

TELFORD & WREKIN COUNCIL

CABINET - 15 MAY 2014

RESPONSE TO SCRUTINY REPORT: EMPTY PROPERTIES and PRIVATE LANDLORDS

REPORT OF ASSISTANT DIRECTOR: DEVELOPMENT, BUSINESS & EMPLOYMENT

LEAD CABINET MEMBER: CLLR CHARLES SMITH

PART A – SUMMARY REPORT

1 SUMMARY OF MAIN PROPOSALS

That the Council implements a number of recommendations as identified by the Housing, Economy & Infrastructure Scrutiny Committee in relation to dealing with empty properties and supporting private landlords as well as tackling those who aren't fulfilling their duties as a good landlord.

2 RECOMMENDATIONS

2.1 That the recommendations made by the Housing, Economy & Infrastructure Scrutiny Committee and the responses included at Appendix 1 of this report are noted

3 SUMMARY IMPACT ASSESSMENT

COMMUNITY IMPACT	Do these proposals contribute to specific Priority Plan objective(s)?	
	Yes	Bringing empty properties back into use and using good landlords directly contributes towards the following priorities: <ul style="list-style-type: none">• Protecting and creating jobs as part of a 'Business Supporting, Business Winning Council' through the use of local contractors to carry out work on empty properties• Regenerating those neighbourhoods in need and working to ensure that local people have access to suitable housing• Ensuring neighbourhoods are safe, clean and well maintained through improving problem empty properties and promoting good landlords
	Will the proposals impact on specific groups of people?	
	Yes	Residents in the borough in need of housing options and communities affected by empty properties and rogue or problem landlords
TARGET COMPLETION/ DELIVERY DATE	Initiatives will commence immediately following and subject to Cabinet Approval.	
FINANCIAL/ VALUE FOR MONEY IMPACT	Yes	Any financial implications of adopting the recommendations as detailed within this report and Appendix 1 will be contained within existing service budgets and resources. JAC 150414
LEGAL ISSUES	Yes	Legal Services will continue to provide advice to officers as required in the adoption and implementation of the measures

		outlined within this report, in addition to assisting where necessary the ongoing enforcement work of the Housing Action Team.
OTHER IMPACTS, RISKS & OPPORTUNITIES	Yes	Risks include; further deterioration of empty properties resulting in possible anti-social behaviour; blight and lost revenue to the authority and an increase in rogue landlords or poor landlord practices, resulting in worsening housing conditions.
IMPACT ON SPECIFIC WARDS	Yes	Impacts will be greatest in those wards where there is a high level of empty properties (Cuckoo Oak & Ketley and Oakengates) and problem landlord properties and where the owners are on board with bringing the property back into use.

4.0 INFORMATION

4.1 Background

In September 2013, Cabinet approved a series of recommendations focussed on tackling rogue landlords and bringing empty properties back into use. The Housing, Economy & Infrastructure Scrutiny Committee subsequently identified this as a work stream which justified in depth review on the basis that empty properties and rogue landlords have direct financial and environmental implications for the council and the Borough. An early report by officers, to the scrutiny committee provided contextual information on the issues and set out a number of formative proposals which provided a steer to areas where the scrutiny review could add value. The committee agreed two key lines of enquiry:

- 1. How to identify empty properties as early possible**
- 2. How to address issues of poor practice by private landlords**

The committee's work centred around two main approaches:

- To research what was happening in other authorities and look for good ideas that could be considered locally
- For members to use their knowledge of local networks to identify ways that the Council could work with partners to increase the early reporting of empties.

4.2 Response to Recommendations of the Scrutiny Report

Members of the Scrutiny Committee agreed a number of recommendations which are summarised in Appendix 1. The majority of recommendations have or are in the process of implementation following the input of additional resource from the Cabinet decision in September 2013. Considerable progress has been made over the past 6 months to assist property owners to either bring their property back into use. Several empty properties are now occupied and many others are currently for sale or to let. Where the owners have not been willing to engage, section 215 Town and Planning Act Notices have been served and through intervention and support many properties have been cleared successfully, reducing blight on the neighbourhood. Intervention and support has been carried out to clean up several challenging properties in the Borough. Substantial work has also been carried out with landlords to ensure that they are complying with their responsibilities and a working group meets regularly to discuss landlords that are causing issues across the authority and ways in how we can engage with them to improve the quality of

the offer.

