore, it would not have been possible to demonstrate a robust need for a Borough wide initiative due to the high demand for housing and strong rental markets in many parts of the borough.
- 2.3 Extending the scheme to include more select areas was also considered, but this option would have generated a cost to the Council in additional staffing resources and associated overheads, as only specific elements of running a selective licensing scheme can be recovered from the license fee. Enforcement of poor property condition for example, cannot be paid for from the licence fee. It is also considered that restricting Selective licensing to a distinct and tightly defined boundary will enable the impact of the scheme to be better measured and complementary interventions to be targeted, without them being diluted over a greater area.

- 2.4 Finally, as the third Selective Licensing Scheme that commenced in 2020 is due to finish in October 2025 consideration was given to whether the consultation exercise for both schemes could be aligned. Legal advice was that the Council could be challenged if the evidence base for a scheme was not up to date and recommended completing a new evidence base and business case for Scheme 3 at the appropriate time.

### **3.0 BACKGROUND INFORMATION**

- 3.1 The Council introduced its first Selective Licensing Scheme on 1<sup>st</sup> July 2015 in four small areas. A further scheme was approved by the Council's Cabinet on 1<sup>st</sup> October 2018 to introduce four new areas from April 2019. In 2020, the first scheme area was redesignated for a further 5-year period to 2025 with an additional 2 small areas also included. Although there had been significant improvements to property condition, sometimes Selective Licensing designations are needed longer than the 5-year period to make a lasting change.
- 3.2 At present there are currently 10 areas in Wirral that are subject to Selective Licensing. The Schemes have had a significant impact in improving properties through compliance inspections and pro-active engagement with landlords, tenants and residents. The purpose of this report and the attached business case is to consider the outcomes from the 2019 designated areas in the context of the requirement for any future designation.
- 3.3 In the 2019 Selective Licensing scheme areas, inspections have so far been completed to 533 privately rented properties. The compliance rate with license conditions has been found to be poor with 37% of the properties inspected failing to meet the licensing conditions. The scheme demonstrates that without pro-active Council intervention in these areas, vulnerable tenants would continue to live in poor quality, often hazardous housing.
- 3.4 The Council values working collaboratively with private landlords and will be continuing to facilitate the landlord steering group, forums and newsletters to promote engagement and dialogue. During previous Selective Licensing schemes, training events and advice to landlords has been provided for landlords in Selective Licensing areas to improve standards and management practices, but it has also had to take a tough approach to enforcement. It has successfully secured 18 prosecutions against both individual landlords and managing agents for failing to license rented properties. In addition, of the 533 inspections completed so far, 28% have needed informal action to ensure compliance with licensing conditions and a further 9% (47 properties) have required formal action. This approach seems to have been successful with to date, of the 47 properties which have needed formal action, only 18 have had prosecutions or simple cautions being issued for breaching licensing conditions or not complying with formal enforcement notices. All of these prosecutions were successful.
- 3.5 Other complementary activity has included:
- 113 empty property grants being approved in Selective Licensing Areas, 66 of which have already been refurbished and are once again occupied;

- 2236 Healthy Homes Surveys/home visits completed and more than 4000 referrals made to over 113 referral partners including Energy Projects Plus, Tomorrow's Women, Stop Smoking Services, Inclusion Matters, children's centres and several NHS services.

3.6 Notable improvements have been made within two of the 2019 areas which have since fallen down the rankings in the matrix due to not being in the top 10 areas for long-term empty properties, the time empty properties remain empty and workless benefits. However, the Business Case in Appendix 1 makes the case for continuing Selective Licensing within Birkenhead West and Seacombe St Pauls, two of the 2019 geographical areas. The evidence shows these areas 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 areas Bidston & St James West and Egremont North which are showing similar symptoms.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 The public consultation will be delivered with the existing staffing resource within housing services and the small costs associated with producing consultation material will be met from existing budgetary provision within housing services. Should a scheme be introduced in 2024, these costs can be re-charged back from the new Selective Licensing Scheme income.
- 4.2 The final costs for operating a Selective Licensing scheme will not be determined until after the consultation has ended and all results have been analysed, specifically feedback on the proposed fee structure which can be used to offset against the service costs including staffing. Whilst the legislation on Selective licensing allows the council to recover costs, the fee will be based on the actual cost of administering the scheme. Following consultation, the final costs and fees for implementing any proposed scheme will be highlighted in a future report to this committee for final consideration.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 The Housing Act 2004 contains provisions for local authorities to license the private rented sector in some circumstances. Selective Licensing is one form of licensing that can be used.
- 5.2 Legal services have been working alongside officers within Housing Services to advise them and guide on the legislative requirements and process for designating a Selective Licensing area and to ensure that the Council's Business case is sufficiently robust to support any challenges if Members agree to the proposal to consult on any potential additional Selective Licensing Scheme.

#### **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 If a new scheme were to be introduced there would be additional costs associated with operating the Selective Licensing Scheme that are not permitted to be charged

for out of the licence fee. This includes for example enforcement resources to remove serious hazards which will need a Council contribution or existing staff re-aligned from within housing services to take on delivery of this role.

6.2 It is anticipated this will be delivered by extending the existing resources utilised to support the 2019 scheme. The full details will be set out in full in the subsequent report that will be brought to the Economy, Regeneration & Housing Committee in early 2024 after the completion of the consultation exercise.

6.3 There are no IT implications for the Council arising from this report.

## **7.0 RELEVANT RISKS**

7.1 As with the Council's three previous Selective Licensing Schemes, the proposed new licensing scheme is likely to be met with opposition from some landlords and it is important to engage with them through meaningful consultation as part of the process. There is also the need to ensure that the evidence base is robust and can withstand any potential challenges from landlords seeking a Judicial Review.

7.2 This along with other risks associated with the introduction of such a scheme have been identified in Appendix 5 of the Business Case attached to this report. The risk assessment identifies the controls which will be put in place to mitigate these factors. When the consultation has been completed and all stakeholders' views have been collated the risk assessment will be reviewed and any further issues identified. A full risk assessment will then form the basis of a report to Economy, Regeneration & Housing Committee for consideration as part of any final decision on implementing Selective Licensing in Wirral.

## **8.0 ENGAGEMENT/CONSULTATION**

8.1 It is proposed that a ten-week consultation programme will commence in July 2023. The full consultation programme has been set out in the Consultation Plan as set out within Appendix 3 of the Business Case. It is proposed to use a variety of consultation mechanisms to engage with a range of stakeholders including tenants, residents, landlords, service providers, council staff, members and National and Regional Landlord organisations. It is proposed to undertake some specific detailed targeted consultation with those landlords, tenants and stakeholders who directly live or operate in the proposed Selective Licensing areas or those immediately surrounding the areas and are deemed likely to be affected. This will be in the form of letters, posters and drop-in sessions within the proposed areas.

## **9.0 EQUALITY IMPLICATIONS**

9.1 An EIA has been completed for the Consultation exercise on Selective Licensing (hyperlink below). A full Equality Impact Assessment (EIA) will be presented to Members as part of a further report to consider the consultation Selective Licensing.

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 Properties within Selective Licensing Areas are predominantly older, pre 1919 terrace stock with poor thermal efficiency and tenants are more likely to have a lower-than-average income and consequently are more likely to be in fuel poverty than other parts of Wirral. Selective Licensing in the areas present an opportunity to create a more sustainable, housing market by making standards in the private sector better in the face of challenges around climate change. Selective Licensing is expected to reduce emissions of Greenhouse Gases by ensuring properties are meeting both minimum standards and incentivising landlords to improve the thermal performance of their properties, including through targeted promotional campaigns for financial support from schemes such as the Energy Company Obligation, the Home Upgrade Grant and any subsequent programmes. Proposals for consultation include offering discounts on the standard licensing fee for properties with a SAP rating A-C, which is above the required minimum standard of a SAP rating E.

## **11.0 COMMUNITY WEALTH IMPLICATIONS**

- 11.1 While there are some portfolio landlords who live out of borough, many landlords who operate in the Selective Licensing area are landlords with just a few properties who are local to Wirral and who employ Wirral contractors to maintain their properties, therefore creating benefit to local employment. Improving thermal efficiency of properties will help address fuel poverty which in turn will enable tenants to save money on household running costs and recycle more income into the local community.

<b>REPORT AUTHOR:</b>	<b>Name</b>	<b>Emma Foley</b>
	telephone:	0151 691 8198
	email:	emmafoley@wirral.gov.uk

## **APPENDICES**

Appendix 1 Business Case

## **BACKGROUND PAPERS**

1. *Approval Steps for additional and selective licensing designations in England*, Ministry for Housing, Communities and Local Government, Revised addition 2010.
2. *Selective Licensing of Privately Rented Housing December 2013*, House of Commons
3. *Selective Licensing of Housing (Additional Conditions) (England) Order 2015*, Ministry for Housing, Communities and Local Government.
4. *An independent Review of the Use and effectiveness of Selective Licensing, 2019*, Ministry for Housing, Communities and Local Government.

## **TERMS OF REFERENCE**

This report is being considered by the Economy, Regeneration and Housing Committee in accordance with Section 4.2(h)(iv) of its Terms of Reference, the Authority's role and functions to strategic and private sector housing policies and as the housing authority including licensing schemes.

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Cabinet Report: Consideration of proposal to implement selective licensing following consultation</b>	<b>Tuesday 4<sup>th</sup> February 2020</b>



# **Wirral Borough Council**

## **Selective Licensing Business Case**

**June 2023**

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**Appendix 1 Evidence Base**

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## **1 Foreword**

Between 2001 and 2011, Wirral saw a significant increase in its private rented sector of nearly 80%. The upward trend continued through to 2021 but at a slower rate, increasing by 22% over the subsequent 10-year period. Private rented properties are now a substantial part of Wirral's housing market, making up 19% of all homes in Wirral. They are the tenure choice for many people but have become the homes for others that have no choice due to the undersupply of social housing and the difficulties in getting on the home ownership ladder.

Previous and current Selective Licence schemes in Wirral have shown that some private rented properties are being poorly managed and of a poor quality. Evidence shows that these properties are often located in areas that also suffer from low demand, criminal damage, high turnover and empty properties. The combination of these factors, particularly in areas of low income and high proportions of private rented properties, can substantially affect the local area.

The Council continues to work with landlords throughout the Borough to drive-up standards through informal routes where possible. The Landlord Accreditation Scheme for example, accredited over 7,000 properties since the scheme began. There are currently 1,178 properties accredited. The Council's empty property grants have brought homes back into use as private rented properties, ensuring good quality conversions and upgrades. There remains, though, a need for targeted interventions through Selective Licensing in areas in need of support, as part of a multi-agency approach to improve areas. For example, in the 2015-2020 Selective Licensing Scheme, there were over 1,000 inspections of properties and 70% of those did not comply with licensing conditions.

Through a robust review of evidence, the Council has seen that some new areas now require support, whilst others require continuing intervention. This is why we are proposing the continuation of Selective Licensing in two areas and its introduction into two new areas from 2024 onwards.

***Councillor Tony Jones, Wirral Council, Chair of Economy, Regeneration & Housing Committee.***

## 2 Executive Summary

Wirral still has a growing private rented sector within its housing market. There are around 27,000 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, the 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<sup>2</sup>. 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. The 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.

The Council operated its first Selective Licensing Scheme between 2015 and 2020 in four small areas and introduced a second scheme in four further areas in 2019. In 2020, a third scheme was introduced, in the same four areas as the 2015 scheme along with two additional areas. Schemes have been in operation for almost eight years and have 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 2019 scheme is due to end in March 2024.

The Council cannot simply extend Selective Licensing in the current areas. The Council must first demonstrate the case, using appropriate robust evidence, for either a continued or new intervention into other areas within the borough. This document therefore makes the case for continuing Selective Licensing within two of the 2019 geographical areas (Birkenhead West and Seacombe St Paul's), which evidence shows continue 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,

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<sup>1</sup> 2021 Census, Office for National Statistics

<sup>2</sup> Table 4, page 33, Integrated Dwelling Level Housing Stock Modelling & Database, Client Report for Wirral Council, BRE 2018

small areas (Bidston & St James West and Egremont North) which are showing similar symptoms.

The Council is undertaking a consultation exercise to ensure that everyone who is likely to be affected by a proposed scheme has an opportunity to express their views and understands the rationale or 'business case', which supports the introduction of a scheme. Information about different ways to participate in the consultation is set out in the Consultation Plan in Appendix 3.

### 3 Introduction

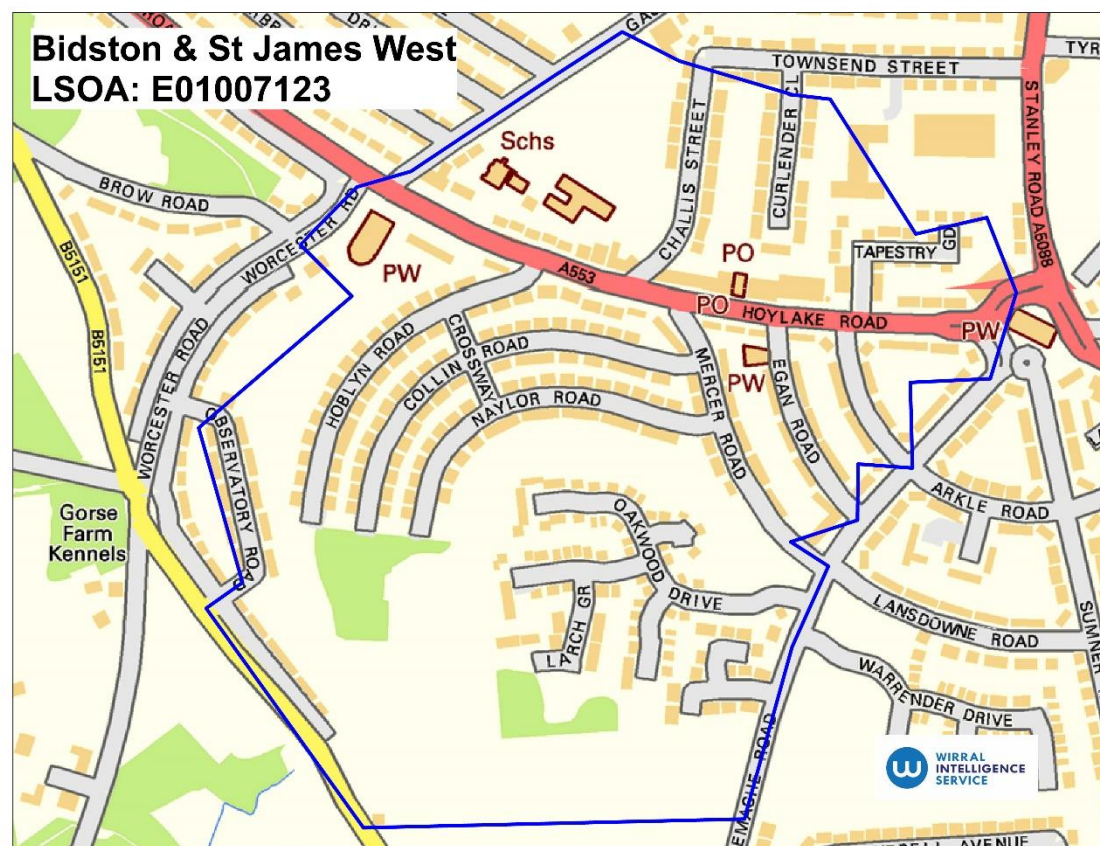
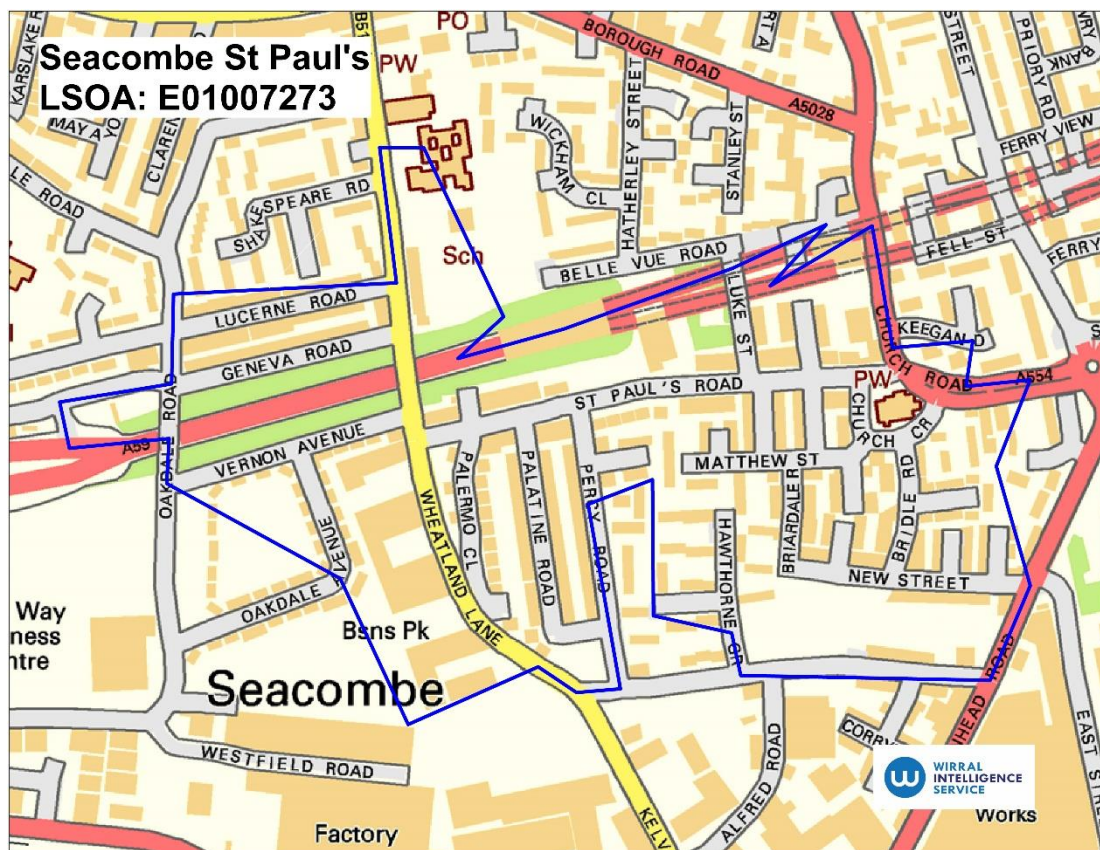
This is the Business Case to support the proposal for the continuation of Selective Licensing in two areas of the Borough (Birkenhead West and Seacombe St Paul's) and the introduction of Selective Licensing into two new areas (Bidston & St James West and Egremont North) to operate from 2024 until 2029, as shown in the maps below.

These areas have been identified by a Multi-Criteria Decision Analysis process through evidence 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.

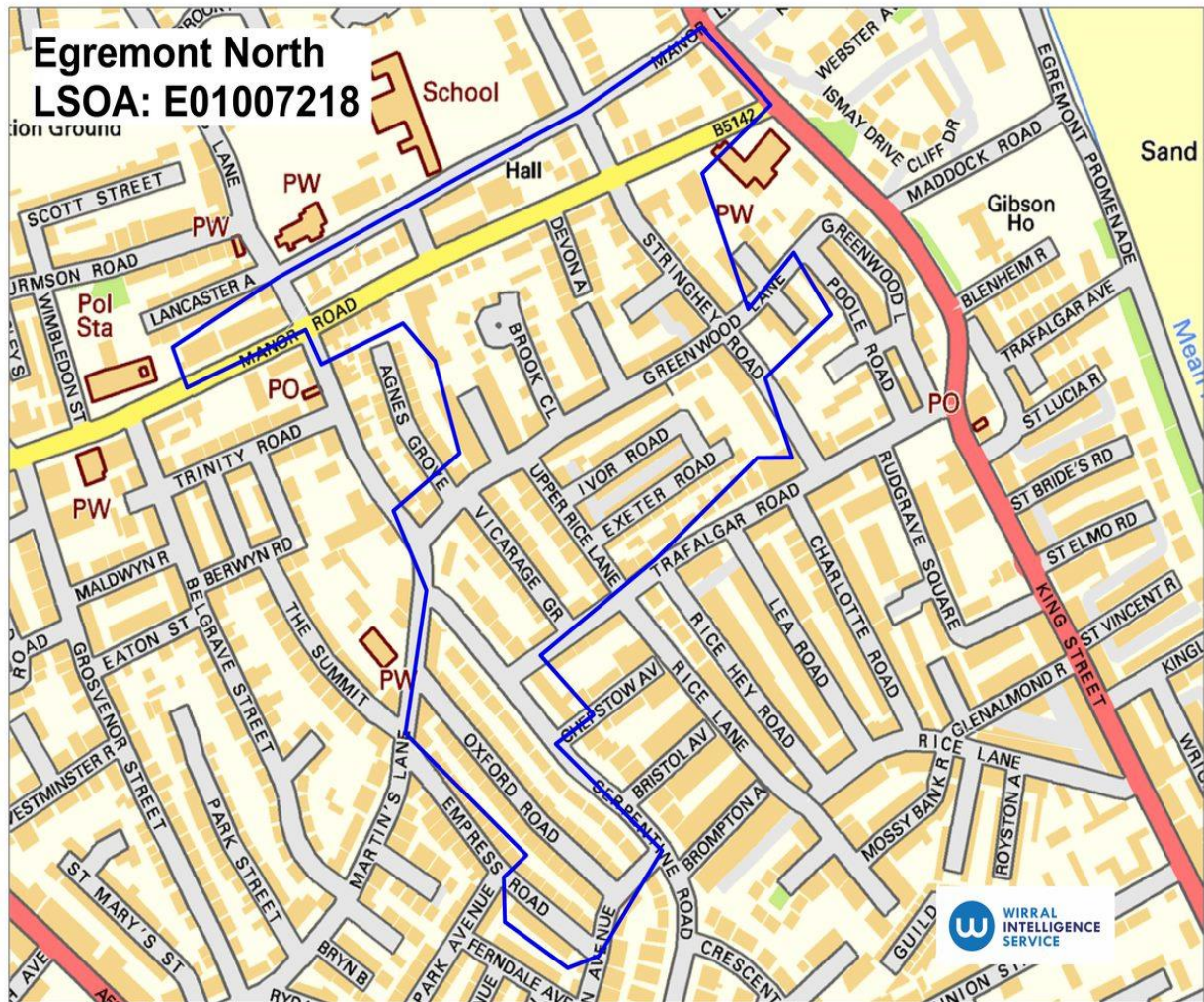
Maps of each proposed designated area are shown below outlined in blue. More details can be found in Appendix 2 together with a list of streets / properties included in the proposed areas.