With considerable positive action completed and underway, the Scrutiny Committee recommendations provide some valuable new ideas and advice on which to develop the service further. Each of the recommendations made has been responded to in detail in Appendix 1.

5. PREVIOUS MINUTES

Cabinet Report – 19 September 2013.

6. BACKGROUND PAPERS

Scrutiny Report

**Report prepared by Toni Keever, Home Improvement Team Leader, 01952
381860**

Appendix 1

Cabinet Response to Scrutiny Report

<p>Scrutiny Committee: Housing, Economy & Infrastructure</p> <p>Report: Empty Properties and Rogue Landlords</p> <p>Lead Scrutiny Member: Cllr. Chris Turley Lead Scrutiny Officer: Stephanie Jones</p>		<p>Cabinet Member: Cllr Charles Smith</p> <p>Response prepared by: Toni Keever (Home Improvement Agency Team Leader)</p> <p>Date of Cabinet meeting: 15 May 2014</p>	
Scrutiny Recommendation	Response and summary of action being taken to implement, or reason for rejection	Date by which action will be taken	Person responsible for action
<p>1. Hold a Members' Information Seminar about empty properties and promote to Town & Parish Councils</p>	<p>Wholly Accepted –This is a positive action which will enable us to promote the empty property and landlord services to all members and town and parish councils and encourage their support including reporting any local concerns.</p>	<p>October 2014</p>	<p>Toni Keever – Home Improvement Team Leader</p>
<p>2. Develop an awareness raising campaign to increase awareness of the issue, the importance of reporting empties as early as possible and how to report them. This should include:</p> <ul style="list-style-type: none"> a) An article in The Voice b) Distributing information to Town & Parish Councils, including: <ul style="list-style-type: none"> – Details of empty properties in their area – The role of the Home Improvement Agency (HIA) and how it can help – How to report empty properties – a single point of contact – The limits of the council's powers and resources to manage expectations – This should be provided to Madeley Town Council and Ketley Parish Council for publication in their next newsletters. c) Raising awareness with other organisations with a street presence e.g. Police, CSOs, Parish 	<p>Wholly Accepted – The Empty Property Officer will provide a single point of contact for reporting concerns and seeking advice. We will develop an awareness campaign to ensure effective engagement with internal services, partners, PC and TC and the public. By providing details around what we can achieve and what we cannot achieve, we can effectively manage expectations.</p>	<p>September 2014</p>	<p>Loren Parrish – Empty Property Officer</p>

<p>Environmental Teams, the Post Office to encourage early reporting.</p>			
<p>3. Depending on data protection issues, contact utility companies to explore sharing information about empty properties e.g. Severn Trent Water employs people to identify empties and are also a partner of the Council on the Strategic Flood Management Board.</p>	<p>Partly Accepted – we will make contact with utility companies to investigate whether they will share this detail with us. However implementation of this recommendation will be dependent upon the utility companies own data protection policies</p>	<p>July 2014</p>	<p>Loren Parrish – Empty Property Officer.</p>
<p>4. Take all opportunities to issue press releases when a property has been brought back to use or there is a successful prosecution. This will publicise what the Council is doing to address issues and send a message to poor performing landlords that the Council will take action where necessary.</p>	<p>Wholly Accepted – We will work with the Corporate Communications Team in developing the Awareness Raising Campaign and to ensure that we maximise on opportunities to promote positive outcomes including, where appropriate, in relation to prosecutions. We will need to be selective in the cases that we use and ensure the case studies effectively portray the benefits of engaging with the Home Improvement Agency and care will need to be taken to avoid attracting negative publicity to particular neighbourhoods and in relation to specific cases.</p>	<p>Ongoing</p>	<p>Toni Keever – Home Improvement Agency Team Leader</p>
<p>5. Develop a score card to prioritise properties for action. The Stockton score card is provided separately as an example. Properties selected for action should balance properties eligible for the New Homes Bonus that can be brought back to use sooner and properties which cause the most blight or anti-social behaviour.</p>	<p>Wholly Accepted To develop a scoring card that enables the Home Improvement Agency to prioritise action will enable us to identify and promote the properties that we need to focus on initially. This will help to manage expectations to all regarding how we are able to help and those properties that we will try to engage with the owner, but where our concentrations may be gathered more around certain properties. The prioritisation process needs to acknowledge that drivers for intervention may be different (financial versus environmental – see point 7 below). This will ensure transparency around why action has been taken, enable resources to be prioritised.</p>	<p>August 2014</p>	<p>Toni Keever – Home Improvement Agency Team Leader</p>
<p>6. The data base of empties should be broken down into categories to prioritise properties for targeted work. e.g. properties empty over 6 months, over 2 years,</p>	<p>Wholly Accepted – this is already carried out to enable us to effectively target properties. This also assists in providing information regarding why some properties e.g. those in probate</p>	<p>April 2014</p>	<p>Loren Parrish – Empty Property Officer</p>