## 4 Strategic Housing Context

Wirral's Housing Strategy 2016 to 2021 aimed to provide "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 had 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.

Whilst the Housing Strategy is currently under review and refresh, these key themes will still broadly underpin the strategy focus going forward but will take into account changes in the demographics of the borough as well as social, economic and health changes that all influence peoples housing needs and the choices they have available to them. Selective Licensing is key to this as it 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.

The private rented sector 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 housing options available and as such a good quality private rented housing offer is a fundamental part of this.

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: 2021-2026	Working for safe and vibrant communities where our residents feel safe, and are proud to live and raise their families	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.

Birkenhead Regeneration 2040 Framework	We will deliver a substantial and diverse array of additional homes, via new sustainable mixed-use family neighbourhoods and the renewal of existing residential areas.	Improving the quality of housing is an important element in the renewal of existing neighbourhoods.
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 & Rough Sleeping Strategy 2020 - 2025	Improving access to and developing more settled accommodation solutions.	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 can 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; 2021 Report	Increasing standards in the Private Rented Sector.	The Act recognises local authorities' ability to use their position to improve the energy efficiency of all residential accommodation. 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 and damp & mould hazards. It will also continue to promote available financial support for private landlords to increase the energy rating of their properties.
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## 5 Wirral's Socio Economic & Housing Profile

### *Population*

Wirral has a population estimated to reach 320,200 by mid-2023<sup>3</sup>. Between 2011 and 2021 the Borough's population increased by 0.1%<sup>4</sup>. The rate of growth has been slower than that of England and Wales (6.3%)<sup>5</sup>.

### *Age Profile*

Table 2 shows how Wirral's population profile differs from that of England, the North West and of Merseyside<sup>6</sup>. It has a larger population of older people, for people aged 45-64, those aged 65-84 and those aged 85 and over.

**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	16.98%	33.51%	27.53%	19.09%	2.9%
Merseyside (Met County)	16.6%	38.1%	26.2%	16.8%	2.5%
North West	17.60%	37.72%	25.99%	16.39%	2.3%
England	17.3%	38.3%	25.8%	16%	2.4%

The predicted change in age profile from 2021 to 2041 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 27.9% of Wirral's population by 2041<sup>7</sup>.

Table 3 shows the age profile of the proposed areas for selective licensing as recorded by the 2021 Census<sup>8</sup>. All areas exhibit a younger age profile than the Wirral average. The highest change in profile since the 2011 Census is people aged 80 to 84 years.

<sup>3</sup> [Population and household estimates, England and Wales: Census 2021, unrounded data](#)

<sup>4</sup> [Population](#) sizes and changes for regions and local authorities, ONS Census 2021

<sup>5</sup> [Population growth of England and Wales between 2011 and 2021](#)

<sup>6</sup> [Population and household estimates, England and Wales: Census 2021, unrounded data](#)

<sup>7</sup> [Population projections for local authorities: Table 2, ONS](#)

<sup>8</sup> [Age by Single Year, Office for National Statistics, 2021](#)

**Table 3**

Area	0-14	15-44	45-64	65-84	85 and over
Birkenhead West	26.9%	40.6%	22.5%	8.4%	1.6%
Seacombe St Pauls	24.2%	43.7%	22.6%	8.3%	1.3
Bidston & St James West	19.7%	41.8%	27.1%	10.6%	0.8%
Egremont North	23.9%	40.5%	23.6%	10.9%	1.1%
Wirral	17.4%	33.3%	27.3%	19.0%	3.0%

Table 4 shows the changes in population and age profile, between the Censuses of 2011 and 2021 of the proposed areas compared to Wirral, the North West and England<sup>9</sup>. It shows a particularly marked increase in the total population of Birkenhead West, reflecting a 6.7% increase in the number of households in this LSOA (see Table 12 further on in this report). Birkenhead West has also seen a shift in the age demographic with a reduction in those residents aged 0-14, and an increase in those aged 65-84. Conversely, Seacombe St Pauls has seen a large increase in residents aged 0-14, with a decrease in household numbers of 6.4%. Egremont North has had an increase in household numbers of 4.1%, with an increase in population of 2.1%. The biggest change and growth in the population in Wirral is for people aged 80 to 84. The biggest percentage change in the four proposed Selective Licensing LSOAs is those people aged 85+, although due to the small size of the LSOAs, the change in numbers isn't significant.

**Table 4**

Area	All people	0-14	15-44	45-64	65-84	85 and over
Percentage change between 2011 and 2021						
Birkenhead West	4.4%	-2.8 %	6.3 %	4.5 %	21.2 %	7.7 %
Seacombe St Pauls	0.6%	11.2 %	-2.5 %	-5.5 %	-3.8 %	36.4 %
Bidston & St James West	-8.2%	-17.4 %	-16.7 %	2.1 %	38.5 %	242.9 %
Egremont North	2.1%	-1.7 %	-8.3 %	-3.3 %	35.8 %	153.8 %
Wirral	0.1 %	-1.5 %	-6.6 %	-0.7%	16.1 %	11.4 %
North West	5.2 %	5.5 %	-0.3 %	5.0 %	18.9 %	14.8 %
England	6.6 %	5.0 %	-0.7 %	8.4 %	20.7 %	16.3 %

<sup>9</sup> [Census 2021, TS007a, Age by five year age bands, ONS, January 2023](#) , and Census 2011 QS103EW, Age by single year, March 2011



## ***Ethnicity***

Table 5 provides an overview of ethnicity of the population in each of the proposed selective licensing areas. In two of the four proposed selective licensing areas the population is more diverse than the Borough as a whole, with Egremont North having the highest proportion of people of all ethnic groups, followed by Seacombe St Pauls.<sup>10</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 West	95.8%	1.8%	1.8%	0.0%	0.5%
Seacombe St Pauls	92.7%	2.0%	3.5%	0.8%	1.1%
Bidston & St James West	95.0%	1.3%	2.3%	0.2%	1.3%
Egremont North	90.8%	1.8%	3.3%	1.2%	2.9%
Wirral	95.2%	1.5%	2.3%	0.4%	0.6%

## ***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' of 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.

Over 2017-19 for example, there was a 10-year difference in life expectancy between the most and least deprived areas of Wirral. Life expectancy in Greasby, Frankby & Irby Ward for example was 85.1, compared to just 74.8 in Rock Ferry Ward<sup>11</sup>.

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<sup>10</sup> ONS, Census 2021

<sup>11</sup> [Wirral Compendium of Statistics, Wirral Intelligence Service, 2021](#)

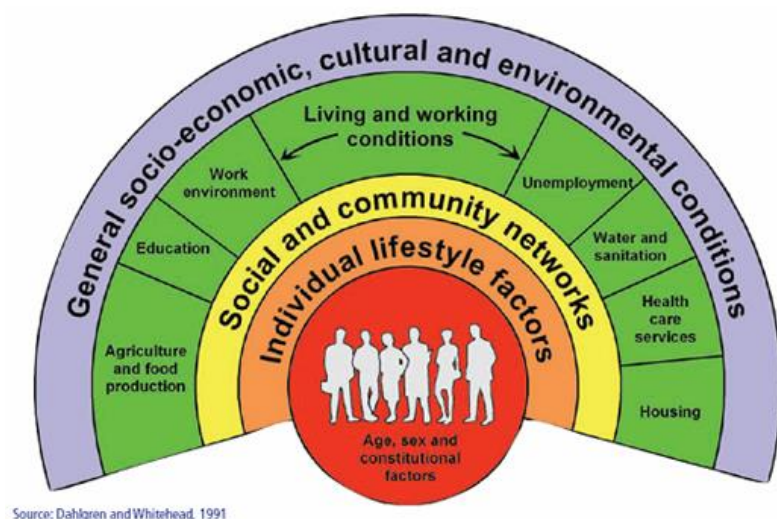


Table 6 shows that the proposed areas for Selective Licensing are all highly ranked on the 2019 Index of Multiple Deprivation (IMD)<sup>12</sup>. There are 32,844 LSOAs in England, and three of the four proposed areas fall in the top 1% most deprived of areas in England, with Egremont North just outside of the top 10%

**Table 6**

LSOA Area	IMD Rank out of 32,844	IMD Decile
Birkenhead West	26	1
Seacombe St Pauls	95	1
Bidston & St James West	233	1
Egremont North	3,358	2

<sup>12</sup> English Indices of Deprivation 2019, Super Output Areas, Neighbourhood Statistics, Office for National Statistics



**Table 7**

LSOA	Health, Deprivation and Disability	Health Deprivation and Disability Decile (where 1 is most deprived 10% of LSOAs)
	Rank out of 32,844	
Birkenhead West	69	1
Seacombe St Pauls	130	1
Bidston & St James West	265	1
Egremont North	1,381	1

The Indices of Multiple Deprivation (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 7<sup>13</sup>. All are ranked within the top 5% of LSOAs nationally for Health, Deprivation and Disability, with 3 of the 4 (Birkenhead West, Seacombe St Pauls and Bidston & St James West) all ranked in the top 1%

### ***Household Incomes***

Data from 2022<sup>14</sup> (table 8) shows that in Wirral, the average annual earnings for full-time employees **living** in Wirral (£32,013) are higher than the North West average (£30,716). Wirral has the third highest earnings for residents in the Liverpool City Region behind St Helens and Halton, however, earnings for full-time employees working in Wirral are significantly lower than the North West and Great Britain. Wirral has the lowest average earnings by workplace in the Liverpool City Region at £28,314 per annum. However, the difference in earnings 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.

<sup>13</sup> [English Indices of Multiple Deprivation, 2019](#)

<sup>14</sup> ASHE (via Nomis), 2022

**Table 8**

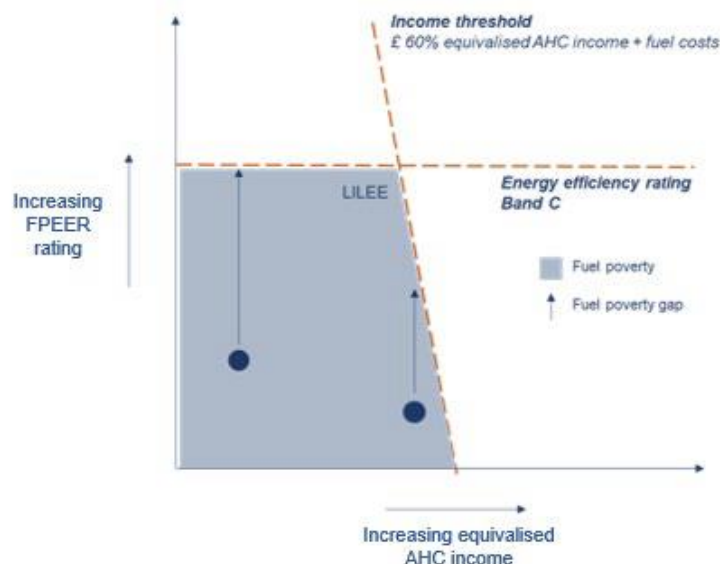
<b>Area</b>	<b>Average Annual Pay (those working in Wirral)</b>	<b>Average Annual Pay (Wirral residents)</b>
Halton	£34,183	£32,103
Knowsley	£30,259	£30,901
Liverpool	£31,993	£30,590
Sefton	£31,245	£31,031
St Helens	£29,321	£32,885
Wirral	£28,314	£32,013
North West	£30,716	£30,822
Great Britain	£33,106	£33,111

***Fuel Poverty***

Fuel poverty in England is measured using the Low Income Low Energy Efficiency indicator, which considers a household to be fuel poor if:

- it is living in a property with an energy efficiency rating of band D, E, F or G as determined by the most up-to-date Fuel Poverty Energy Efficiency Rating Methodology - this is depicted by the horizontal threshold in Figure 1 below; and
- its disposable income (income after housing costs and energy costs) would be below the poverty line as depicted by the vertical sloping threshold in Figure 1.

**Figure 1: The Low Income Low Energy Efficiency metric including the fuel poverty gap**



Nationally, 24.1% of private rented households are defined as fuel poor. This is much higher than in the owner occupier sector (owner with mortgage: 10.0%, owner outright: 7.6%)<sup>15</sup>. In Wirral, it is estimated that fuel poverty affects 21% of private rented households compared to 9% of owner-occupied households (using the previous government definition of fuel poverty which was known as “Low Income High Costs”)<sup>16</sup>.

The estimated rates of fuel poverty within the proposed areas for selective licensing compared to the Wirral and English averages are shown in Table 9 below. All areas are estimated to have fuel poverty rates above the Wirral average, affecting around a third of all homes in three of the areas.

**Table 9<sup>17</sup>**

Area	Rate of fuel poverty (all housing tenures)
Birkenhead West	32.9 %
Seacombe St Pauls	31.3 %
Bidston & St James West	34.3 %
Egremont North	19.1 %
Wirral	14.4 %

<sup>15</sup> Annual Fuel Poverty Statistics in England Report, 2023 (2022 data) (28 February 2023)

<sup>16</sup> Table 4, page 33, Integrated Dwelling Level Housing Stock Modelling & Database, Client Report for Wirral Council, BRE 2018

<sup>17</sup> Sub-regional Fuel Poverty England 2022 (2020 Data), BEIS

Liverpool City Region	15.6 %
England	13.2 %

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

Table 10 shows information from the 2011 Census and the 2021 Census<sup>18</sup>. It shows that there have been increases in household numbers across two out of four of the LSOAs, most significantly in Birkenhead West. There have been no significant number of new-build properties in Birkenhead West between 2011 and 2021 and so it is likely the increase has been caused by HMO conversions and house-to-flat conversions. In two LSOAs there have been decreases; the decrease in Bidston & St James West can be explained by the housing demolitions on the Crossways Estate.

**Table 10**

	2011	2021	% change
Birkenhead West	670	715	6.7%
Seacombe St Pauls	667	624	-6.4%
Bidston & St James West	733	669	-8.7%
Egremont North	654	681	4.1%
Wirral	140,583	143,251	1.9%

### ***Tenure breakdown***

The 2021 Census reported that 18.9% of Wirral's households rented privately (27,091) This has increased since 2011 when it was 15.8% (22,275). The tenure breakdown in the proposed areas, in Wirral<sup>19</sup> and in England<sup>20</sup> in 2021 was as follows:

**Table 11**

Area	Owner Occupied		Social rented		Private Rented		Other	
	No.	%	No.	%	No.	%	No.	%
Birkenhead West	173	24.2%	303	42.4%	233	32.6%	6	0.8%
Seacombe St Pauls	180	28.8%	215	34.5%	228	36.5%	1	0.2%
Bidston & St James West	204	30.5%	295	44.1%	169	25.3%	1	0.1%
Egremont North	354	52.0%	48	7.0%	277	40.7%	2	0.3%
Four LSOAs	911	33.9%	861	32.0%	907	33.7%	10	0.4%

<sup>18</sup> Tenure – All Households, Census 2021 (TS054), and Tenure – All Households, Census 2011 (KS402EW), Nomis

<sup>19</sup> Tenure – All Households, Census 2021 (TS054), Nomis

<sup>20</sup> Tenure – All Households, Census 2021 (TS054), Nomis

combined								
Wirral	93,114	65.0%	22,065	15.4%	27,091	18.9%	982	0.7%
England	14,369,065	61.3%	4,005,663	17.1%	4,794,889	20.5%	266,468	1.1%

able 11 shows there are a total 907 Private Rented households in the proposed LSOAs, which makes up 33.7% of the total stock across the proposed areas, far above the rate for the whole of the Borough (18.9%). In Egremont North, the rate is particularly high, at 40.7%.

### ***Housing Types***

Table 12<sup>21</sup> shows that both Birkenhead West and Seacombe St Pauls have high proportions of terraced properties, which are generally older Victorian dwellings. The breakdown of house types for the proposed LSOAs compared to Wirral is as follows (all tenures):

**Table 12**

Area	Detached	Semi-detached	Terraced	Purpose-built flat	Part of a converted or shared house, including bedsits	Other
<b>Birkenhead West</b>	7.8%	15.6%	58.5%	8.1%	7.3%	2.6%
<b>Seacombe St Pauls</b>	3.4%	20.2%	67.3%	7.5%	1.3%	0.3%
<b>Bidston &amp; St James West</b>	7.3%	49.5%	35.7%	6.6%	0.3%	0.5%
<b>Egremont North</b>	3.4%	35.5%	39.4%	7.2%	11.7%	2.8%
<b>Wirral</b>	17.4%	41.6%	23.5%	11.9%	3.9%	1.8%

### ***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 2022 was the 4th highest in the Liverpool City Region and although was below the average for the region, it was higher than the English average, as shown in the table 13.<sup>22</sup>

<sup>21</sup> Accommodation type – All Households, Census 2021 (TS044), Nomis

<sup>22</sup> Table 615, Vacant Dwellings by Local Authority District, Ministry of Housing, Communities & Local Government, October 22

**Table 13**

Area	Count	Rate of long-term vacant dwellings <sup>23</sup>
Halton	482	0.84%
Knowsley	972	1.41%
Liverpool	5,129	2.32%
Sefton	1,998	1.57%
St Helens	877	1.05%
Wirral	1,901	1.28%
Liverpool City Region	11,359	1.51%
England	248,149	1.01%

As of October 2022, 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 14<sup>24</sup>. It shows three of the target areas, Seacombe St Pauls, Bidston & St James West and Birkenhead West have higher proportions of long-term private vacant properties than the Borough as a whole.

**Table 14**

Area	Proportion of long-term privately owned vacant dwellings
Birkenhead West	4.3%
Seacombe St Pauls	9.9%
Bidston & St James West	7.7%
Egremont North	0.9%
Wirral	0.9%

### ***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:

<sup>23</sup> As a percentage of the total number of chargeable dwellings, Council Taxbase Local Authority Level Data 2022, Ministry of Housing, Communities & Local Government, November 2022.

<sup>24</sup> Council Tax data, Wirral Council, October 2022

- 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 SimpleSAP<sup>25</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***

As of 1<sup>st</sup> June 2023, there were 14,533 households registered with Property Pool Plus Wirral (the choice-based lettings system for social housing). 4,851 were currently renting from a private sector landlord and wishing to move to social housing. This accounts for 33% of the waiting list, with 751 households in Bands A to C.

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.

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 4,851 private sector tenants registered with the scheme (applicants may choose more than one reason):

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<sup>25</sup> The Standard Assessment Procedure (SAP) is the government-recognised method by which the energy efficiency of a residential dwelling is measured, on a scale of 1 to 100, where 100 is the most energy efficient. "SimpleSAP" is an estimate of a residential dwelling's likely SAP score, not based on the full required range of data for a SAP calculation. It should only ever be considered an estimate of the SAP score and used as a guide.

**Table 15**

<b>Reason for wishing to move</b>	<b>Number</b>
Threat of Eviction by Landlord	350
Repossession / Eviction	193
Unable to afford Rent	1,489
Landlord Selling Property	908
Home in poor condition	1,018

The two key reasons the Property Pool Plus applicants wanted to move were due to them being unable to afford the rent (31%), followed by of applicants choosing to leave their home due to poor condition (21%).

The Property Pool Plus application form also asks a series of questions in relation to any disrepair issues in the current accommodation. Based on the question in relation to disrepair, 16% of residents that responded said they were living in a property that was in disrepair, with 85% of these stating that their health & safety was affected by the condition of the property they lived in. The specific questions and answers given by the 4,851 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?	754	3,828	269
If yes, does the disrepair affect your health or safety?	642	81	31
Have you reported the disrepair to your landlord?	615	23	4
If yes, have you reported this to your Local Authority?	184	427	31

Working with private sector landlords in the Selective Licensing areas to improve the property standards and conditions could reduce the number of applicants on



the Property Pool Plus waiting list that are requesting to move due to the condition of their property by up to 21% and improve the health and safety of residents where their health & safety is being compromised by up to 13%.

### **Rents and Sales Data**

Valuation Office Agency data provides information on monthly rents recorded between 1<sup>st</sup> October 2021 to 30th September 2022<sup>26</sup>. It shows that average rents charged by Wirral's private landlords are lower than the averages for Merseyside, the North West and for England. In Merseyside, only St Helens has a lower average rent. The sample used to produce these statistics is not statistical and may not be consistent over time. As such, the Valuation Office Agency states that this data should not be compared across time periods or between areas. However, the Office for National Statistics produce experimental statistics on private rents which show that private rental prices paid by tenants in the UK rose by 4.7% in the 12 months to February 2023 and in the North West by 4.8%<sup>27</sup>.

**Table 17**

<b>Area</b>	<b>Average</b>	<b>Lower quartile</b>	<b>Median</b>	<b>Upper quartile</b>
Knowsley	£645	£525	£600	£725
Liverpool	£657	£495	£600	£750
Sefton	£676	£520	£540	£775
St Helens	£601	£475	£575	£675
Wirral	£642	£495	£600	£730
Merseyside	£648	£495	£600	£725
North West	£699	£520	£635	£800
England	£946	£610	£800	£1,100

<sup>26</sup> Valuation Office Agency – Private rental market statistics 1<sup>st</sup> October 2021 to 30 September 2022

<sup>27</sup> Index of Private Housing Rental Prices, UK: February 2023, Office for National Statistics

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

### **Context**

Wirral's privately rented sector has increased from 16.8% in 2011<sup>28</sup> to at least 18.9% in 2021 and in the next proposed Selective Licensing areas, the private rented sector makes up at least 35% of the housing stock. 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>29</sup>. These properties tend to be the older, terraced and flatted housing stock.

Wirral also has a high number of long-term empty properties; however, this has decreased from 1,920 in October 2019 to 1,901 in October 2022<sup>30</sup>. The long-term empty properties are concentrated in the older, terraced housing stock on the east side of the borough. The Council, over recent years, has targeted interventions in those areas which have a high concentration of empty properties. The reality is however that 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.

### **Existing schemes**

The Council introduced its first Selective Licensing Scheme on 1<sup>st</sup> July 2015 in four small areas (2015-20 scheme) and introduced a scheme in four further areas in 2019 (2019-24 scheme). In 2020, two further areas were introduced, along with the continuation of the scheme in the first four areas (2020-25 scheme).

The 1<sup>st</sup> scheme (2015-20) licensed over 1,300 private rented properties. Over 1,000 properties were inspected with only 30% of them meeting minimum standards. There were 57 individual prosecutions for landlords who failed to get a licence and other Housing Act 2004 offences.

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<sup>28</sup> Census 2021, ONS

<sup>29</sup> Integrated Dwelling Level Housing Stock Modelling & Database, Client Report for Wirral Council, BRE 2018

<sup>30</sup> DLUHC Statistics, October 2004 – October 2022

So far, the 2<sup>nd</sup> scheme (2019-24) has licenced 1084 private rented properties. 533 have been inspected with 31% found to be meeting minimum standards when inspected. There have been 18 successful prosecutions and 1 Landlord Banning Order confirmed after an appeal.

Over first full two years of the 3<sup>rd</sup> scheme (2020-25), 1,370 private rented properties have been licenced. Due to the COVID-19 pandemic, inspections were unable to be resumed until September 2021 and so were lower over the same time period than the 2015-20 scheme. Nonetheless, 57 properties required informal action to improve property standards.

### **Feedback from Residents, Landlords and Agents**

The Council believes in regularly surveying opinions of residents and landlords with properties in Selective Licensing areas. The most recent survey for the 2019-24 scheme was carried out in December 2022. The findings indicated that most residents (58%) perceived the area had stayed the same since the introduction of Selective Licensing.

In relation to property improvements 19% of residents reported that they had received improvements to their property. The home improvements included fire safety, electrical danger, damp & mould and disrepair. However, 15% of residents recorded the key issues that got worse also included damp & mould, followed by a cold home and disrepair.

63.6% of residents reported that they were satisfied with the area they lived in. The perception of the residents regarding what they thought had got worse in the area included drug use/dealing, youth annoyance and dog fouling.

The landlord/agent responses had also concluded that the area had remained the same, however (30%) of landlords had implemented improvements to their property since the introduction of the Selective Licensing Scheme. Landlords/agents indicated that anti-social behaviour in the area had improved however issues such as dog fouling, fly-tipping and scruffy buildings had become worse. Both the landlords/agents and the residents perceived environmental issues had become worse.

### **Data analysis**

The Council's Intelligence Service were again commissioned to undertake a Multi-Criteria Decision Analysis of evidence from a variety of data sources to help identify further areas of low demand and poor property condition. This analysis has been used to inform where a Selective Licensing Scheme would be justified to be introduced or, where the evidence showed, to be continued. The analysis involved a review of 16 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 as other socio-economic data that reflects areas suffering from low demand.

Each of the data sets 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, namely Bidston & St James West and Egremont North, that hadn't been subject to Selective Licensing previously, scored worse than some LSOAs that are part of current schemes. There is therefore justification for including them in the consultation along with two LSOAs still scoring highly from the current 2019-24 scheme, namely Birkenhead West and Seacombe St Pauls. The other LSOAs scoring highest on the matrix, that were not the areas declared in 2019, were all areas within the 2020-25 scheme (Birkenhead South, Tranmere Lairds, Egremont Promenade South and Seacombe Library). The matrix shows some improvement in two LSOAs within the 2020-25 scheme (Egerton North and Egremont South). Improvements in two LSOAs within the 2019-24 scheme (Hamilton Square and Birkenhead Central) mean that they have been excluded from the consultation as the current Selective Licensing Scheme has lifted these areas, so intervention is no longer required at this time.

### **Use and effectiveness of Selective Licensing**

The former Ministry of Housing, Communities & Local Government commissioned independent consultancy Opinion Research Services to review the use and effectiveness of Selective Licensing and to give recommendations for positive change. The report suggested that Selective Licensing has offered Local Authorities general benefits in terms of raising standards. Several key factors identified in the research that effect change have been incorporated into the Council's Selective Licensing approach from the beginning. These include:

- Ensuring careful planning and preparation including providing a robust evidence base and consultation programme is built in as part of the process.
- Engagement with existing landlords and tenants in the area for continuation and those in the new areas.

- A programmed inspection regime to ensure all properties in the schemes are inspected regularly, to ensure all hazards are identified and rectified by the landlord.
- Penalties will continue to be issued for non-compliance.
- Introducing targeted & measurable outcomes.
- Continuation of the residents and landlord surveys to identify what is working well and promote the support services available to landlord and tenants. Identify what improvements are required in the Selective Licensing Scheme areas and review the administrative process.
- Adoption of a co-ordinated approach in connection with dealing with homelessness & health outcomes.

The introduction of a further Selective Licensing Scheme in specific, targeted areas of low demand and poorer property standards would help to stabilise these neighbourhoods in Wirral 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***

The Council 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. Since launch the Council has accredited over 7,000 properties, including renewals. There are currently 1,178 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 4% 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. The covid pandemic disrupted both the annual forum and steering group but a forum is being planned for late 2023 and the steering group is to be resurrected to

provide an opportunity for strategic engagement and dialogue to consult on the objectives of the Housing Standards Team.

Experience of operating the Council'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.

The accreditation scheme is currently suspended for the majority of new applications; however, the renewal of existing property accreditations can be undertaken by landlords self-assessing their properties and extending their current property accreditation further. Selective Licensing also promotes membership of national accreditation schemes (as opposed to the local scheme), such as that operated by the National Residential Landlords Association, by offering a discount off the licence fee where accreditation has been achieved.

### ***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 strategic priority intervention areas where vacancy levels are significantly above the borough average. This includes the current selective licencing areas, with 113 Empty Property Grants being approved in the existing Selective Licencing areas since the start of the licencing scheme of which 66 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 the Council for a period of 12 months to assist with the council's statutory homelessness responsibility. Other tools used by the Council in its strategic approach to tackling empty properties include:

- Support and assistance through the Housing Standards 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.
- The Council has also implemented a 100% additional Council Tax premium for long term empty properties to encourage their return to use (empty between 2- 5 years); a 200% Council Tax Premium for properties that have been empty between 5 and 10 years and a 300% Council Tax Premium for properties that have been vacant for over 10 years.

### ***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 service offers a range of interventions including:

- A Private Rented Access Scheme 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. During 2019 and 2023, 175 individuals have secured homes in the private rented sector across the borough as a result of the assistance of the Private Rented Access Scheme.
- The availability of a range of floating support services that can deliver housing related support to vulnerable people with complex needs that may be experiencing difficulties in maintaining their accommodation. 38 such households in the 2019-24 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 Homelessness Reduction Act in 2021 resulted in a significant increase in the legal duties placed on the Council to prevent and relieve homelessness and residents living in temporary accommodation. 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 Homelessness & Rough Sleeping 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***

The Council's Healthy Homes Scheme has been in operation since 2010 when it was piloted in a targeted intervention area in New Brighton 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 service operates through 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.

Between July 2019 and 31st March 2023, the Council has completed more than 2,236 Healthy Homes surveys and home visits and made in excess of 4,000 referrals to/consultations with over 113 partners which include Energy Projects Plus, Tomorrow's Women, Stop Smoking Services, Inclusion Matters and other local NHS services. The vast majority of this work was undertaken in the Selective Licensing areas.

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 by 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 the 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 of 1st June 2023, 754 private rented tenants registered on the Council's Housing Register said they were living in disrepair, but only 184 had complained to the Council. 1,018 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. The Council believes that this approach is justified and necessary in further neighbourhoods 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 March 2023 (Appendix 1) 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 Housing Standards Team will be responsible for ensuring compliance with the designation. The Council's draft Selective Licensing Conditions are attached in Appendix 4. Proposed changes to the existing Licensing conditions reflect changes to regulations relating to the provision of carbon monoxide detectors.

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

In addition to ensuring compliance with the license conditions, the 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 and 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 temporarily 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 or face a civil penalty. These enforcement activities will not be met from the revenue from fees and will be funded through Council investment into the Housing Standards 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 an 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.

The Council's fees will be based on the actual costs of administering a scheme in the four proposed areas of the borough. The Council 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;

- Existing accreditation with the Council or a national landlord association;
- Property is in Energy Performance Certificate Band A, B or C.

The following charges are also proposed:

- Charge for yearly direct debits;
- A pre-application fee;
- Variation fee;
- A Temporary Exemption Notice fee;
- One-year licenses where there have been previous contraventions.

Licenses will be applicable for five 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 one-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 2023	Approval by the Council's Economy, Regeneration & Housing Committee to undertake public consultation within 4 areas of the borough.
July 2023	Formal consultation begins for 10 weeks
October 2023	Analyse consultation results & feedback
October 2023	Finalise scheme to take account of consultation feedback, preparation of report to summarise consultation findings
December 2023	Report to the Council's Economy, Regeneration & Housing Committee for final consideration of scheme
December 2023	Notice of proposed designation to run for three months
April 2024	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 as a whole, 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 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.

If this proposal is taken forward, the Council would look 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
- Financial support (up to £7,000) will be provided towards renovation costs of empty properties that have been vacant for more than 6 months and Heating & Renovation Assistance (grants) where tenants meet the qualifying criteria. The Council will not provide financial assistance for landlords to carry out improvements where their property falls below the minimum statutory standard,.
- 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 increase 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**

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. Risks have been reviewed and analysed over the course of the previous three Selective Licensing Schemes and expertise over the last eight years has helped to mitigate risks to as low a level as possible.

One of the 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.

There is also a risk that with the introduction / continuation of Selective Licensing in the four 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 long term to avoid paying a license fee the Council will take enforcement action on any that are in disrepair and causing blight in the community. Landlords with properties which have been vacant for more than two years will also have to pay a Council Tax Premium of 200% of the standard rate.

The Housing Standards 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.

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

## **11.0 How will we consult?**

There will be a formal consultation process on the Council's proposed Selective Licensing scheme which will last for a minimum period of 10 weeks to commence, subject to Economy, Regeneration & Housing Committee Approval, in July 2023.

Further information about the consultation process and how to get involved will be set out on the Council's website. Everyone who is likely to be directly affected by proposals and those immediately adjacent to the proposed areas will be contacted and invited to participate in the consultation through a variety of consultation methods as set out in the Consultation Plan in Appendix 3.

Information on the proposed Selective Licensing scheme will be available at [www.wirral.gov.uk/selectivelicensing](http://www.wirral.gov.uk/selectivelicensing)

Further information can be obtained through the following ways:

**Email:** [selectivelicensingsurvey@wirral.gov.uk](mailto:selectivelicensingsurvey@wirral.gov.uk)

**Post:**

Selective Licensing Survey

Wirral Council

PO Box 290

Wallasey

CH27 9FQ

## **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. It is proposed that the following indicators are measured and reported on an annual basis:

1. Number of properties licensed in each designated area;
2. Number of properties compliant on first visit;
3. Number of properties compliant overall;
4. Number of properties where informal action has been taken to improve properties;
5. Number of properties where Improvement Notices have been served;
6. Number of hazards removed from properties;
7. Number of successful prosecutions;
8. Number of long-term empty properties;
9. Number of empty properties brought back into use in Selective Licensing areas.



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# **Wirral Selective Licensing Application: Supporting Evidence and Rational**

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**Co-produced by Wirral  
Intelligence Service and  
Wirral Housing Services**

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**March 2023**

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# Wirral Selective Licensing Application: Supporting Evidence and Rational

For further information please contact:

Wirral Intelligence Service at [wirralintelligenceservice@wirral.gov.uk](mailto:wirralintelligenceservice@wirral.gov.uk)

Wirral Housing Services at: [housingstrategy@wirral.gov.uk](mailto:housingstrategy@wirral.gov.uk)

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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 2021 Census, from 11% to 19%. Nationally, it stood at 20% at the 2021 Census and 18% in the 2021-22 English Housing Survey.

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%<sup>1</sup>. 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. 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 and operate until March 2024.

After five years of operation, the first scheme was reviewed and evidence showed Selective Licensing should be continued in the four LSOAs and introduced in a further two. Selective Licensing therefore currently operates across 10 LSOAs.

To 2022, just under 2,400 licence applications have been granted for the 2019-24 and 2020-25 schemes. Informal action on non-compliance with licenses were issued on around 170 properties and improvement notices issued on 33 properties. Property inspections ramped up in 2022 following a reduced service in 2020-21 due to the COVID-19 pandemic and these figures will increase when next reported later in 2023.

The second scheme (2019-24) 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

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<sup>1</sup> English Housing Survey 2021 to 2022: headline report, Department for Levelling Up, Housing & Communities, December 2022



- 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

### Benefits to Wirral Council

- Increased supply of good quality homes
- Landlords who have not responded to previous voluntary measures (such as Wirral's former 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 2021-22 English Housing Survey Headline Report released in December 2022 stated the national average was 18%.

Each of the indicators shown in Figure 1.1 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 slightly from that used in the 2015, 2017 and 2019 Selective Licensing scheme's Supporting Evidence and Rationale 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.

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



**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

2 points	
<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> </ul>	<ul style="list-style-type: none"> <li>Housing Health &amp; Safety Rating System (HHSRS) Category 1 hazards (%) &amp; interventions</li> <li>Deliberately started fires</li> <li>Energy Performance Certificates (EPCs)</li> <li>Environmental Health Complaints</li> </ul>
1 point	
<ul style="list-style-type: none"> <li>Housing Benefit rates</li> <li>Criminal damage</li> <li>Educational Attainment (KS4)</li> <li>Workless benefits (combination)</li> </ul>	<ul style="list-style-type: none"> <li>Deprivation (overall 2019 IMD)</li> <li>Deprivation (Living domain 2019 IMD)</li> <li>Injuries (sustained in the home)</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 (using the 2021 Census information on Tenure). The ten LSOAs with the highest concentrations are shown in the table below.

**Table 2.1:** Ten LSOAs with highest proportion (%) of privately rented properties in Wirral (2021)

LSOA code	LSOA Name	Ward	% private rented	No. private rented
E01007130	Tranmere North	Birkenhead & Tranmere	48.5%	348
E01007244	Oxton East	Oxton	44.0%	414
E01007296	Tranmere Well Lane	Rock Ferry	42.8%	361
E01007240	Oxton North	Oxton	42.0%	376
E01007275	Egremont South	Seacombe	41.8%	269
E01007217	Liscard Central	Liscard	41.4%	351
E01007179	Egerton North	Prenton	41.4%	270
E01007294	Tranmere Parklands	Birkenhead & Tranmere	41.1%	279
E01007218	Egremont North	Liscard	40.7%	277
E01007155	Birkenhead Park East	Claughton	40.7%	403
<b>Wirral average</b>			<b>18.9%</b>	<b>130</b>

Source: Census, 2021

As the table shows, 18.9% of housing stock in Wirral is privately rented (Census 2021), with an average per LSOA of 130 privately rented properties per LSOA. All of the LSOAs shown here however, have rates of privately rented properties which are more than double this figure. In the LSOA with the highest proportion of privately rented properties, the figure is almost half of all properties (48.5% of all properties in Tranmere North).

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

The 2015 Government guidance on Selective Licensing recommended 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 defined as those which have been empty for longer than 6 months. The data presented here is a snapshot as of October 2022 and refers to privately owned empty property only. It shows that although *overall* Wirral has a low proportion of long term empty homes – just 0.9% of stock (which are privately owned), there are still many LSOAs with a much higher proportion of long term empties than the Borough average. For example, in Seacombe St. Pauls LSOA, the proportion of private stock which was long term empty was more than 10 times the Wirral average (9.9% versus 0.9% in Wirral overall).

Wirral's average long term vacant privately owned property rate (of 0.9% of all privately owned stock) has decreased compared to previous analysis conducted (from 1.5% in 2019, 1.7% in 2017 and 1.6% in 2014). 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 to 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 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 October 2022.

**Table 3.1:** Ten LSOAs with highest percentage of long-term empty properties in Wirral (2022)

LSOA code	LSOA Name	Ward	Proportion (%) empty*
E01007273	Seacombe St Pauls	Seacombe	9.9%
E01007138	New Ferry East	Bromborough	9.4%
E01007123	Bidston St James West	Bidston & St James	7.7%
E01007155	Birkenhead Park East	Claughton	6.9%
E01007129	Birkenhead South	Birkenhead & Tranmere	6.0%
E01007215	Egremont Promenade South	Liscard	5.2%
E01007179	Egerton North	Liscard	5.0%
E01007278	Seacombe Library	Seacombe	4.9%
E01007237	New Brighton North	New Brighton	4.5%
E01007127	Birkenhead West	Birkenhead & Tranmere	4.3%
<b>Wirral average (private stock only)</b>			<b>0.9%</b>

**Source:** Wirral Council Tax data, Wirral Council Housing Services, 2022

**Note:** Only those LSOAs where the proportion of private rented accommodation is in excess of 20% of all housing stock were included, as per governmental guidance on areas appropriate for Selective Licensing Schemes. Proportion refers to the percentage of privately owned stock empty for >6months.

## 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 October 2022) are shown in Table 3.2 below 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 October 2022

LSOA Code	LSOA Name	Ward	Total days empty
E01007129	Birkenhead South	Birkenhead & Tranmere	31,433
E01007138	New Ferry East	Bromborough	28,769
E01007155	Birkenhead Park East	Claughton	24,470
E01007278	Seacombe Library	Seacombe	20,995
E01007130	Tranmere North	Birkenhead & Tranmere	20,749
E01007198	West Kirby Central	Hoyle & Meols	18,824
E01007215	Egremont Promenade South	Liscard	18,696
E01007273	Seacombe St Pauls	Seacombe	17,757
E01007291	Tranmere Lairds	Birkenhead and Tranmere	17,392
E01007141	Port Sunlight North	Bromborough	16,107
<b>Wirral LSOA Average</b>			<b>2,684</b>

**Source:** Wirral Council Tax data, Wirral Council Housing Services, 2022

**Note:** Only those LSOAs where the proportion of private rented accommodation is in excess of 20% of all housing stock were included, as per governmental guidance on areas appropriate for Selective Licensing Schemes

## House sales

The data in Table 3.3 below shows the total number of house sales per LSOA, and the ratio of sales compared to the total amount of private housing stock in that LSOA (higher ratios indicates low demand/turnover, as it is a measure of the number of sales per unit of private housing). This data is for the period 1 September 2020 to 31 October 2022. The ten LSOAs with the highest ratio of sales compared to the total number of private housing stock are shown in the table below and were entered onto the overall matrix (see end).

**Table 3.3:** LSOAs with the highest ratio of house sales as a proportion of private housing stock (2020-22)

LSOA code	LSOA Name	Ward	Sales	Ratio
E01007295	Tranmere Urban Village	Rock Ferry	26	20.7
E01007231	New Brighton Central	New Brighton	44	16.1
E01007144	Clatterbridge West	Clatterbridge	39	13.9
E01007139	New Ferry West	Bromborough	44	13.9
E01007219	Egremont West	Liscard	43	13.6
E01007290	Tranmere Esplanade	Rock Ferry	43	13.2
E01007218	Egremont North	Liscard	48	13.1
E01007234	Magazine Promenade	New Brighton	49	13.1
E01007156	Birkenhead Park West	Claughton	47	12.9
E01007129	Birkenhead South	Birkenhead & Tranmere	38	12.8
<b>Wirral average</b>			<b>112</b>	<b>10.8</b>

**Source:** HM Land Registry, 2022

There were a total of 23,234 house sales in Wirral between September 2020 and October 2022, an average of 112 sales per LSOA over this period. As the table shows, all of the LSOAs in the table, had fewer than half that number. They also had much higher ratios of sales to private housing stock. So for example, in Wirral overall, in this period, there was 1 sale for every 10.8 units of private housing stock. In the first LSOAs in the table however, sales were more infrequent than this, with just 1 sale for every 20.7 units of private rented stock, indicating lower demand and turnover in the areas in the table compared to Wirral overall. In the LSOAs with the highest level of demand/turnover for example, there was 1 sale for every 5.6 units of private housing in those area.

## House prices

The average house price in Wirral between 2020 and 2022 (2 years pooled) was £225,957 (median value £196,087), but this figure hides large variations between Wirral LSOAs. For example, the average price in Caldy South was £1,031,532.26 – which was 15 times higher than prices in Lower Tranmere. The ten LSOAs with the lowest average sale prices in Wirral between 2020 and 2022 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 between 2020 and 2022 (2 years pooled)

LSOA code	LSOA Name	Ward	Average house price
E01007293	Lower Tranmere	Rock Ferry	£66,360.29
E01007273	Seacombe St Pauls	Seacombe	£80,148.11
E01007291	Tranmere Lairds	Birkenhead and Tranmere	£85,969.09
E01007270	Poulton South	Seacombe	£91,973.13
E01007130	Tranmere North	Birkenhead and Tranmere	£92,482.69
E01007272	Seacombe West	Seacombe	£94,666.65
E01007294	Tranmere Parklands	Birkenhead and Tranmere	£94,811.13
E01007269	Seacombe Docks	Seacombe	£95,006.71
E01007127	Birkenhead West	Birkenhead and Tranmere	£96,665.38
E01007271	Poulton East	Seacombe	£97,026.58
<b>Wirral LSOA (average)</b>			<b>£225,957</b>

Source: HM Land Registry, 2022

## Deliberately Set Waste Fires

Deliberately set 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 were a total of 492 deliberately started fires between January 2021 and December 2022. This is an average of 2.3 per LSOA in Wirral, but as the table shows, the top LSOAs have more than ten times this number, with the highest LSOA having almost 12 times the Wirral average.

**Table 3.5:** Number of deliberately set reported fires by LSOA in Wirral, 2021-22 (2 calendar years): top 10 LSOAs

LSOAs	LSOA Name	Ward	Number (both years)
E01007291	Tranmere Lairds	Birkenhead and Tranmere	27
E01007126	Hamilton Square	Birkenhead & Tranmere	24
E01007275	Egremont South	Seacombe	21
E01007293	Lower Tranmere	Rock Ferry	16
E01007123	Bidston St James West	Bidston & St James	13
E01007128	Birkenhead Central	Birkenhead & Tranmere	13
E01007270	Poulton South	Seacombe	13
E01007139	New Ferry West	Bromborough	12
E01007292	Higher Tranmere	Birkenhead and Tranmere	12
E01007295	Tranmere Urban Village	Rock Ferry	11
<b>Wirral average per LSOA</b>			<b>2.3</b>
<b>Wirral Total</b>			<b>492</b>

Source: Business Intelligence, Merseyside Fire & Rescue, 2023

## 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, odour, domestic bonfires and noise. The data analysed comprised 2 full years worth of complaints data from 01/08/2020 to 31/07/2022.