<p>properties under probate, and existing intelligence used to inform priorities.</p>	<p>are not subject to immediate action.</p>		
<p>7. Set a target for bringing empties back to use and develop performance measures. Monitoring reports should be brought to the scrutiny committee annually.</p>	<p>Partly Accepted –If targets are to be established then there needs to be clear guidance on the drivers for bringing empty properties into use. Intervention is currently driven by financial incentives through receipt of New Homes Bonus (NHB) and the desire to address unoccupied properties which are falling into disrepair and blighting neighbourhoods. If NHB is the priority then the focus should be on those properties where least intervention is required but these are unlikely to be the ones which have the most severe environmental impact. Targets setting may therefore not be straightforward. However it is recognised that it is vital to review the success of the suite of interventions available to ensure the most appropriate course of action is being pursued and the team Home Improvement Team will ensure this is implemented. It is therefore proposed that targets focus around the number of interventions undertaken and their success in bringing properties back into use.</p>	<p>August 2014</p>	<p>Toni Keever – Home Improvement Agency Team Leader</p>
<p>8. Consider the viability of a private sector lease scheme for Telford and Wrekin. The Sandwell model could be explored as an example, e.g.:</p> <ul style="list-style-type: none"> – Working with landlords to develop the information pack and lease agreement – Consider the option of a non-repair lease – How to select properties for the scheme which meet the demand for different types of property – Explore the financial model 	<p>Rejected – We do lease in a number of properties that we use for temporary accommodation. We intend to move away from leasing properties and discharging our housing duty through the private sector with direct tenancies with the client and the landlord. This is done through a “Bond” scheme which is a guarantee to the private landlords that we will pay the equivalent of a month deposit should the tenant fall into rent arrears or damage the property.</p>		
<p>9. Ensure there are good links between relevant Council services (e.g. Strengthening Families, Housing Action Team) so people can be supported where housing is an issue and tenants linked to suitable properties let by</p>	<p>Wholly Accepted – we are currently working with other service areas to promote the use of approved landlords and the services of the Home Improvement Agency in sourcing properties in the private sector</p>	<p>April 2014</p>	<p>Toni Keever – Home Improvement Team Leader</p>