**Table 3.6:** LSOAs with the highest ratio of environmental health complaints per number privately owned properties (proportion of complaints to privately rented properties), 01/08/2020 to 31/07/2022

LSOA code	LSOA Name	Ward	No. of complaints	Ratio of complaints per property
E01007277	Town Hall	Seacombe	149	1.5
E01007126	Hamilton Square	Birkenhead & Tranmere	188	2.1
E01007198	West Kirby Central	Hoylake & Meols	97	2.4
E01007143	Bromborough North	Bromborough	54	3.0
E01007123	Bidston St James West	Bidston & St James	54	3.1
E01007215	Egremont Promenade South	Liscard	92	3.2
E01007139	New Ferry West	Bromborough	67	3.3
E01007129	Birkenhead South	Claughton	78	3.3
E01007185	Heswall East	Heswall	45	3.4
E01007214	Liscard Mill Lane	Liscard	51	3.4
<b>Wirral average per LSOA</b>			<b>27</b>	<b>5.8</b>

**Source:** Wirral Council, Housing Services, 2022

**Note:** Includes multiple complaints against the same property over the time period in some instances. Denominator is number of private rented properties in the LSOA only.

The ratio of complaints per private rented units takes into account the amount of private rented accommodation in the LSOA, so allowing for differences in the housing composition, a true comparison is possible. As Table 3.6 shows, the average number of complaints per Wirral LSOA between 01/08/2020 and 31/07/2022, was 27 and the average ratio was 5.8. The ratio means that in Wirral, on average, there was 1 complaint for every 5.8 privately rented properties. In the worst LSOA in Wirral (Town Hall, Seacombe), there was one complaint for every 1.5 (privately rented) properties in that LSOA.

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

The Building Research Establishment has 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 4.1:** 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

## Housing with an EPC rating of E, F or G

Energy Performance Certificates (EPCs) are required whenever a property is rented or sold. An EPC rates a property from Band A (lowest energy consumption) to Band G (highest energy consumption). Not all properties have EPCs and so in order to obtain a better understanding of the performance of the entire housing stock within the Wirral Council area, Wirral's Zero Carbon Taskforce commissioned the Energy Saving Trust's Home Analytics to provide modelled data for those properties without EPCs.

Properties in Bands E to G are the worst performing in terms of energy efficiency and are often targeted for financial assistance in government funding streams above properties in other EPC Bands. They can also indicate a higher likelihood of the presence of a Category 1 hazard for Excess Cold.

**Table 4.2:** LSOAs with the highest proportion of privately rented housing classified as E, F or G, as of April 2020

LSOA code	LSOA Name	Ward	Percentage (%)
E01007234	Magazine Promenade	New Brighton	71.5%
E01007129	Birkenhead South	Birkenhead & Tranmere	59.3%
E01007141	Port Sunlight North	Bromborough	56.4%
E01007144	Clatterbridge West	Clatterbridge	47.9%
E01007231	New Brighton Central	New Brighton	47.1%
E01007215	Egremont Promenade South	Liscard	38.3%
E01007198	West Kirby Central	Hoyle & Meols	35.8%
E01007282	West Kirby South	West Kirby & Thurstaston	34.3%
E01007272	Seacombe West	Seacombe	33.8%
E01007218	Egremont North	Liscard	31.0%
<b>Wirral average</b>			<b>22.4%</b>

Source: Energy Saving Trust Home Analytics, 2020

Note: Includes only those LSOAs where the proportion of private rented accommodation is in excess of 20% of all housing stock

As the table above shows, the average proportion of privately rented housing stock in Wirral, which has an EPC of E, F or G in 2020 was just under 1 in 4, at 22.4%. All of the LSOAs highlighted in the table above however, have proportions which are considerably higher than this, with one in particular having rates which are almost 3 times higher than the Wirral average (Magazine Promenade).

## Section 5: Supporting indicators

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 (2019)

The Index of Multiple Deprivation 2019 (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). 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.

**Table 5.1:** Ten LSOAs with most acute levels of deprivation according to the *overall* IMD (2019)

LSOA	LSOA Name	Ward	IMD Rank*
E01007127	Birkenhead West	Birkenhead & Tranmere	26
E01007128	Birkenhead Central	Birkenhead & Tranmere	80
E01007129	Birkenhead South	Claughton	84
E01007273	Seacombe St Pauls	Seacombe	95
E01007126	Hamilton Square	Birkenhead & Tranmere	200
E01007220	Egremont Central	Liscard	215
E01007123	Bidston St James West	Bidston and St James	233
E01007278	Seacombe Library	Seacombe	273
E01007292	Higher Tranmere	Birkenhead & Tranmere	444
E01007291	Tranmere Lairds	Birkenhead & Tranmere	456

**Note:** LSOAs are ranked from 1 - most deprived to 32,844 being the least deprived (in England)

As the table shows, Wirral had some of the most deprived LSOAs in England, with 8 out of the 10 shown in the table above ranking among the 1% most deprived of areas in England. A rank of 26 means that Birkenhead West, is the 26<sup>th</sup> most deprived LSOA in England.

### Living Environment deprivation (2019)

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 Table 5.2 below for information on where the most areas of most acute need in Wirral are according to this measure.

**Table 5.2:** Ten LSOAs with most acute needs according to the IMD (2019) Living Environment domain

LSOA	LSOA Name	Ward	IMD Living Domain Rank
E01007217	Liscard Central	Liscard	582
E01007278	Seacombe Library	Seacombe	718
E01007216	Liscard South	Liscard	787
E01007129	Birkenhead South	Claughton	985
E01007276	Poultton North	Seacombe	1,006
E01007275	Egremont South	Seacombe	1,044
E01007234	Magazine Promenade	New Brighton	1,101
E01007277	Town Hall	Seacombe	1,443
E01007127	Birkenhead West	Birkenhead and Tranmere	1,605
E01007130	Tranmere North	Birkenhead and Tranmere	1,639

**Note:** LSOAs are ranked from 1 - most deprived on living environment domain, to 32,844 being the least deprived

As Table 5.2 above shows, all of the LSOAs which were the top 10 most deprived in Wirral (on the living environment domain), are in the most deprived 5% of areas nationally, as their ranking shows.

## Housing benefits

As Selective Licensing aims to tackle properties which are privately rented and in poor condition, rates of Housing Benefit claimants (renting privately) is likely to be an important indicator of where problems may be most acute. Housing Benefit data for this indicator is sourced from the DWPs own data tool (Stat-Xplore) and is a snapshot as of February 2022.

**Table 5.3:** Wirral LSOAs with the highest proportion private rented households claiming Housing Benefit, February 2022

LSOA	LSOA name	Ward	% Households
E01007128	Birkenhead Central	Birkenhead and Tranmere	37.6%
E01007293	Lower Tranmere	Rock Ferry	36.4%
E01007129	Birkenhead South	Claughton	29.7%
E01007127	Birkenhead West	Birkenhead and Tranmere	29.5%
E01007215	Egremont Promenade South	Liscard	29.0%
E01007155	Birkenhead Park East	Claughton	27.6%
E01007290	Tranmere Esplanade	Rock Ferry	26.8%
E01007292	Higher Tranmere	Birkenhead and Tranmere	26.7%
E01007238	Victoria Parade	New Brighton	26.7%
E01007291	Tranmere Laids	Birkenhead and Tranmere	25.8%
<b>Wirral Average</b>			<b>10.6%</b>

**Source:** Department for Work & Pensions (DWP) Stat-Xplore tool, December 2022

The ten LSOAs with the highest percentage of housing benefit claimants (renting privately) are shown in the table above. As the table shows, all of the LSOAs shown had rates that were more than double the Wirral average of 10.6%, whilst in the LSOA with the highest rates (Birkenhead Central, in Birkenhead & Tranmere Ward), more than one in three households in the LSOA (37.6%) claimed Housing Benefit. These ten LSOAs were the areas entered into the overall matrix.

## Out of work benefits (combination)

Those receiving out of work benefits are particularly vulnerable to poor housing conditions. The ten LSOA's with the highest proportions of people of working age in receipt of any combination of out of work benefits (see Note below table for specific benefits included) are shown Table 5.4 below (and have been entered onto the overall Matrix in Section 14). As the table shows, all of the LSOAs listed have more than double the proportion of residents on any of the out of work benefits included compared to Wirral overall (which at 17.0%, is already higher than the England rate of 12.6% on any form of out of work benefit).

**Table 5.4:** Wirral LSOAs with the highest percentage of Out of Work (combined), as of May 2022

LSOA	LSOA name	Ward	% LSOA population*
E01007273	Seacombe St Pauls	Seacombe	46.3%
E01007293	Lower Tranmere	Rock Ferry	45.8%
E01007129	Birkenhead South	Birkenhead & Tranmere	45.7%
E01007128	Birkenhead Central	Birkenhead & Tranmere	45.2%
E01007127	Birkenhead West	Birkenhead & Tranmere	42.1%
E01007220	Egremont Central	Liscard	37.4%
E01007131	West Tranmere	Birkenhead & Tranmere	37.3%
E01007296	Tranmere Well Lane	Rock Ferry	36.5%
E01007291	Tranmere Lairds	Birkenhead & Tranmere	34.9%
E01007290	Tranmere Esplanade	Rock Ferry	34.7%
<b>Wirral average</b>			<b>17.0%</b>

**Source:** Local Insight, January 2023.

**Note:** Indicator name: Claiming out of work benefits (Benefit Combinations). Out of work benefits included in this combined benefits indicator are defined as being on at least one of the following benefits: Jobseekers Allowance (JSA), Employment and Support Allowance (ESA), Incapacity Benefit (IB), Severe Disablement Allowance (SDA), Income Support (IS) where Carers Allowance (CA) not also in payment, Pension Credit (PC) where Carers Allowance (CA) and Universal Credit (UC) conditionality regime is one of Searching for Work, Preparing for Work or Planning for Work. The categories of this field are mutually exclusive and therefore can be summed without double counting. Claimants may or may not be additionally in receipt of other benefits not listed here. Rates were calculated as = (Benefit Combinations (Out of Work))/(Total population aged 16-64)\*100. Numbers rounded to nearest 10.

## 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 2021-22 (April 2021 to March 2022).

**Table 5.6:** Rate of reported criminal damage and arson by LSOA in Wirral in 2021-22: top 10 LSOAs (rate per 1,000 population)

LSOAs	LSOA Name	Ward	Rate (per 1,000) 2018-19
E01007128	Birkenhead Central	Birkenhead & Tranmere	54.8
E01007126	Hamilton Square	Birkenhead & Tranmere	45.7
E01007273	Seacombe St Pauls	Seacombe	38.3
E01007127	Birkenhead West	Birkenhead & Tranmere	35.1
E01007238	Victoria Parade	New Brighton	32.6
E01007123	Bidston St James West	Bidston & St James	31.8
E01007293	Lower Tranmere	Rock Ferry	29.0
E01007218	Egremont North	Liscard	27.7

E01007291	Tranmere Lairds	Birkenhead and Tranmere	25.2
E01007292	Higher Tranmere	Birkenhead and Tranmere	25.2
<b>Wirral Average</b>			<b>10.5</b>

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

All of the ten LSOAs in the table have rates of criminal damage which are more than double the Wirral average of 10.5 per 1,000 – and one, Birkenhead Central, has a rate which is more than five 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 (2020/21 to 2021/22) and the table shows the ten LSOAs with the highest rates of home injuries in Wirral (which also met the minimum threshold for Selective Licensing of 20% or more of housing stock being private rented).

**Table 5.7:** Rate of A&E attendances for home injuries by LSOA, 2020/21 to 2021/22 (2 pooled years)

LSOA	LSOA name	Ward	No. home injuries	Rate per 1,000
E01007293	Lower Tranmere	Rock Ferry	138	31.0
E01007291	Tranmere Lairds	Birkenhead & Tranmere	150	28.6
E01007290	Tranmere Esplanade	Rock Ferry	157	27.0
E01007155	Birkenhead Park East	Claughton	135	26.9
E01007295	Tranmere Urban Village	Rock Ferry	124	26.6
E01007292	Higher Tranmere	Birkenhead & Tranmere	125	26.2
E01007175	Egerton Park	Rock Ferry	138	25.3
E01007257	Woodchurch North	Upton	103	25.0
E01007128	Birkenhead Central	Birkenhead & Tranmere	127	24.9
E01007126	Hamilton Square	Birkenhead & Tranmere	154	24.7
	<b>Wirral average (per LSOA)</b>		<b>86</b>	<b>18.2</b>

Source: TIIG ([Trauma, Injury & Intelligence Group](#)), 2022

## Section 6: Matrix

All of the criteria examined in this briefing are shown in Table 6.1 below and indicate (via highest scores), those areas which are the most suitable locations for Selective Licensing in Wirral.

**Table 6.1:** Highest scoring LSOAs in Wirral (indicating low demand and poor condition)

LSOA code	LSOA name	Ward	Constituency	1 point							2 points							Total		
				Injuries (occurring at home)	Deprivation (living)	Deprivation (overall)	Educational attainment (KS4)	Workless benefits (combination)	Housing Benefit	Criminal damage	Environmental Health complaints	HHSRS Cat 1	EPC rating of E,F or G	Deliberate fires	House sales	House prices	Long-term empty property		Time property spent empty	Private rented property (%)
E01007129	Birkenhead South	Birkenhead & Tranmere	Birkenhead		1	1		1	1		2		2		2					12
E01007127	Birkenhead West	Birkenhead & Tranmere	Birkenhead		1	1	1	1	1	1	2				2	2				12
E01007291	Tranmere Lairds	Birkenhead and Tranmere	Birkenhead	1		1		1	1	1			2			2		2		11
E01007273	Seacombe St Pauls	Seacombe	Wallasey			1	1	1		1						2	2	2		10
E01007215	Egremont Promenade South	Liscard	Wallasey						1		2		2				2	2		9
E01007278	Seacombe Library	Seacombe	Wallasey		1	1	1				2						2	2		9
E01007123	Bidston St James West	Bidston & St James	Birkenhead			1	1			1	2			2				2		9
E01007218	Egremont North	Liscard	Wallasey							1		2	2		2				2	9
E01007126	Hamilton Square	Birkenhead & Tranmere	Birkenhead	1		1	1			1	2			2						8
E01007179	Egerton North	Prenton	Birkenhead									2					2	2	2	8
E01007155	Birkenhead Park East	Clughton	Birkenhead	1						1							2	2	2	8
E01007293	Lower Tranmere	Rock Ferry	Birkenhead	1					1	1				2		2				8
E01007128	Birkenhead Central	Birkenhead & Tranmere	Birkenhead	1		1		1	1	1				2						7
E01007275	Egremont South	Seacombe	Wallasey		1							2		2					2	7
E01007292	Higher Tranmere	Birkenhead and Tranmere	Birkenhead	1		1	1			1	1			2						7
E01007130	Tranmere North	Birkenhead & Tranmere	Birkenhead		1											2		2	2	7
E01007234	Magazine Promenade	New Brighton	Wallasey		1								2	2						7
E01007139	New Ferry West	Bromborough	Wirral South								2			2	2					6
E01007198	West Kirby Central	Hoylake & Meols	Wirral West								2		2					2		6
E01007141	Port Sunlight North	Bromborough	Wirral South								2	2						2		6
E01007295	Tranmere Urban Village	Rock Ferry	Birkenhead	1										2	2					5
E01007290	Tranmere Esplanade	Rock Ferry	Birkenhead	1					1	1					2					5
E01007294	Tranmere Parklands	Birkenhead and Tranmere	Birkenhead				1									2			2	5
E01007217	Liscard Central	Liscard	Wallasey		1							2							2	5
E01007138	New Ferry East	Bromborough	Wirral South														2	2		4
E01007270	Poulton South	Seacombe	Wallasey											2		2				4
E01007144	Clatterbridge West	Clatterbridge	Wirral South										2		2					4
E01007231	New Brighton Central	New Brighton	Wallasey										2		2					4
E01007272	Seacombe West	Seacombe	Wallasey										2			2				4
E01007219	Egremont West	Liscard	Wallasey								2			2						4
E01007277	Town Hall	Seacombe	Wallasey		1						2									3
E01007296	Tranmere Well Lane	Rock Ferry	Birkenhead					1											2	3
E01007238	Victoria Parade	New Brighton	Wallasey				1		1	1										3
E01007269	Seacombe Docks	Seacombe	Wallasey				1									2				3
E01007216	Liscard South	Liscard	Wallasey		1							2								3
E01007220	Egremont Central	Liscard	Wallasey			1		1												2
E01007240	Oxton North	Oxton	Birkenhead																2	2
E01007244	Oxton East	Oxton	Birkenhead																2	2
E01007237	New Brighton North	New Brighton	Wallasey														2			2
E01007156	Birkenhead Park West	Clughton	Birkenhead												2					2
E01007271	Poulton East	Seacombe	Wallasey													2				2
E01007143	Bromborough North	Bromborough	Wirral South								2									2
E01007185	Heswall East	Heswall	Wirral South								2									2
E01007214	Liscard Mill Lane	Liscard	Wallasey								2									2
E01007282	West Kirby South	West Kirby & Thurstaston	Wirral West										2							2
E01032903	Birkenhead North	Bidston and St James	Birkenhead				1													1
E01007276	Poulton North	Seacombe	Wallasey		1															1
E01007131	West Tranmere	Birkenhead & Tranmere	Birkenhead					1												1
E01007175	Egerton Park	Rock Ferry	Birkenhead	1																1
E01007257	Woodchurch North	Upton	Wirral West	1																1

**Note:** LSOAs highlighted yellow in the table denote the six LSOAs which were the most recently designated areas of selective licensing. Those in blue are the four LSOAs in which Selective Licensing is currently due to end in 2024.

The recommendation is therefore that excluding the current 6 LSOAs which are already areas of Selective Licensing (in yellow), the top 4 LSOAs should be selected. The top 4 includes 2 areas which ARE current Selective Licensing areas (but which are due to end in 2024 – these are Birkenhead West and Seacombe St. Pauls) plus 2 areas which are NOT currently areas of Selective Licensing – these are Bidston St. James West and Egremont North.



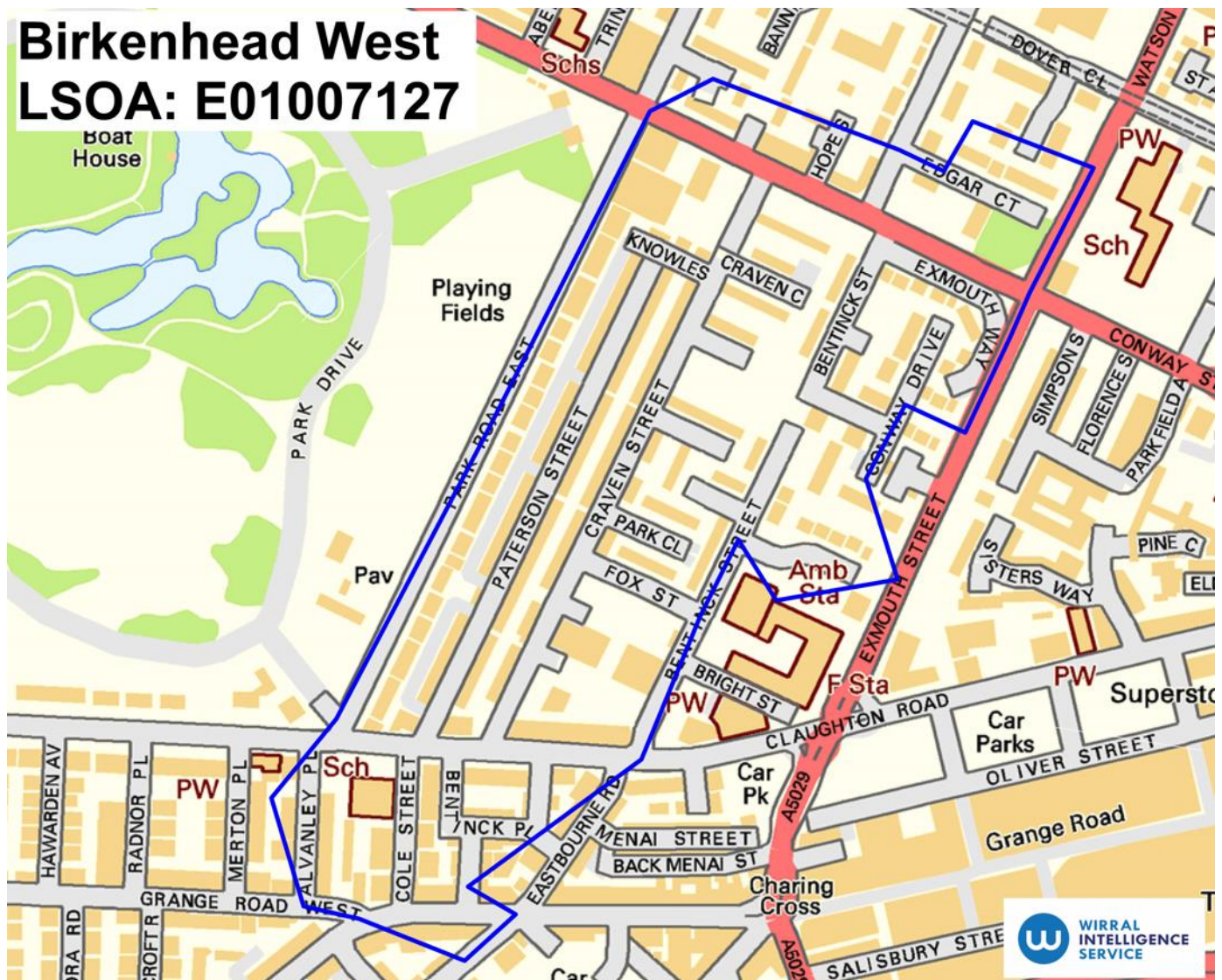
## Section 7: Conclusions & Maps

As **Table 6.1** shows, excluding the 6 LSOAs marked in yellow (selective licensing areas not currently due for review), there are a further 4 LSOAs which are either:

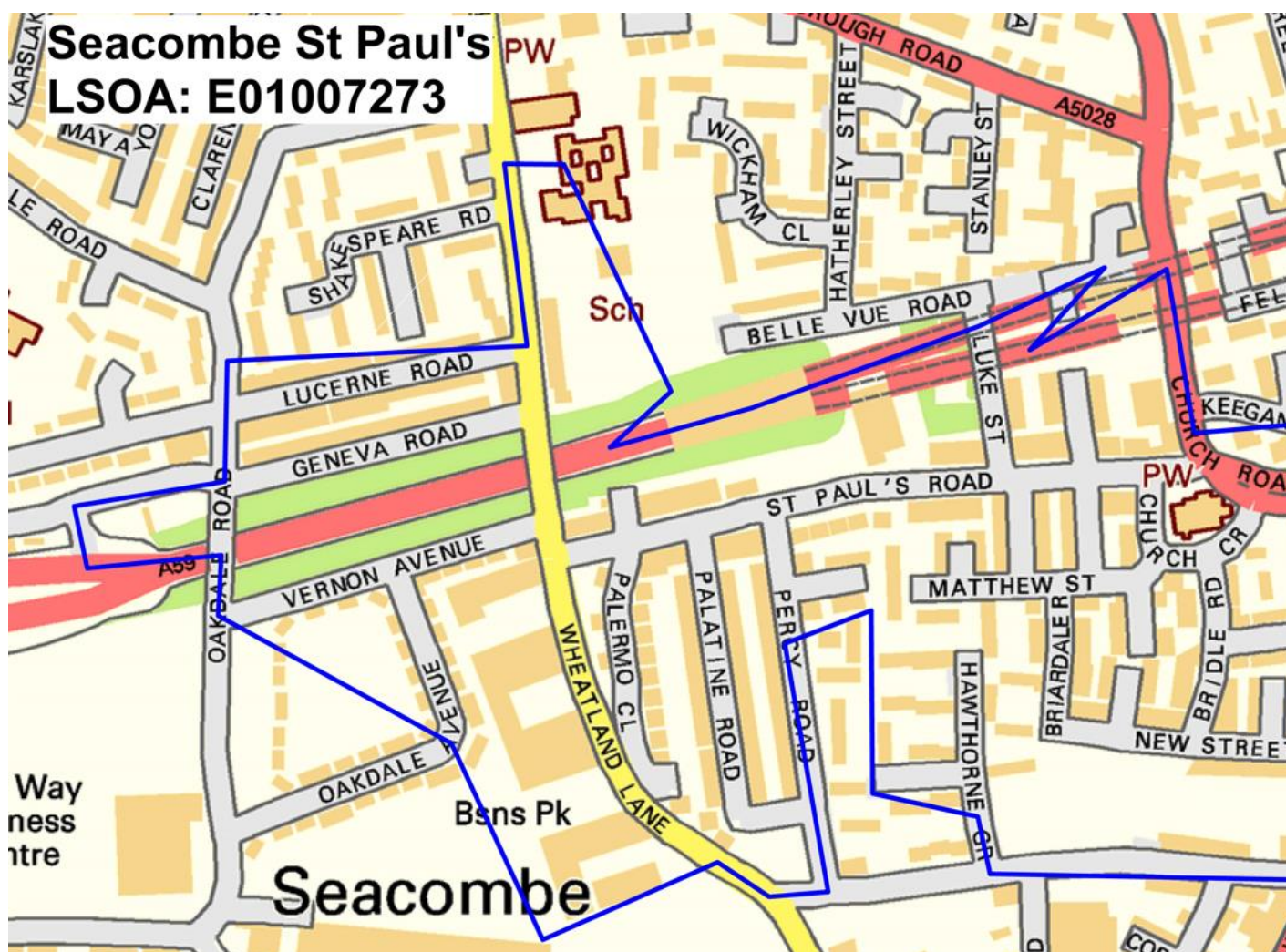
- a) Areas of selective licensing (first wave) now coming up for review (n=2, Birkenhead West and Seacombe St. Pauls)
- b) New LSOAs which have never before been areas of selective licensing (n=2, Bidston St. James West and Egremont North)

These 4 LSOAs are shown in further detail in the following maps 7.1 to 7.4.

**Map 7.1:** Birkenhead West Lower Super Output Area (E01007127)

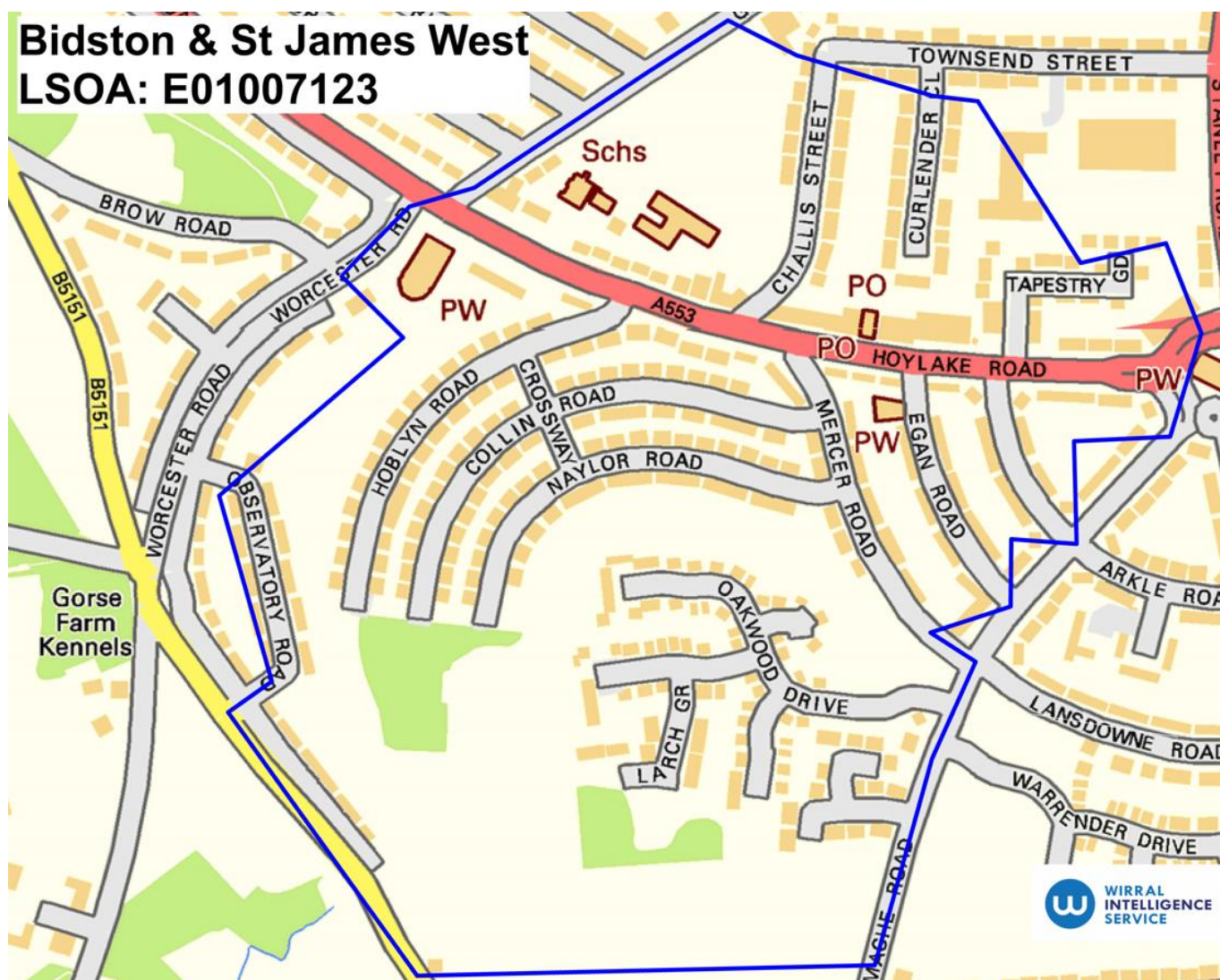


**Map 7.2:** Seacombe St. Pauls Lower Super Output Area (E01007273)



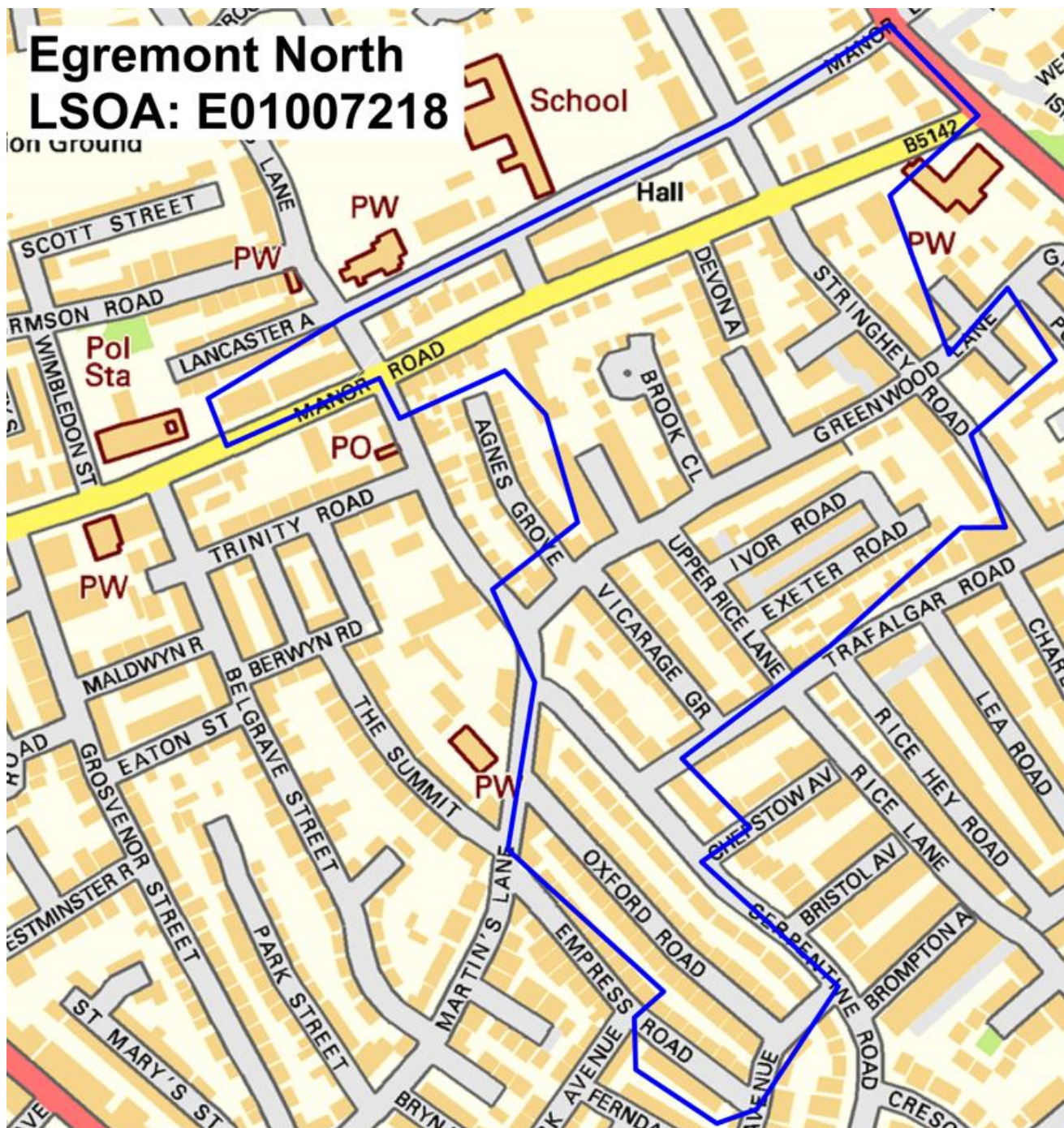


**Map 7.3:** Bidston St. James West Lower Super Output Area (E01007123)



**Map 7.4:** Egremont North Lower Super Output Area (E0107218)





## Section 8: References

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## Section 9: Glossary

### **Lower Super Output Area or LSOA:**

Small geographical areas with an average population of 1,500. There are 209 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 services, and; it provides a reasonable degree of thermal comfort.

**Category 1 and Category 2 Hazards:** 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. Category 2 hazards are less serious or less urgent. The Housing Act 2004 puts local authorities under a general duty to take appropriate action in relation to Category 1 hazards. In Wirral, 12% of private sector dwellings have Category 1 hazards, compared to 15% 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, 5% of private sector dwellings fail the repair requirements of the Decent Homes Standard, compared to 7% in the private rented sector.

## Contact details

### **For further details please contact:**

Wirral Housing Services Team:

Wirral Intelligence Service at [wirralintelligenceservice@wirral.gov.uk](mailto:wirralintelligenceservice@wirral.gov.uk)

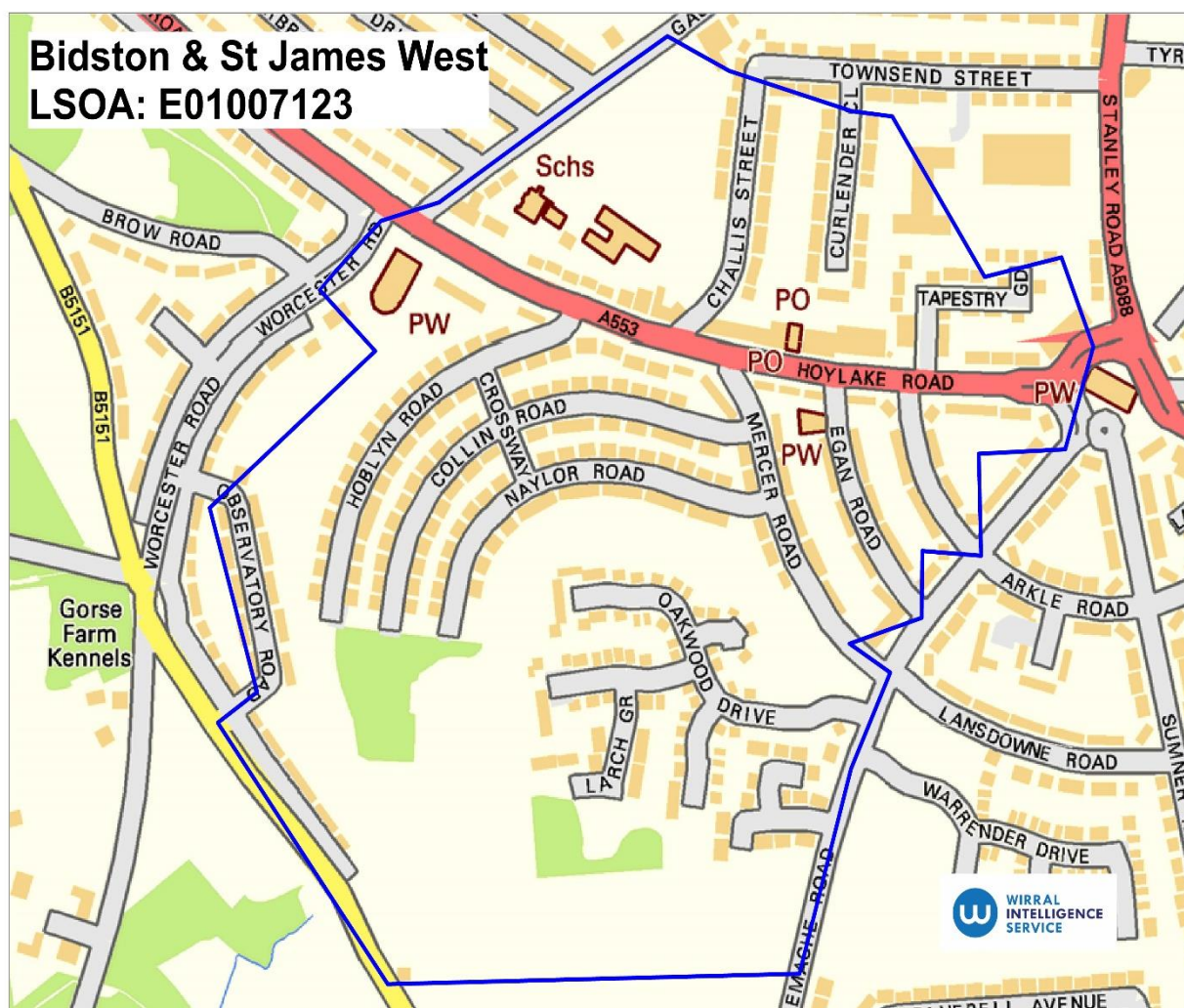
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## Appendix 2 Maps and Address List of Proposed Selective Licensing Areas

The maps below show the proposed Lower Super Output Areas (LSOAs) for Selective Licensing. The LSOA boundary is shown in blue. 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.

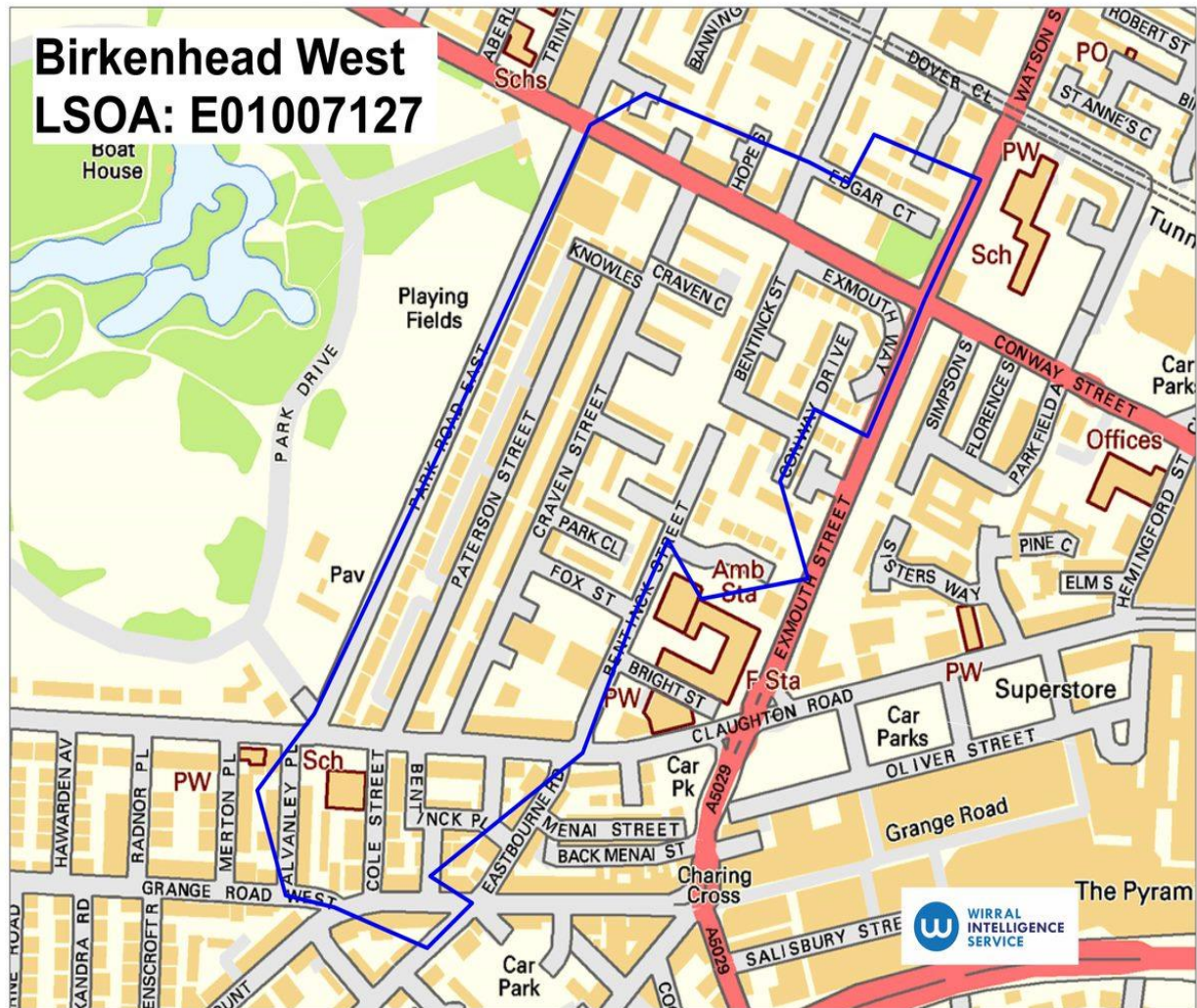
### 1. Bidston & St James (LSOA E1007123)



Property Numbers		Street	Postcode	Town
45-71	ODDS	ARKLE ROAD	CH43 7RT	PRENTON
42-60	EVENS	ARKLE ROAD	CH43 7RT	PRENTON
42-76	EVENS	BOUNDARY ROAD	CH43 7PD	PRENTON
SEXTONS COTTAGE		BOUNDARY ROAD	CH43 7PD	PRENTON
15-41	ODDS	CHALLIS STREET	CH41 7DH	BIRKENHEAD
2-50	EVENS	CHALLIS STREET	CH41 7DH	BIRKENHEAD
1-67	ODDS	COLLIN ROAD	CH43 7SR	PRENTON
2-80	EVENS	COLLIN ROAD	CH43 7SR	PRENTON
1-43	ODDS	CURLENDER CLOSE	CH41 7BN	BIRKENHEAD
2-50	EVENS	CURLENDER CLOSE	CH41 7BW	BIRKENHEAD
1-35	ODDS	EGAN ROAD	CH43 7SJ	PRENTON