accredited landlords			
10. Choice Based Letting system – the Committee has not looked at Choose Your Home but recommend exploring the potential to advertise accredited landlord properties on CYH	Partly Accepted – we are looking at developing our own system that will advertise accredited landlords. A further report will be brought to cabinet later in the year	September 2014	Toni Keever – Home Improvement Agency Team Leader
11. Consider the Sandwell Landlord Forum model, e.g.: <ul style="list-style-type: none"> – Establish a Landlord Forum Steering Group – a landlord/officer group with landlords having the veto. The Steering Group should be act as a consultee and to set the agendas for the Landlord Form meetings. In Sandwell the Forum meetings are workshop based and include legislation updates. – Consider producing a regular newsletter to e-mail to landlords e.g. The Bugle (PDF) – Promote the Forum as a route to information and business opportunities e.g. landlords can advertise properties for sale to other accredited landlords to avoid estate agents fees. (See Plymouth Council case study of Empty Property Sale Procedure to connect owners of empty property with developers though a sealed bid process taking 2-3 weeks and requiring no fees.) – Set up a hot line for accredited landlords to Revenues and Benefits for advice – Consider the benefits of joining MILAS and Homestamp (useful guides) 	<p>Partly Accepted – Revenues and Benefits already have a dedicated line for landlords to contact for advice, meet regularly as a landlord forum and produce a regular landlord newsletter that the Home Improvement Agency supply articles to. The Home Improvement Agency also has Tenancy Relations Officers that provide advice to landlords and tenants on their rights and responsibilities.</p> <p>However we will review the Sandwell Landlord Forum model for good practice that we can deliver locally through our own landlord accreditation scheme.</p> <p>We are developing useful guides that collate all good practice for tenants and landlords that we will provide as part of the landlord accreditation scheme.</p>	September 2014	Toni Keever – Home Improvement Team Leader
12. Target recruitment activity for the landlord accreditation scheme on middle ground landlords i.e. those who may be falling short because they are not aware of their responsibilities but would improve their practice with support and accreditation. Take a hard line with landlords	Wholly Accepted –This is a positive way forward to encourage and support landlords that need guidance to ensure they are aware of and are carrying out their responsibilities fully. Where we are unable to improve performance through information and advice and we have the evidence to take	Ongoing	Toni Keever – Home Improvement Team Leader

<p>who genuinely have no intention of improving in terms of prosecuting.</p>	<p>forward a prosecution route will be pursued.</p>		
<p>13. Reinforce the message to poor performing landlords that the Council will prosecute and when the Council serves notice it is seen as intention to prosecute – this must be balanced against projecting a negative message about landlords.</p>	<p>Partly Accepted – Where we have sufficient evidence and all other avenues have been exhausted we will then move to prosecute. This will follow consideration by the Housing Action Team and be lead by the appropriate service depending upon the nature of the issue. Through Tenancy Relations Officers we will provide support to the tenant throughout this process. All correspondence sent to the landlord will make clear the implications of failing to comply with their legal responsibilities and the potential for prosecution.</p>	<p>Ongoing</p>	<p>Toni Keever – Home Improvement Team Leader.</p>
<p>14. Assign a designated officer to each landlord to avoid officers being played off against one another and to ensure a consistent message.</p>	<p>Rejected – The Home Improvement Agency working with the Housing Action Team will coordinate contact with landlords providing advice to other services regarding actions being taken against specific landlords. Where action is being taken in relation to a landlord this will be lead by an Officer from the appropriate service, identified by the Housing Action Team, depending on the issue of concern. The landlord accreditation scheme will be lead by the Home Improvement Agency. The Empty Property Officer will lead on providing advice/information to landlords generally around empty properties. All interventions with a landlord is recorded on a database system which is accessed by Environmental Health and the Home Improvement Agency and regular meetings are held with all relevant services including revenues and benefits to discuss landlord issues. We will ensure that officers within the Home Improvement Agency works closely together to ensure a consistent message is provided.</p>		
<p>15. Produce “Looking for a Property?” guide to publish on the website and promote through all possible channels to help tenants avoid taking on poor quality properties with bad</p>	<p>Wholly Accepted – we feel that this is a positive action and we will publish a guide onto the Telford & Wrekin Council website.</p>	<p>October 2014</p>	<p>Toni Keever – Home Improvement Agency Team Leader</p>

<p>– Support community or voluntary organisations to access any sources of funding which may support the work</p>	<p>We will explore with our training providers opportunities to take on volunteers who want to develop their skills or use of current students to complete work. This would deliver training in a real environment and help develop skills. Further work needs to be done to check out how skills funding for adults could be drawn down.</p>		
<p>19. The summary of case studies provided by the Committee should be considered for any other ideas not referred to in these recommendations but which may be good ideas for Telford & Wrekin.</p>	<p>Wholly Accepted – we will review all case studies for future good practice.</p>	<p>September</p>	<p>Toni Keever – Home Improvement Team Leader.</p>