2-32	EVENS	EGAN ROAD	CH43 7SJ	PRENTON
1-9	ODDS	ELMTREE GROVE	CH43 7NY	PRENTON
2-28	EVENS	ELMTREE GROVE	CH43 7NY	PRENTON
1-30	ALL	FLAYBRICK CLOSE	CH43 7NU	PRENTON
133-141	ODDS	GAUTBY ROAD	CH41 7DU	BIRKENHEAD
1-55	ODDS	HOBLYN ROAD	CH43 7ST	PRENTON
2-62	EVENS	HOBLYN ROAD	CH43 7SU	PRENTON
1-21	ODDS	HOYLAKE ROAD	CH41 7BS	BIRKENHEAD
23-41	ODDS	HOYLAKE ROAD	CH41 7BT	BIRKENHEAD
53-87	ODDS	HOYLAKE ROAD	CH41 7BU	BIRKENHEAD
2-48A	EVENS	HOYLAKE ROAD	CH41 7BX	BIRKENHEAD
56-80	EVENS	HOYLAKE ROAD	CH41 7BY	BIRKENHEAD
108-114	EVENS	HOYLAKE ROAD	CH41 7BZ	BIRKENHEAD
1-25	ODDS	LARCH GROVE	CH43 7FF	PRENTON
2-34	EVENS	LARCH GROVE	CH43 7FF	PRENTON
1-33	ODDS	MAPLEWOOD GROVE	CH43 7FE	PRENTON
2-28	EVENS	MAPLEWOOD GROVE	CH43 7FE	PRENTON
21-47	ODDS	MERCER ROAD	CH43 7SL	PRENTON
10-48	EVENS	MERCER ROAD	CH43 7SP	PRENTON
1-35	ODDS	NAYLOR ROAD	CH43 7SN	PRENTON
2-40	EVENS	NAYLOR ROAD	CH43 7SN	PRENTON
37-47	ODDS	NAYLOR ROAD	CH43 7SW	PRENTON
42-64	EVENS	NAYLOR ROAD	CH43 7SW	PRENTON
1-49	ODDS	OAKWOOD DRIVE	CH43 7NX	PRENTON
2-46	EVENS	OAKWOOD DRIVE	CH43 7NX	PRENTON
1-9	ODDS	OAKWOOD PARK	CH43 7RU	PRENTON
2-26	EVENS	OAKWOOD PARK	CH43 7RU	PRENTON
1-43	ODDS	OBSERVATORY ROAD	CH43 7QJ	PRENTON
2-36	EVENS	OBSERVATORY ROAD	CH43 7QJ	PRENTON
1-8	ALL	ROSEMARY CLOSE	CH43 7NZ	PRENTON
11-13	ODDS	ST JAMES ROAD	CH41 7BP	BIRKENHEAD
1-59	ODDS	TAPESTRY GARDENS	CH41 7BQ	BIRKENHEAD
2-24	EVENS	TAPESTRY GARDENS	CH41 7BQ	BIRKENHEAD

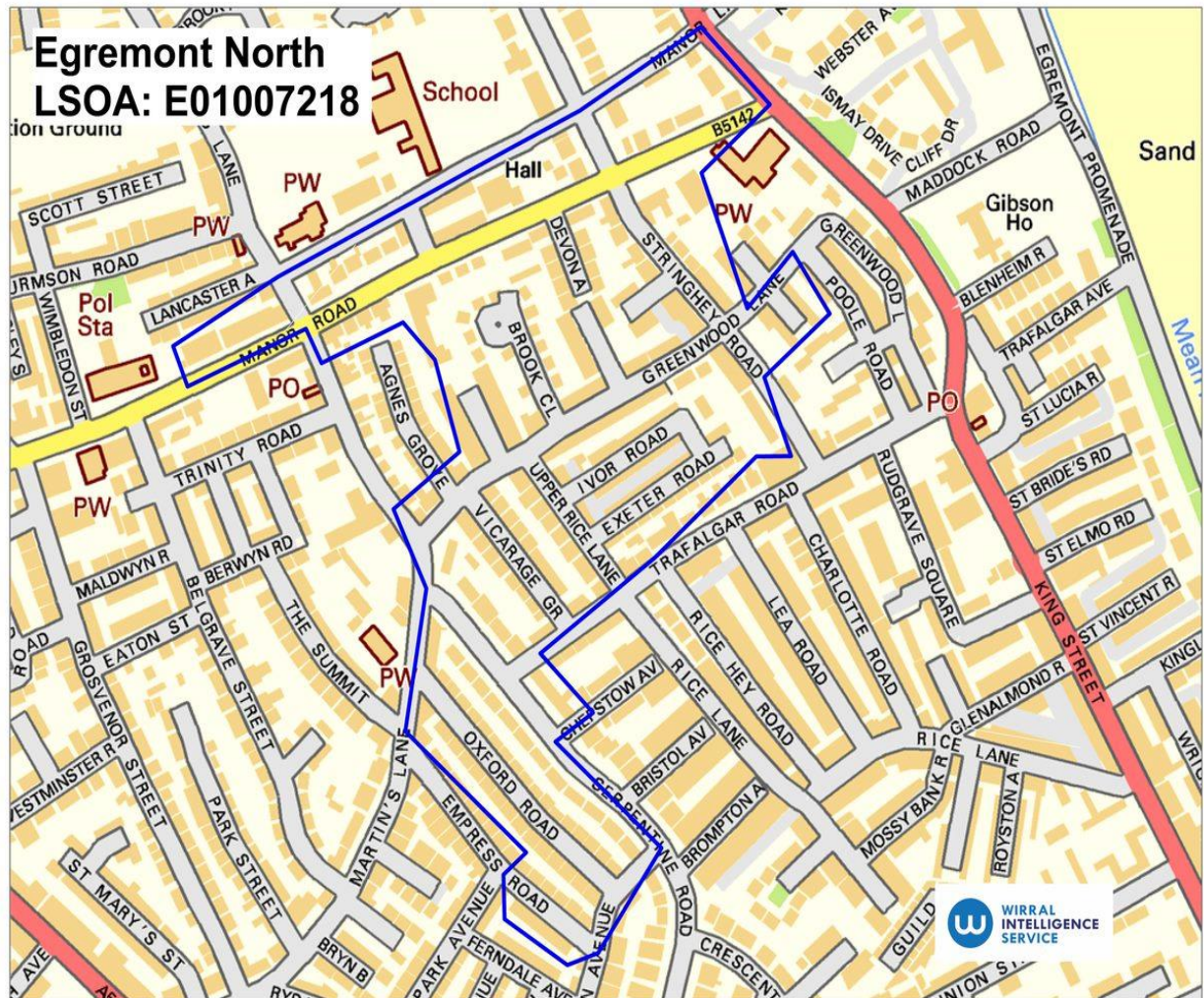
## 2. Birkenhead West (LSOA E01007127)



Property Numbers		Street	Postcode	Town
1-27	ODDS	ALVANLEY PLACE	CH43 4XA	PRENTON
4-14	EVENS	ALVANLEY PLACE	CH43 4XA	PRENTON
1-11	ODDS	BENTINCK CLOSE	CH41 4LX	BIRKENHEAD
2-8	EVENS	BENTINCK CLOSE	CH41 4LX	BIRKENHEAD
1-25	ODDS	BENTINCK PLACE	CH41 4DR	BIRKENHEAD
2-24	EVENS	BENTINCK PLACE	CH41 4DR	BIRKENHEAD
1-55	ODDS	BENTINCK STREET	CH41 4PG	BIRKENHEAD
2-134	EVENS	BENTINCK STREET	CH41 4DY	BIRKENHEAD
15-19 MCGILL COURT	ODDS	CATHCART STREET	CH41 3HY	BIRKENHEAD
14-18 MCGILL COURT	EVENS	CATHCART STREET	CH41 3HY	BIRKENHEAD
295-323	ODDS	CLAUGHTON ROAD	CH41 4DU	BIRKENHEAD
228-282	EVENS	CLAUGHTON ROAD	CH41 4DX	BIRKENHEAD
1-5	ODDS	CLAUGHTON PLACE	CH41 4DS	BIRKENHEAD
2-12	EVENS	CLAUGHTON PLACE	CH41 4DS	BIRKENHEAD
1-31	ODDS	CONWAY DRIVE	CH41 4PJ	BIRKENHEAD
2-18	EVENS	CONWAY DRIVE	CH41 4PJ	BIRKENHEAD
183-199	ODDS	CONWAY STREET	CH41 4AG	BIRKENHEAD
1-45 CONWAY POINT	ALL	CONWAY STREET	CH41 4AQ	BIRKENHEAD
260-300	EVENS	CONWAY STREET	CH41 4AH	BIRKENHEAD
1-11 MCGILL COURT	ODDS	CONWAY STREET	CH41 4FU	BIRKENHEAD
2-12 MCGILL COURT	EVENS	CONWAY STREET	CH41 4FU	BIRKENHEAD
1-17	ODDS	COLE STREET	CH43 4US	PRENTON
2-10	EVENS	COLE STREET	CH43 4US	PRENTON
75-125	ODDS	CRAVEN STREET	CH41 4BW	BIRKENHEAD
12-154	EVENS	CRAVEN STREET	CH41 4BR/4BS	BIRKENHEAD
1-11	ODDS	CRAVEN CLOSE	CH41 4NB	BIRKENHEAD
2-18	EVENS	CRAVEN CLOSE	CH41 4NB	BIRKENHEAD
1-16	ALL	EDGAR COURT	CH41 3RG	BIRKENHEAD
2-46	EVENS	EXMOUTH WAY	CH41 4LR	BIRKENHEAD
1-19	ODDS	EXMOUTH GARDENS	CH41 4LW	BIRKENHEAD
1-29	ODDS	FOX STREET	CH41 4DD	BIRKENHEAD
1-19	ODDS	GLADSTONE CLOSE	CH41 4LZ	BIRKENHEAD
41-69	ODDS	GRANGE ROAD WEST	CH41 4BZ	BIRKENHEAD
70-88	EVENS	GRANGE ROAD WEST	CH41 4XF	BIRKENHEAD
1-10	ALL	GRANGE PLACE	CH41 4DP	BIRKENHEAD
1-11A	ODDS	HILTON CLOSE	CH41 4NA	BIRKENHEAD
2-6	EVENS	KEIGHTLEY STREET	CH41 3LL	BIRKENHEAD
1-6	ALL	KNOWLES STREET	CH41 4BL	BIRKENHEAD
1-103	ODDS	PARK ROAD EAST	CH41 4BD/4BB	BIRKENHEAD
1-11A	ODDS	PARK CLOSE	CH41 4LY	BIRKENHEAD



### 3. Egremont North (LSOA E01007218)



Property Numbers		Street	Postcode	Town
1-29	ODDS	BROOK CLOSE	CH44 1DU	WALLASEY
2-24	EVENS	BROOK CLOSE	CH44 1DU	WALLASEY
1-10	ALL	CHURCHILL GROVE	CH44 1EL	WALLASEY
1-18	ALL	DEVON AVENUE	CH45 7LY	WALLASEY
1-16	ALL	EDENHURST AVENUE	CH44 1EJ	WALLASEY
1-24	ALL	EMPRESS ROAD	CH44 OAL	WALLASEY
1-45	ODDS	EXETER ROAD	CH44 1DR	WALLASEY
2-48	EVENS	EXETER ROAD	CH44 1DS	WALLASEY
1-67B	ODDS	GREENWOOD LANE	CH44 1DD	WALLASEY
69-91	ODDS	GREENWOOD LANE	CH44 1DG	WALLASEY
2-56	EVENS	GREENWOOD LANE	CH44 1DN	WALLASEY
58-94A	EVENS	GREENWOOD LANE	CH44 1DW	WALLASEY
3-41	ODDS	IVOR ROAD	CH44 1DT	WALLASEY
2-36	EVENS	IVOR ROAD	CH44 1DT	WALLASEY
2-18	EVENS	MANOR LANE	CH45 7LZ	WALLASEY
151-161A	ODDS	MANOR ROAD	CH44 0EN	WALLASEY
1-12 MANOR MANSIONS		MANOR ROAD	CH44 0EW	WALLASEY
73-99	ODDS	MANOR ROAD	CH44 1BX	WALLASEY
105-137	ODDS	MANOR ROAD	CH45 7LU	WALLASEY
102-128A	EVENS	MANOR ROAD	CH45 7LX	WALLASEY
70-90	EVENS	MARTINS LANE	CH44 1BW	WALLASEY
1-57	ODDS	OXFORD ROAD	CH44 0AR	WALLASEY
2-72	EVENS	OXFORD ROAD	CH44 0AR	WALLASEY
1-7	ODDS	PENKETT ROAD	CH45 7QE	WALLASEY
8	EVENS	PENKETT ROAD	CH45 7QE	WALLASEY
7 (APARTMENTS 1-9)		POOLEY CLOSE	CH44 0FB	WALLASEY
55-59	ODDS	SEABANK ROAD	CH45 7PA	WALLASEY
45-67A	ODDS	SERPENTINE ROAD	CH44 0AU	WALLASEY
72-96A	EVENS	SERPENTINE ROAD	CH44 0AZ	WALLASEY
1-61	ODDS	STRINGHEY ROAD	CH44 1EE	WALLASEY
12-50	EVENS	STRINGHEY ROAD	CH44 1EF	WALLASEY
78-90	EVENS	TRAFALGAR ROAD	CH44 0EH	WALLASEY
1-35	ODDS	UPPER RICE LANE	CH44 1DP	WALLASEY
14-30	EVENS	UPPER RICE LANE	CH44 1DP	WALLASEY
1-33	ODDS	VICARAGE GROVE	CH44 1DJ	WALLASEY
2-36	EVENS	VICARAGE GROVE	CH44 1DJ	WALLASEY
1-21	ODDS	WALMSLEY STREET	CH44 1DY	WALLASEY
10-22	EVENS	WALMSLEY STREET	CH44 1DY	WALLASEY
1-23	ODDS	WESLEY AVENUE	CH44 1DL	WALLASEY
2-24	EVENS	WESLEY AVENUE	CH44 1DL	WALLASEY
34 (A-J)		WITHENS LANE	CH45 7NQ	WALLASEY



#### 4. Seacombe St Paul's (LSOA E1007273)



Property Numbers		Street	Postcode	Town
1-14	ALL	ACACIA GROVE	CH44 7BH	WALLASEY
1-13	ODDS	BELLE VUE ROAD	CH44 6JX	WALLASEY
1-23	ALL	BERWICK WAY	CH44 7DR	WALLASEY
58A-64	EVENS	BIRKENHEAD RD	CH44 7BY	WALLASEY
1-23	ALL	BRIARDALE RD	CH44 7AU	WALLASEY
1-21	ALL	BRIDLE AVENUE	CH44 7BJ	WALLASEY
1-5, 31-45	ODDS	BRIDLE RD	CH44 7BG	WALLASEY
1-21 CHURCHLANDS	2	BRIDLE RD	CH44 7JS	WALLASEY
12-24	EVENS	BRIDLE RD	CH44 7BQ	WALLASEY
1-7	ALL	CHURCH CRESCENT	CH44 7AX	WALLASEY
20-40	EVENS	CHURCH RD	CH44 6JF	WALLASEY
			CH44 7BA	
65-107	ODDS	CHURCH RD	CH44 7AY	WALLASEY
2-64	EVENS	GENEVA RD	CH44 7EY	WALLASEY
2-22	EVENS	HAWTHORNE GROVE	CH44 7DP	WALLASEY
1-77	ODDS	HAWTHORNE GROVE	CH44 7DP	WALLASEY
1-20	ALL	JAMES STREET	CH44 7AT	WALLASEY
1-14	ALL	LEVER AVENUE	CH44 7BE	WALLASEY

1-51	ODDS	LUCERNE RD	CH44 7EZ	WALLASEY
4-64	EVEN	LUCERNE RD	CH44 7HA	WALLASEY
1-15	ODDS	LUKE STREET	CH44 6JP	WALLASEY
			CH44 7AG	
1-7	ALL	MATTHEW CLOSE	CH44 7LE	WALLASEY
13-35	ODDS	MATTHEW STREET	CH44 7AR	WALLASEY
1-51	ODDS	NEW STREET	CH44 7BN	WALLASEY
2-36	EVEN	NEW STREET	CH44 7BW	WALLASEY
1-13	ODDS	NORMAN ROAD	CH44 7EA	WALLASEY
2-10	EVEN	NORMAN ROAD	CH44 7EA	WALLASEY
1		NORTH WILLIAM STREET	CH44 7JL	WALLASEY
2-22	EVEN	OAKDALE AVENUE	CH44 7ET	WALLASEY
1-33	ODDS	OAKDALE AVENUE	CH44 7ET	WALLASEY
1-65	ODDS	PALATINE ROAD	CH44 7EN	WALLASEY
2-62	EVEN	PALATINE ROAD	CH44 7EW	WALLASEY
2-8	EVEN	PALERMO CLOSE	CH44 7LB	WALLASEY
1-41	ODDS	PALERMO CLOSE	CH44 7LB	WALLASEY
3-13	ODDS	PERCY ROAD	CH44 7DX	WALLASEY
2-20	EVEN	PETER STREET	CH44 7AP	WALLASEY
1-12	ALL	PRIMROSE GROVE	CH44 7AS	WALLASEY
1-11	ODDS	ST PAULS AVENUE	CH44 7BB	WALLASEY
2-6	EVEN	ST PAULS AVENUE	CH44 7BB	WALLASEY
1-33	ODDS	ST PAULS ROAD	CH44 7AH	WALLASEY
35-73A	ODDS	ST PAULS ROAD	CH44 7AJ	WALLASEY
75A-85C	ODDS	ST PAULS ROAD	CH44 7AL	WALLASEY
2-46	EVEN	ST PAULS ROAD	CH44 7AN	WALLASEY
50-110B	EVEN	ST PAULS ROAD	CH44 7AW	WALLASEY
1-29	ODDS	VERNON AVENUE	CH44 7ES	WALLASEY
1-15	ODDS	VIVIAN AVENUE	CH44 7BD	WALLASEY
2-8	EVEN	VIVIAN AVENUE	CH44 7BD	WALLASEY
55-81	ODDS	WHEATLAND LANE	CH44 7EE	WALLASEY
101-107	ODDS	WHEATLAND LANE	CH44 7LD	WALLASEY
311-335	ODDS	WHEATLAND LANE	CH44 7DF	WALLASEY
74-82	EVEN	WHEATLAND LANE	CH44 7EH	WALLASEY
90	EVEN	WHEATLAND LANE	CH44 7EJ	WALLASEY
1-14	ALL	WILLIAM STREET	CH44 7AQ	WALLASEY

# **WIRRAL COUNCIL**

## **CONSULTATION PLAN 2023**

### **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 two current areas and extend to two further areas.
- 1.2 The consultation programme will be meaningful and comprehensive, providing interested parties with detailed, accessible information on the proposal and offering 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 the Council provides, including residents, community groups, landlords, partners and staff, to assess proposals and share views so that they can be considered 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 Levelling Up, Housing and Communities has a procedural document regarding selective licensing: *Selective Licensing in the private rented sector. A guide for local authorities (published March 2015, with minor updates published June 2022).*
- 2.4 This guide stipulates that local authorities are required to conduct a full consultation when 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 DLUHC is ten weeks. If approved by Members, Wirral’s Selective Licensing proposed dates are to commence consultation on 24<sup>th</sup> July 2023 and to end on 1<sup>st</sup> October 2023.

### 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. Engagement therefore needs to commence early and continue throughout the consultation period.
- 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%20licensing) and other social media.
- Email-out to landlords and managing/letting agents.
- Engagement sessions with managing/letting agents.
- Contact residents via a Mail drop to all residents and businesses or services or door to door within the selected areas.
- 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 seldom heard 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.
- Written papers and presentations where appropriate.
- Interviews with stakeholders.

**3.5 The Council will also ensure a copy of the business case will be available on the Council's website 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 all 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 home 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 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 Economy, Regeneration and Housing Committee for approval to go out to consultation. Following this, the two Members of Parliament and fifteen Councillors representing the proposed areas and three Councillors for a Ward immediately neighbouring one of the areas 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 information on the proposals and an invitation to participate. It will be designed to encourage businesses and stakeholders to visit the website to obtain further information and complete the questionnaire online. A paper copy can be requested 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**



All known landlords, 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 them to complete the questionnaire.

The National Residential Landlords Association, the Guild of Residential Landlords 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 and Wirral 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, 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 page within the Have Your Say website where all information regarding the proposal will be posted. 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 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 included in Wirral Council's Wirral View e-newsletter to residents 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 'portfolio' 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.

### Appendix 1 – Wirral Consultation Plan methods of Consultation and Timetable

Method	Target Audience	How	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.	June 2023
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, stakeholders and businesses. Referral to full business case on website if required.	Duration of the consultation
Committee report	Committee Members	Committee report on Business Case and Consultation Plan for Approval to consult.	July 2023
E-mail/Letter Correspondence	Councillors, Leaders of Political Parties, Members of Parliament	E-mail/Letters sent detailing aspects of proposal and inviting feedback/comments.	July 2023

Registered Providers of Social Housing	Registered providers in proposed area and across Wirral	E-mail sent to all Registered Providers in Wirral who form the strategic Housing Partnership advising of the proposal and seeking views	July 2023
Landlord Working Group	Accredited Landlords and letting/managing agents	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 2023
Wirral Council staff/Teams	All staff but particular emphasis on: - Housing Benefits Community Patrol Supported Housing and Homelessness Environmental Health Strategic Planning and Development Management	E-mails sent direct to relevant staff and Project Officer, with one-to-one meetings to take place if requested and Q & A session.	July/August 2023
National and Regional Landlord Agencies	National Residential Landlord Association, Guild of Residential Landlords North West Property Owners Association	Direct letters to all associations advising of proposal and ability to complete questionnaire and invites for meetings with Council officers to discuss partnership working.	July 2023
Landlords Briefing	All known landlords	Email invitation sent to all known landlords	July/August 2023

Community Groups	Local community groups in the affected areas	Specific email sent to known community groups operating in the affected areas, attendance of meetings if required.	July to September 2023
Press release and Posters	All Wirral stakeholders	Posters to be placed in service providers i.e., doctors, local venues (cafes/pubs) Press releases to be issue to local media.	July & beg Sept 2023
Partner agencies	Eg CAB, Merseyside Fire & Rescue, WMO, Wirral Change, Merseyside Police	Direct e-mails to advise of proposal and signpost to complete questionnaires and feedback. One to one meeting to be held if requested and Q & A session.	July 2023
Website	Residents Landlords Tenants and residents across the borough Community Groups Service providers in the area	Information on Wirral's Have Your Say website with contact details Information distributed and obtained via social media	Duration of the consultation
Landlord reminder email	Landlords	Reminder sent to Landlords who have not responded as a reminder that consultation would be ending soon	August 2023
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	August & September 2023

Unknown landlords in affected areas	Landlords Landlords of neighbouring boroughs	Ask Landlord Association / Letting Agents to advise their members, including those which may not be known to the Council. Email neighbouring boroughs and ask to contact their known landlords to invite to participate in the consultation via questionnaire.	August – September 2023
Interviews with stakeholders	Landlords, residents	Telephone/MS Teams interviews with landlords where the questionnaire can be completed with comments to ensure the most people possible will complete the questionnaire. Door to door interviews with residents.	August – September 2023

## **Wirral Council**

# **Selective Licence Conditions**

**(Amended May 2023)**

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## **Selective licence conditions**

This document details the mandatory conditions which **must** 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 ensure that the electrical installation is in proper working order and safe for continued use (**guidance note 7**);
  - c) to supply the authority, on demand, with a declaration by the licence holder as to the safety of such installations (**guidance note 7**);
  - d) to keep electrical appliances and furniture made available as part of the tenancy within the dwelling in a safe condition (**guidance note 1**);
  - e) to supply the Council, on demand, with a declaration by the licence holder as to the safety of such electrical appliances and furniture;
  - f) to ensure that appropriately sited smoke alarms are installed on each storey of the dwelling and to keep them in proper working order;
  - g) to supply the Council, on demand, with a declaration by him as to the condition and positioning of such alarms;
  - h) 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 fixed combustion appliance (excluding gas cookers);
  - i) to ensure that any carbon monoxide alarm installed in the dwelling is in proper working order;
  - j) 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 another 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-new-bin](http://www.wirral.gov.uk/bins-recycling/request-new-bin);
- 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)'.

#### **Guidance note 7**

**The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020** require private landlords to ensure every electrical installation in the residential premises is inspected and tested every five years by a qualified person came into force from 1 June 2020.

The regulations apply to all new residential tenancies in the private rented sector signed on or after 1 July 2020 and to all existing residential tenancies in the private rented sector with effect from 1 April 2021

Main requirements:

- Ensure that the Electrical Safety Standards (being those in the 18th edition of the Wiring Regulations, published by the Institution of Engineering and Technology and the British Standards Institution as BS 7671: 2018) are met during any period when their property is occupied by a tenant as their main or only home.
- Ensure every electrical installation in the property is inspected and tested at least every five years by a qualified person who will provide a written report and provide the inspection/testing report to:
  - new tenants before they occupy the property
  - existing tenants within 28 days of the inspection and test
  - prospective tenants within 28 days of a request for the report
  - The Council within 7 days of receiving a written request for the report.
- Carry out any further or investigative work recommended by the report within 28 days or any lesser period specified in the report and obtain written confirmation that the work has been done to the correct standard.

Guidance on the electrical safety standards for landlords and tenants has been published by the Ministry of Housing, Communities and Local Government: <https://www.gov.uk/government/publications/electrical-safety-standards-in-the-private-rented-sector-guidance-for-landlords-tenants-and-local-authorities>

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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 landlords seeking judicial review of the decision resulting in cost implicationsfor the council.	Med	High	Med		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 ammended 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 Residential Landlord Association. Continue to engage following consultation Articles in Landlord Link-up Councils legal team involved in feasibility and consultation processess	Assistant Director Housing Services Housing Services Senior Manager Housing Standards Team and Strategic Housing & Investment team	Mar-24	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 licenses 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.	Assistant Director Housing Services Housing Services Senior Manager Housing Standards Team and Strategic Housing & Investment team	Apr-25	low	med	med		

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)		
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	Housing Standards Team Licensing Team	Apr-25	low	low	low		
Local authority inadequately manage the scheme	low	high	med		Emma Foley	Project plan is clear, concise and agreed Properly 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 AD 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	Housing Standards Team	Apr-26	low	low	low		
People move out of area or demand for housing decreases because of negative impression of area-high crime and ASB	low	low	low		Emma Foley	Positive publicity utilising local media, landlord newsletter Community awareness events to promote good work Positive information given to letting agents for future tenants Landlords to promote positive message Demand for prs v high currently	low	low		quarterly	promoting outcomes of scheme to landlords & community publicising benefits e.g decreased empty homes /	Housing Standards Team	Apr-26	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 Housing Standards Team Landlords	Apr-26	low	low	low		



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)		
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 Housing Standards Team Landlords	Apr-26	low	low	low		
At end of five years, Selective Licensing has not achieved its aims	med	med	med		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 if scheme is to cease	low	med		Annual Review and analysis of key performance data.	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	Housing Standards Team Police Fire Landlord working Group Landlords	Apr-29	low	low	low		
Illegal evictions	med	high	high		Emma Foley	Support and training for landlords Information to tenants about their rights and where to go help and suport Impact of New Housing legislation regarding S21 to be monitored.	low	med		quarterly	Housing Options Team briefed on any new legislation Signposting of other partner agencies such as CAB Report to Assistant Director Housing Services if numbers affected become significant	Housing Standards Team Landlords/Accr editation Scheme	Apr-26	low	med	med		

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)		
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	Housing Standards Team Housing Delivery teams	Apr-26	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 temprary staff to support process	high	med		quarterly	Extension of existing scheme online application and payments	Housing Services Senior Manager and Housing Standards Team	May-24	med	low	low		
Introduction of new Housing Bill placing additional burdens on LA's including Decent Homes Standard	High	High	High			Lobby government for new burdens resources to ensure LAs have additional resources to enforce new standard when introduced. Training/awareness raising for landlords in new standards, training for officers so they can support landlords.	med	high		quarterly	annual Landlord Forums to pubicise changes in legislation, newsletter, workshops & shaddowing for staff	Housing Standards Team Housing Delivery teams	Apr-24	med	med	med		



## ECONOMY REGENERATION AND HOUSING COMMITTEE

**Monday, 17 July 2023**

<b>REPORT TITLE:</b>	<b>HIND STREET REGENERATION – DELIVERY</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF REGENERATION AND PLACE</b>

### REPORT SUMMARY

This report seeks approval for a capital request for up to £2.255 million for Hind Street Urban Village. These costs are crucial for the Council to reach a point by which it can enter a grant funding agreement with Homes England and Liverpool City Region Combined Authority. No further capital funding is anticipated to be required for the delivery of Phases A and B of the development of the Hind Street Urban Village. A further capital request will be made to support land assembly costs and a two form primary school in 2025. £1.439 million of capital funding is expected to be recovered in the current financial year.

The capital spend is needed to allow contractor engagement to commence in order to give the funders and the Council certainty over the construction costs for the infrastructure for the site. Delays will directly impact programme and ability to deliver the site.

This proposal directly supports the following key themes in the plan:

- A prosperous, inclusive economy where local people can get good jobs and achieve their aspirations;
- A cleaner, greener borough which celebrates, protects and improves our environment and urgently tackles the environmental emergency; and
- Safe, vibrant communities where people want to live and raise their families

This matter affects Birkenhead and Tranmere Ward, and Rock Ferry Ward.

This matter is a Key Decision because of the scale of the investment being proposed by the Council.

### EXEMPT INFORMATION

Appendix 1 to this report contains exempt information as defined in Schedule 12A of the Local Government Act 1972. It is in the public interest to exclude the press and public under Paragraph 3 'Information relating to the financial or business affairs of any particular person (including the authority holding the information) in relation to Appendix 1.

### RECOMMENDATIONS

The Economy, Regeneration and Housing Committee is requested to recommend to Policy and Resources Committee the allocation of capital funding of £2.255 million to be utilised for the Hind Street Urban Village scheme.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATIONS**

- 1.1 The Hind Street regeneration area is a brownfield site of circa 20 hectares adjacent to Birkenhead Town Centre. The scale and location of the regeneration area presents an opportunity to create a sustainable, market changing urban village that helps to set a standard for future development in the face of the climate emergency.
- 1.2 The regeneration of Hind Street plays a significant role in supporting the Council's draft Local Plan by enabling up to 1600 new homes to be built during the plan period and ancillary commercial and community uses are proposed to be located to the north of the site to complement and interface with the regeneration of the town centre, serving both the new residential community at Hind Street and wider Birkenhead population.
- 1.3 Hind Street is included as an allocation within the Wirral Local Plan Submission Draft Local Plan (WLPSD) and Policy RA 5 (Hind Street and St Werburgh's Regeneration Area) sets out principles which the development proposals need to meet to create a high quality, low carbon urban village. These include:
- provide high quality, safe and convenient pedestrian and cycling links;
  - incorporate strong green design principles and promote healthy living through a network of open space, green infrastructure and public realm;
  - incorporate a new highway network to accommodate changes arising from the removal of the Borough Road (A5227) and Queensway Tunnel flyovers; and
  - provide a site for a primary school, and proportionate and appropriate contributions towards primary school provision.
- 1.4 Significant work on pre-development workstreams has taken place including, delivery preparation for infrastructure and development phases, master-planning, site investigations, land assembly and funding strategy. It is important that momentum is maintained to allow for contractor engagement which gives funders and the council certainty over construction costs for the remediation. Certainty regarding these costs will form the basis of the grant funding applications to Homes England and Liverpool City Region Combined Authority.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 The number of new homes which can be built at Hind Street is significant. The draft Local Plan imperative for adopting a brownfield urban site strategy strengthens case against a do-nothing approach., .
- 2.2 The Council could choose not to maintain the pace of momentum that it has set however this would reduce the chances of securing the public funding which is required to make the site viable for the delivery of new homes.

### **3.0 BACKGROUND INFORMATION**

- 3.1 This report relates to the delivery of Phases A and B of the Hind Street Urban Village scheme on a brownfield site close to Birkenhead Town Centre in an area of very high deprivation. Phases A and B will deliver 626 new residential units plus 1,439m<sup>2</sup> of ancillary retail and commercial accommodation. It will also include new active mode and public transport infrastructure and greenspace. The full Hind Street development (also including Phases C, D and E) will deliver a total of 1,578 homes.
- 3.2 This report seeks additional capital funding for the Hind Street scheme for costs which are forecast to be incurred in 2023/24. These costs are forecast to be the final capital costs required for the Council to spend on the phase A and B programmes. These costs are crucial for the Council to reach a point by which it can enter a grant funding agreement with Homes England and LCRCA.
- 3.3 Appendix 1 to this report sets out confidential information regarding anticipated grant funding and regarding key programme milestones. Appendix 1 contains exempt information as defined in Schedule 12A of the Local Government Act 1972. It is in the public interest to exclude the press and public under Paragraph 3 'Information relating to the financial or business affairs of any particular person (including the authority holding the information) in relation to this Appendix
- 3.4 The Phase A and B project will result in new investment in the heart of Birkenhead and will contribute strongly to levelling up in one of the most deprived areas of the country. The Birkenhead Central Lower Layer Super Output Area (the LSOA within which the site is located) is ranked as the 80th most deprived out of 32,844 LSOAs in the country. It will result in the re-use of a vacant, derelict, brownfield site. The project will help to meet identified local housing need, attract new residents to central Birkenhead, and increase local expenditure, which will help to sustain and grow activity in Birkenhead Town Centre. Birkenhead has a much lower proportion of private sector housing, and a higher proportion of social housing, than in the wider Wirral area, regionally or nationally. The development will help to rebalance the tenure mix. It will also provide new greenspace, walkways and cycleways including through the creation of Dock Branch Park South, a linear parkway re-using a former railway line.
- 3.5 The Phases A and B project will be an important early part of the delivery of the emerging Wirral Local Plan 2021 – 2037 Submission Draft, which is founded on a brownfield first policy with a significant amount of new housing allocated to Birkenhead. In the absence of the project the case for Green Belt release in the emerging Local Plan would be strengthened which if successful would undermine the regeneration of Birkenhead.
- 3.6 The Capital allocation, if approved, will fund the following services. The amounts are estimates at this stage of commissioning:
- Pre-Construction Services agreement - £300k
  - Development management agreement - £580k
  - Land assembly support - £170k
  - Master Development Agreement support - £30k

- Valuation and property support - £20k
- Business case support - £220k
- Communications - £20k
- Legal support - £200k
- Transport modelling - £100k
- Project Support - £130k
- Hind Street team salary £100k
- Contingency-£100k

3.7 The comprehensive residential led development at Hind Street, Birkenhead will create additional demand for primary school places which cannot be catered for by the existing primary schools in the catchment area.

3.8 A further report will be brought to this Committee in due course to seek approval for the Council to cashflow the development finance for a new 2 form school, to be funded through:

- Developer contributions from within Hind Street, and other developer contributions;
- DFE basic needs funding; and
- Future funding from Homes England.

#### **4.0 FINANCIAL IMPLICATIONS**

4.1 The capital request outlined in this report is for up to £2.255 million. This is funded from borrowing, but as the programme progresses there is likely to be cost recovery (of at least £1.439 million) consisting of grants from Liverpool City Region Combined Authority and Homes England, and cost recovery from the developer.

4.2 This bid if successful would require annual Financing costs of £138k. These costs will reduce if costs recovered are used to reduce borrowing requirements. There is no current available revenue budget to accommodate these costs which would require budget growth to proceed.

4.3 The recovery of the council's capital outlay has been made using some assumptions. The Hind Street capital investment plan assumes that a total of 16 million will be recovered from the developer and funding partners during the full neighbourhood programme. These receipts can then be used to reduce loans to the programme, and this financing costs allocated to the programme.

#### **5.0 LEGAL IMPLICATIONS**

5.1 If successful in securing funding for the contributions from Homes England and the LCRCA, the Council will be required to enter into grant funding agreements with the LCRCA and Homes England.

5.2 Following scheme delivery the Section 151 Officer will be required to sign a declaration confirming that the funding was defrayed in accordance with the grant conditions.

## **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 Should the capital bid be successful the council officers will continue working on the Hind Street programme. The identified budget will be monitored and reported.
- 6.2 There are no ICT or Asset implications as an outcome for this report.

## **7.0 RELEVANT RISKS**

- 7.1 The regeneration of Hind Street will be complex and long-term. The following are currently identified as risks, at this stage in the process:
- 7.2 The project team manage the risks for the whole of the project using a risk register which is reviewed on a regular basis.
  - a) There is a risk that the Council will incur further costs on detailed design fees that are not budgeted for leading to overspend or shortfall.
  - b) Failure to approve this capital bid could impact on ability to obtain other grant funding from Homes England or Combined Authority.
  - c) Failure to secure the necessary grant funding. Regular collaborative meetings with HE and LCRCA continue to take place to mitigate this risk.
  - d) There is a risk that constructions costs rise at a faster rate than development values during the pre-construction period. A cost inflation figure has been calculated in the funding applications, and an appropriate contingency applied.
  - e) Phase A+B of the Hind Street scheme are dependent on securing two major funding streams presenting an uncertain timeline, with neither funding confirmed.

Failure to obtain funding/progress would lead to an inability to deliver on the Local Plan/Brownfield Strategy

## **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 Public consultation has taken place as part of the planning process, including at the pre-application stage.

## **9.0 EQUALITY IMPLICATIONS**

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.
- 9.2. Whilst there are no equality implications arising from this report, the associated actions arising from the delivery may need to assess any equality issues and mitigate any negative impact that may emerge.

- 9.3 An overarching equality impact assessment has been completed with regards to The Wirral Plan. This report makes no material changes at this stage. the document can be viewed here:

<https://www.wirral.gov.uk/communities-and-neighbourhoods/equality-impact-assessments>

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 The scale and location of the regeneration area presents an opportunity to create a sustainable, market changing exemplar urban village that helps to set the standard for future development in the face of the climate emergency. The provision of the new link road will reduce congestion in central Birkenhead. Environmental Surveys of Hind Street have shown by reducing standing traffic, there will be reductions in Nitrogen Dioxide (NO<sub>2</sub>), particulate matter (PM) and CO<sub>2</sub> (Ch.6).
- 10.2 The sustainable location of Hind Street will enable active travel routes between Rock Retail Park and central Birkenhead to be embedded in the design of the link road, and wider internal road network with walking and cycling given priority over vehicular traffic in some locations. This supports the sustainable transport ethos of the Birkenhead 2040 framework the emerging Local Plan and the forthcoming Hind Street masterplan.
- 10.3 The area is currently very inaccessible on foot or cycling with no clear routes and limited connectivity. As part of the movement strategy active travel and bus movement will be prioritised and integration with the wider active travel network will be facilitated. Promoting active travel and increased use of public transport can result in reduced emissions, thus helping to tackle climate change and improve air quality. The Hind Street development will be zero carbon in line with the Local Plan.

## **11.0 COMMUNITY WEALTH**

- 11.1 The aim of this report is to secure the best possible outcome for the future of this land. This represents a vital step in the delivery of an inclusive sustainable community at Hind Street and allows for the delivery of a number of high quality public spaces and connectivity improvements.

**REPORT AUTHOR: Cathy Palmer, Head of Regeneration Delivery**

### **APPENDICES:**

Appendix 1- Confidential Appendix regarding anticipated grant funding and Key Programme Milestones.

Appendix 1 contains exempt information as defined in Schedule 12A of the Local Government Act 1972. It is in the public interest to exclude the press and public under Paragraph 3 'Information relating to the financial or business affairs of any particular person (including the authority holding the information) in relation to this Appendix.



## BACKGROUND PAPERS

### Hind Street Consultation – Have Your Say

<https://borough-birkenhead.co.uk/>

### Wirral Plan 2021-2026

[Wirral Plan 2025 - Wirral Intelligence Service](#)

### Birkenhead 2040 Framework

[Birkenhead 2040 Framework | www.wirral.gov.uk](#)

## TERMS OF REFERENCE

This report is being considered in accordance with section 4.2(a) of its Terms of Reference: 'formulation and delivery of the Council's strategic development objectives for planning, sustainability and transportation.'

### SUBJECT HISTORY (last 3 years)

Council Meeting	Date
Economy Regeneration and Development Committee.	October 2020
Economic Regeneration and Development Committee	September 2021
Economic Regeneration and Development Committee	June 2022
Economic Regeneration and Development Committee	January 2023
Economic Regeneration and Development Committee	June 2023

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## ECONOMY REGENERATION & HOUSING COMMITTEE

**Monday, 17 July 2023**

<b>REPORT TITLE:</b>	<b>2023/24 BUDGET MONITORING FOR QUARTER ONE (THE PERIOD TO 30 JUNE 2023)</b>
<b>REPORT OF:</b>	<b>DIRECTOR OF REGENERATION &amp; PLACE</b>

### REPORT SUMMARY

This report sets out the financial monitoring information for the Economy Regeneration & Housing Committee as at Quarter 1 (30 June) of 2023/24. The report provides Members with an overview of budget performance, including progress on the delivery of the 2023/24 saving programme and a summary of reserves and balances, to enable the Committee to take ownership of the budgets and provide robust challenge and scrutiny to Officers on the performance of those budgets.

Managing a budget requires difficult decisions to ensure that a balanced position can be presented. Regular Member engagement, which this report forms part of, is considered essential in delivering effective governance and financial oversight.

At the end of Quarter 1, there is a forecast adverse position of £0.5m, with spend of £13.71m against the £13.21m budget.

This matter affects all Wards within the Borough and is not a key decision.

The report contributes to the Wirral Plan 2021-2026 in supporting the organisation in meeting all Council priorities.

### RECOMMENDATION/S

The Economy Regeneration and Housing committee is recommended to:

1. Note the adverse revenue forecast of £0.5m as at Quarter 1.
2. Note the progress on delivery of the 2023-24 savings programme at Quarter 1.
3. Note the level of reserves at Quarter 1.
4. Note the revised capital programme of £39.462m for 2023-24.

## SUPPORTING INFORMATION

### 1.0 REASONS FOR RECOMMENDATIONS

- 1.1 It is vitally important that the Council has robust processes in place to manage and monitor the in-year financial position, to ensure it delivers a balanced position at the end of the year.
- 1.2 Regular monitoring and reporting of the revenue budgets and savings achievements enables decisions to be taken in a timely manner, which may produce revenue benefits and will improve financial control of Wirral Council.
- 1.3 This report presents timely information on the Quarter 1 forecast (at 30<sup>th</sup> June 2023) for 2023/24.

### 2.0 OTHER OPTIONS CONSIDERED

- 2.1 The Policy & Resources Committee has previously determined the budget monitoring process to follow and this report details the agreed course of action.
- 2.2 In striving to manage budgets, available options have been evaluated to maintain a balance between service delivery and a balanced budget.

### 3.0 BACKGROUND INFORMATION

- 3.1 The full year forecast as at Quarter 1 (30<sup>th</sup> June 2023) for Economy Regeneration & Housing Committee is an adverse position of £0.5m, with spend of £13.71m against the £13.21m budget.

**TABLE 1 2023/24 Economy Regeneration & Housing Committee – Service Budget & Forecast Quarter 1**

	Budget £000	Forecast Outturn £000	Variance (+ Fav / - Adv) £000      %		Adverse/ Favourable
			£000	%	
Regeneration	1,065	1,065	0	0%	Favourable
Housing	5,779	5,779	0	0%	Favourable
Asset Management & Investment	4,649	4,649	0	0%	Favourable
Planning	1,199	1,199	0	0%	Favourable
Special Projects	118	118	0	0%	Favourable
Local Plan	400	900	-500	-125%	Adverse
<b>Directorate Surplus / (Deficit)</b>	<b>13,210</b>	<b>13,710</b>	<b>-500</b>	<b>-4%</b>	<b>Adverse</b>

- 3.2 **Asset Management & Investment:** There are £2.2m of pressures within Assets. £1.5m relates to the lease for the BCD which is payable from Practical Completion of the site, which is ahead of schedule and due to complete in August. A further £0.5m relates to potential exit costs/dilapidation expenses on buildings we are exiting. These costs will be covered corporately by the Wirral Growth company reserve established last year.

There is a further £0.2m pressure relating to the Wallasey Town Hall Standby saving (which is a £0.4m saving). The saving was based on the building being in standby mode for the full year. It has been used for the local plan consultation and the public enquiry and its now estimated it won't be fully on standby until half-way through the year, so the full saving will not be achieved. Control of the maintenance budget is expected to mitigate this pressure, subject to any emergency works that may be required on the councils estate.

- 3.3 **Local Plan:** The local plan has been funded from use of reserve in previous years and the full reserve has been utilised. A further 500k is needed to ensure the plan can be fully delivered.

#### **Progress on delivery of the 2023/24 savings programme.**

- 3.4 Table 2 shows the summary position of the 2023/24 approved savings. For savings rated as Amber, an equal amount of temporary in-year mitigation has been identified to cover any shortfalls which may occur. For saving rated as red, a bid will need to be made from the contingency fund set up for non-achieved savings at the end of the year.

**TABLE 2: SUMMARY OF 2023-24 SAVINGS**

<b>Saving Proposal</b>	<b>Approved Saving</b>	<b>Green</b>	<b>Amber</b>	<b>Red</b>	<b>Mitigation</b>
<b>Economy Regeneration &amp; Housing</b>	<b>£2.661m</b>	<b>£2.461m</b>	<b>£0.200m</b>	<b>£0.000m</b>	<b>£0.200m</b>

- 3.5 The £0.2m Amber pressure relates to the Wallasey Town Hall Standby saving (which is a £0.4m saving in total). The saving was based on the building being in standby mode for the full year. However, the building has been used for the local plan consultation and the public enquiry. It's now estimated the building won't be fully on standby until half-way through the year, so the full saving will not be achieved. Control of the maintenance budget is expected to mitigate this pressure, subject to any emergency works that may be required on the council's estate.
- 3.6 A complete list of all approved savings can be found in the Budget report which was presented to Council on 27 February 2023 and to this Committee on 20<sup>th</sup> June 2023.

### **Earmarked Reserves**

- 3.7 Earmarked reserves represent money that has been set aside for a clearly defined purpose, and which is available to meet future expenditure in that area. The use of earmarked reserves is only permitted with the approval of the Section 151 officer.

**TABLE 3: EARMARKED RESERVES**

<b>Reserve</b>	<b>Opening Balance £000</b>	<b>Use of Reserve £000</b>	<b>Contribution to Reserve £000</b>	<b>Closing Balance £000</b>
Selective Licensing	1,433			1,433
Wirral Ways to Work	625	-300		325
Regeneration and Inward Investment	1,385	-650		735
Urban Development Corporation Bid	77			77
Building Control Fee Earning	420			420
HMO Licence Fees	164			164
Major Infrastructure Project Development	62			62
Property Repairs rental income	276			276
DCLG Empty Shops Grant	41			41
ERDF 4.2 Match Funding	18			18
Emergency Maintenance and Work in Default	274			274
Resettlement Programme Grant	1,786			1,786
Homelessness	166			166
Domestic Abuse Bill Grant	602	-600		2
Economic Growth	342	-170		172
Birkenhead Future High Street funding	47			47
<b>Total</b>	<b>7,718</b>	<b>-1,720</b>	<b>0</b>	<b>5,998</b>

### **Capital Monitoring**

- 3.8 Regular meetings are held with officers who are responsible for capital projects contained within the programme. During these meetings assessments are made regarding the deliverability of the schemes and their budgetary requirement for the year. These assessments are reflected in the forecast outturn provided through the quarterly update reports to Members. Should it be assessed that a scheme will continue into the next financial year, or beyond, budget is reprofiled as deemed appropriate at that time.
- 3.9 A review of the profiling of expenditure within the Capital Programme is continuing and is likely to lead to a further reduction in anticipated spend for the year.
- 3.10 Table 4 shows the current capital position for the Committee, taking into account the reprofiling exercise. No resources have been lost as a result of this, they have been moved into future years to better reflect current delivery plans.

**3.11 TABLE 4: 2023/24 Economy Regeneration & Housing Committee – Capital Budget & Outturn**

<b>2023-24 PROGRAMME</b>	<b>Opening Balance 1 April 23</b>	<b>Quarter 1 Amendments</b>	<b>Slippage to 24-25</b>	<b>Revised 2023/24 Programme</b>
Aids, Adaptations and Disabled Facility Grants	2,521	4,724	(2,415)	4,830
Birkenhead Market Construction	13,300	0	(11,800)	1,500
Birkenhead Regeneration Delivery Fund	24,034	(21,000)	(2,000)	1,034
Birkenhead Waterfront Programme	0	21,000	(19,970)	1,030
Birkenhead Regeneration Framework	315	0	(105)	210
Birkenhead Town Centre Masterplanning & Housing Delivery	290	0	(97)	193
Business Investment Fund	585	0	(535)	50
Capitalisation of Regen Salaries	971	0	0	971
Clearance	191	0	(64)	127
Empty Property Grant Scheme	315	0	(105)	210
FHSF New Ferry 21-22	3,112	0	(2,112)	1,000
Future High Streets – Birkenhead	12,403	0	(8,403)	4,000
Hind Street Programme	0	2,255	(756)	1,499
Housing Infrastructure Fund (Enabling Infrastructure)	1	(1)	0	0
Liscard Town Centre Delivery	10	0	(3)	7
Maritime Knowledge hub	12,351	0	(12,251)	100
New Brighton Masterplan for Marine Promenade	45	0	(15)	30
New Ferry Regeneration Strategic Acquisitions	1,342	0	(842)	500
Office Quarter Building Fit-Out	5,248	4,000	0	9,248
Property Pooled Plus I.T System	20	0	(7)	13
Strategic Acquisition Fund	2,992	10,500	(2,992)	10,500
Strategic Acquisitions - Capital Enhancements	0	500	(167)	333
Town Centre scheme - New Ferry	5	0	(2)	3
Town Deal Fund – Birkenhead	15,189	0	(13,189)	2,000
Town Fund B'head	53	0	(18)	35
West Kirby Masterplan	58	0	(19)	39
Wirral Waters Investment Fund	7,000	0	(7,000)	0
<b>Total Economy, Regeneration and Housing</b>	<b>102,351</b>	<b>21,978</b>	<b>(84,867)</b>	<b>39,462</b>

The Quarter 1 Amendments represent changes to the programme which were presented to P&R Committee on 12<sup>th</sup> July 2023. These consist of the following :

- 3.12 Hind Street Programme £2.255m.** This relates to the delivery of Phases A and B of the Hind Street Urban Village scheme on a brownfield site close to Birkenhead Town Centre in an area of very high deprivation. Phases A and B will deliver 626 new residential units (of which 10% will be affordable homes, delivered with a registered provider and in line with policy) plus 1,439m2 of ancillary retail and commercial

accommodation. It will also include new active mode and public transport infrastructure and greenspace. The full Hind Street development (also including Phases C, D and E) will deliver a total of 1,578 homes.

- 3.13 **Office Quarter Building Fit-Out – Additional £4.000m.** The regeneration of Birkenhead has been a long-term priority for the Authority as it supports our ambitions around inclusive economic growth, sustainable development and the promotion of increased prosperity for our residents. The delivery of the Birkenhead Commercial District (BCD) represents a key opportunity to contribute significantly to these aims and objectives. This office space will be an anchor in the ambitious regeneration project that is taking place across Birkenhead and will be home for Wirral Council employees along with partner organisations. Further funding is required to deliver the full programme of works including the relocation of the Archives, Records Management and other services.
- 3.14 **Strategic Acquisition Fund – Addition £10.5m.** Policy & Resource Committee on 27 April 2023 agreed the recommendation by the Director of Regeneration and Place to acquire a location of strategic importance from a regeneration perspective, subject to the completion of satisfactory due diligence. The transaction was completed in May 2023.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 This is the Quarter 1 budget monitoring report that provides information on the forecast position for the Council for 2023/24. The Council has robust methods for reporting and forecasting budgets in place and alongside formal Quarterly reporting to Policy & Resources and Service Committees, the financial position is routinely reported at Directorate Management Team meetings and corporately at the Strategic Leadership Team (SLT). In the event of any early warning highlighting pressures and potential overspends, the SLT take collective responsibility to identify solutions to resolve these to ensure a balanced budget can be reported at the end of the year.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 The Council must set the budget in accordance with the provisions of the Local Government Finance Act 1992 and approval of a balanced budget each year is a statutory responsibility of the Council. Sections 25 to 29 of the Local Government Act 2003 impose duties on the Council in relation to how it sets and monitors its budget. These provisions require the Council to make prudent allowance for the risk and uncertainties in its budget and regularly monitor its finances during the year. The legislation leaves discretion to the Council about the allowances to be made and action to be taken.
- 5.2 The provisions of section 25, Local Government Act 2003 require that, when the Council is making the calculation of its budget requirement, it must have regard to the report of the chief finance (s.151) officer as to the robustness of the estimates made for the purposes of the calculations and the adequacy of the proposed financial reserves.



- 5.3 It is essential, as a matter of prudence that the financial position continues to be closely monitored. In particular, Members must satisfy themselves that sufficient mechanisms are in place to ensure both that savings are delivered and that new expenditure is contained within the available resources. Accordingly, any proposals put forward must identify the realistic measures and mechanisms to produce those savings.

## **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 At this time, there are no additional resource implications as these have already been identified for the proposals agreed and submitted. However, where the budget is unbalanced and further proposals are required, then there will be resource implications, and these will be addressed within the relevant business cases presented to the Committee.

## **7.0 RELEVANT RISKS**

- 7.1 The Council's ability to maintain a balanced budget for 2023/24 is dependent on a stable financial position. That said, the delivery of the budget is subject to ongoing variables both positive and adverse which imply a level of challenge in achieving this outcome.
- 7.2 In any budget year, there is a risk that operation will not be constrained within relevant budget limits. Under specific circumstances the Section 151 Officer may issue a Section 114 notice but that position has not been reached at the present time.

## **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 Consultation has been carried out with the Senior Leadership Team (SLT) in arriving at the governance process for the 2023/24 budget monitoring process and the 2023/24 budget setting process. This report will also be shared and reviewed by the Independent Panel.
- 8.2 Since the budget was agreed at Full Council on 28 February, some proposals may have been the subject of further consultation with Members, Customer and Residents. The details of these are included within the individual business cases or are the subject of separate reports to the Committee

## **9.0 EQUALITY IMPLICATIONS**

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

- 9.2 At this time, there are no further equality implications as these have already been identified for the proposals agreed and submitted. However, where the budget is unbalanced and further proposals are required, then there may be equality implications associated with these, and these will be addressed within the relevant business cases presented to the Committee.

## **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 This report has no direct environmental implications, however due regard is given as appropriate in respect of procurement and expenditure decision-making processes that contribute to the outturn position.

## **11.0 COMMUNITY WEALTH IMPLICATIONS**

- 11.1 In year activity will have incorporated community wealth implications. Consideration would have taken account of related matters across headings such as the following:

- **Progressive Procurement and Social Value**  
How we commission and procure goods and services. Encouraging contractors to deliver more benefits for the local area, such as good jobs, apprenticeship, training & skills opportunities, real living wage, minimising their environmental impact, and greater wellbeing.
- **More local & community ownership of the economy**  
Supporting more cooperatives and community businesses.  
Enabling greater opportunities for local businesses.  
Building on the experience of partnership working with voluntary, community and faith groups during the pandemic to further develop this sector.
- **Decent and Fair Employment**  
Paying all employees a fair and reasonable wage.
- **Making wealth work for local places**

**REPORT AUTHOR:** **Mark Lightburn**  
(Senior Finance Business Partner)  
email: [marklightburn@wirral.gov.uk](mailto:marklightburn@wirral.gov.uk)

## **BACKGROUND PAPERS**

**23/24 Budget Monitoring for Quarter 1, P&R 12<sup>th</sup> July 2023**  
**23/24 Capital Monitoring for Quarter 1, P&R 12<sup>th</sup> July 2023**

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Economy, Regeneration and Housing Committee</b>	<b>20 June 2023</b>

<b>Policy and Resources Committee</b>	<b>14 June 2023</b>
<b>Council</b>	<b>27 February 2023</b>
<b>Policy and Resources Com</b>	<b>15 February 2023</b>

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## ECONOMY REGENERATION AND HOUSING COMMITTEE

MONDAY 17 JULY 2023

REPORT TITLE:	ECONOMY REGENERATION AND HOUSING WORK PROGRAMME
REPORT OF:	DIRECTOR OF LAW AND GOVERNANCE

### REPORT SUMMARY

The Economy Regeneration and Housing Committee, in co-operation with the other Policy and Service Committees, is responsible for proposing and delivering an annual committee work programme. This work programme should align with the corporate priorities of the Council, in particular the delivery of the key decisions which are within the remit of the Committee.

It is envisaged that the work programme will be formed from a combination of key decisions, standing items and requested officer reports. This report provides the Committee with an opportunity to plan and regularly review its work across the municipal year. The work programme for the Economy Regeneration and Housing Committee is attached as Appendix 1 to this report.

Following the whole-Council elections, the newly composited Committee is invited to review the 2023-24 work programme moving into the 2023-24 municipal year. It is proposed that issues on the existing work programme that are for information purposes can only be considered via other means, such as briefing notes and workshops/

### RECOMMENDATION

The Economy Regeneration and Housing Committee is recommended to:

- (1) note and comment on the proposed Economy Regeneration and Housing Committee work programme for the remainder of the 2023/24 municipal year.
- (2) review its items for future consideration on the work programme.

## **SUPPORTING INFORMATION**

### **1.0 REASON/S FOR RECOMMENDATION/S**

- 1.1 To ensure Members of the Economy, Regeneration and Housing Committee have the opportunity to contribute to the delivery of the annual work programme.

### **2.0 OTHER OPTIONS CONSIDERED**

- 2.1 A number of workplan formats were explored, with the current framework open to amendment to match the requirements of the Committee.

### **3.0 BACKGROUND INFORMATION**

- 3.1 The work programme should align with the priorities of the Council and its partners. The programme will be informed by:

- The Council Plan
- The Council's transformation programme
- The Council's Forward Plan
- Service performance information
- Risk management information
- Public or service user feedback
- Referrals from Council

### **Terms of Reference**

The Economy Regeneration and Housing Committee is responsible for the Council's adult social care and preventative and community based services. This includes the commissioning and quality standards of adult social care services, incorporating responsibility for all of the services, from protection to residential care, that help people live fulfilling lives and stay as independent as possible as well as overseeing the protection of vulnerable adults. The Economy Regeneration and Housing Committee is also responsible for the promotion of the health and wellbeing of the people in the Borough. The Committee is charged by full Council to undertake responsibility for:

- (a) formulation and delivery of the Council's strategic development objectives for planning, sustainability and transportation;
- (b) developing and recommending those plans and strategies which together comprise the Local Plan;
- (c) developing and adopting or recommending (if reserved to Council) other spatial planning documents, including but not limited to
  - (i) supplementary planning documents (SPD) and planning policy advice notes;
  - (ii) Master Plans and development briefs;
  - (iii) The Infrastructure Delivery Plan; and
  - (iv) [The Community Infrastructure Levy (CIL) when applicable];

- (d) economic development, including but not limited to infrastructure, enterprise, skills and seeking, securing and managing external funds to achieve that, directly or in partnership with joint ventures and external companies or bodies as well as with the Combined Authority and government bodies;
- (e) the Council's functions and partnerships regarding the promotion of economic growth and the establishment and development of business;
- (f) the promotion and development of the economic factors in the area, such as seeking to ensure sufficient and appropriate employment sites, investment, adult skills, apprenticeship schemes, productivity, development sites and so forth;
- (g) overseeing the progress of major projects (including major building, infrastructure or other projects involving the erection or significant alteration of major permanent structures or landmarks) undertaken by the Council directly or as enabler, funder or joint enterprise partner, including but not limited to the Wirral Growth Company LLP;
- (h) the Authority's role and functions in relation to strategic and private sector housing policies and as the housing authority, including but not limited to
  - (i) the Council's Housing Strategy;
  - (ii) homelessness and the allocation of housing;
  - (iii) private sector housing, including taking action to remedy overcrowding, disrepair, unfitness and statutory nuisances; to promote fire safety in private sector housing and the Council's functions in relation to houses in multiple occupation;
  - (iv) licensing schemes;
  - (v) tenancy relations and the provision of housing advice;
  - (vi) relationship with Registered Providers of housing;
  - (vii) housing loans and grants;
  - (viii) housing related support services;
  - (ix) policies and actions with a view to reducing and eliminating street homelessness to ensure that appropriate action is taken; and
  - (x) analysis, development and overview of housing policies in terms of spatial planning to inform the Local Plan and planning policies;
- (i) reviewing major projects and any project boards having regard to capacity to deliver, corporate priorities and resources, and advise the Policy and Resources Committee as appropriate;
- (j) providing a view of performance, budget monitoring and risk management in relation to the Committee's functions; and
- (k) undertaking the development and implementation of policy in relation to the Committee's functions, incorporating the assessment of outcomes, review of effectiveness and formulation of recommendations to the Council, partners and other bodies, which shall include any decision relating to the above functions.

#### **4.0 FINANCIAL IMPLICATIONS**

- 4.1 This report is for information and planning purposes only, therefore there are no direct financial implication arising. However, there may be financial implications arising as a result of work programme items.

#### **5.0 LEGAL IMPLICATIONS**

- 5.1 There are no direct legal implications arising from this report. However, there may be legal implications arising as a result of work programme items.

#### **6.0 RESOURCE IMPLICATIONS: STAFFING, ICT AND ASSETS**

- 6.1 There are no direct implications to Staffing, ICT or Assets.

#### **7.0 RELEVANT RISKS**

- 7.1 The Committee's ability to undertake its responsibility to provide strategic direction to the operation of the Council, make decisions on policies, co-ordinate spend, and maintain a strategic overview of outcomes, performance, risk management and budgets may be compromised if it does not have the opportunity to plan and regularly review its work across the municipal year.

#### **8.0 ENGAGEMENT/CONSULTATION**

- 8.1 Not applicable.

#### **9.0 EQUALITY IMPLICATIONS**

- 9.1 Wirral Council has a legal requirement to make sure its policies, and the way it carries out its work, do not discriminate against anyone. An Equality Impact Assessment is a tool to help council services identify steps they can take to ensure equality for anyone who might be affected by a particular policy, decision or activity.

This report is for information to Members and there are no direct equality implications.

#### **10.0 ENVIRONMENT AND CLIMATE IMPLICATIONS**

- 10.1 This report is for information to Members and there are no direct environment and climate implications.

#### **11.0 COMMUNITY WEALTH IMPLICATIONS**

- 11.1 This report is for information to Members and there are no direct community wealth implications.

**REPORT AUTHOR:** Bryn Griffiths, Senior Democratic Services Officer  
telephone: 0151 691 8117  
email: bryngriffiths@wirral.gov.uk



## **APPENDICES**

Committee Work Plan

## **BACKGROUND PAPERS**

Wirral Council Constitution

Forward Plan

The Council's transformation programme

## **SUBJECT HISTORY (last 3 years)**

<b>Council Meeting</b>	<b>Date</b>
<b>Economy, Regeneration and Housing Committee</b>	<b>27 October 2020</b>
	<b>24 November 2020</b>
	<b>26 January 2021</b>
	<b>4 March 2021</b>
	<b>8 June 2021</b>
	<b>26 July 2021</b>
	<b>29 September 2021</b>
	<b>26 October 2021</b>
	<b>22 November 2021</b>
	<b>26 January 2022</b>
	<b>9 March 2022</b>
	<b>13 June 2022</b>
	<b>20 July 2022</b>
	<b>20 September 2022</b>
	<b>7 December 2022</b>
	<b>26 January 2023</b>
	<b>8 March 2023</b>
	<b>20 June 2023</b>

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## ECONOMY, REGENERATION AND DEVELOPMENT COMMITTEE

WORK PROGRAMME 2023/24

### KEY DECISIONS BETWEEN JULY AND OCTOBER 2023

Item	Brief Description	Committee Meeting	Lead Departmental Officer
Solar Campus	To report proposals for the use of the Solar Campus site for economic and educational purposes.	September 2023	David Armstrong

### NON- KEY DECISIONS AND UPDATE REPORTS

Item	Lead Departmental Officer	Wirral Plan Priority
Council House Building Options	Lisa Newman	'Inclusive Economy'
Finding land	Lisa Newman	Inclusive Economy'

### STANDING ITEMS AND MONITORING REPORTS

Item	Reporting Frequency	Lead Departmental Officer
Financial Monitoring Report	TBC	Shaer Halewood
Regen Committee Work Programme Update	TBC	Committee Team

### WORK PROGRAMME ACTIVITIES OUTSIDE COMMITTEE

Item	Format	Timescale	Lead Officer	Progress
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<b>Working Groups/ Sub Committees</b>				
Active Travel Working Group	Workshops	Ongoing	Julie Barnes	Ongoing
Regeneration Working Group	Workshops	Ongoing	Matthew Neal	Ongoing

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A  
of the Local Government Act 1972.

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## **Economy, Regeneration and Housing Committee – Terms of Reference**

The Economy, Regeneration and Housing Committee has responsibility for developing and delivering a vision for Wirral as a place. It is responsible for developing and determining or recommending all planning policies, including the Local Plan, and infrastructure planning. It is also responsible for promoting regeneration, economic development and associated activities, including the tourism, culture and visitor economy, and for removing barriers to growth. It is also responsible for taking a strategic approach to the Council's various housing functions, including issues concerning social rented and affordable housing, homelessness, allocations and standards of housing.

The Committee is charged by full Council to undertake responsibility for:

- (a) formulation and delivery of the Council's strategic development objectives for planning, sustainability and transportation;
- (b) developing and recommending those plans and strategies which together comprise the Local Plan;
- (c) developing and adopting or recommending (if reserved to Council) other spatial planning documents, including but not limited to
  - (i) supplementary planning documents (SPD) and planning policy advice notes;
  - (ii) Master Plans and development briefs;
  - (iii) The Infrastructure Delivery Plan; and
  - (iv) [The Community Infrastructure Levy (CIL) when applicable];
- (d) economic development, including but not limited to infrastructure, enterprise, skills and seeking, securing and managing external funds to achieve that, directly or in partnership with joint ventures and external companies or bodies as well as with the Combined Authority and government bodies;
- (e) the Council's functions and partnerships regarding the promotion of economic growth and the establishment and development of business;
- (f) the promotion and development of the economic factors in the area, such as seeking to ensure sufficient and appropriate employment sites, investment, adult skills, apprenticeship schemes, productivity, development sites and so forth;
- (g) overseeing the progress of major projects (including major building, infrastructure or other projects involving the erection or significant alteration of major permanent structures or landmarks) undertaken by the Council directly or as enabler, funder or joint enterprise partner, including but not limited to the Wirral Growth Company LLP;
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  - (iii) private sector housing, including taking action to remedy overcrowding, disrepair, unfitness and statutory nuisances; to promote fire safety in private sector housing and the Council's functions in relation to houses in multiple occupation;
  - (iv) licensing schemes;

- (v) tenancy relations and the provision of housing advice;
  - (vi) relationship with Registered Providers of housing;
  - (vii) housing loans and grants;
  - (viii) housing related support services;
  - (ix) policies and actions with a view to reducing and eliminating street homelessness to ensure that appropriate action is taken; and
  - (x) analysis, development and overview of housing policies in terms of spatial planning to inform the Local Plan and planning policies;
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- (i) reviewing major projects and any project boards having regard to capacity to deliver, corporate priorities and resources, and advise the Policy and Resources Committee as appropriate;
  - (j) providing a view of performance, budget monitoring and risk management in relation to the Committee's functions; and
  - (k) undertaking the development and implementation of policy in relation to the Committee's functions, incorporating the assessment of outcomes, review of effectiveness and formulation of recommendations to the Council, partners and other bodies, which shall include any decision relating to the above functions.