

**HOUSING AND NEIGHBOURHOOD RENEWAL TEAM - ENFORCEMENT
ACTIVITY REPORT 2010/11**

Report of Executive Director of Health, Housing and Adult Services

STRATEGIC PRIORITIES: SP2: Healthy City; SP3: Safe City; SP5: Attractive and Inclusive City

CORPORATE PRIORITIES: CIO1: Customer Focused Services: C102 One Council; C103 Efficient and Effective Council; CIO4 Improving Partnership Working.

1 PURPOSE OF THE REPORT

1.1 The purpose of this report is to summarise the enforcement activity undertaken during 2010/11 by the City Council in exercising the statutory powers at its disposal in dealing with unsafe, substandard or disused private sector housing and in tackling anti social behaviour. The report also highlights the ancillary enforcement activities undertaken by the service in the residential sector to deal with matters such as statutory nuisances and blocked or defective drainage.

2 BACKGROUND

2.1 The Council is provided with a wide range of powers in relation to standards of housing to enable it to protect individuals, families and the community as a whole. The Housing and Neighbourhood Renewal Team, within Health, Housing and Adult Services, has responsibility for exercising these powers in Sunderland. The team also has the responsibility on behalf of the Council for tackling antisocial behaviour and other crime related issues and where appropriate this is done in partnership with other agencies.

2.2 In dealing with requests for service or unsatisfactory housing conditions identified by other means, the first option is for officers to take an informative and advisory approach to owners, occupiers, tenants and landlords alike and every effort will be made to resolve matters by informal means. Owners, occupiers, tenants and landlords may expect a written explanation of opinions if they so request.

2.3 The Council has adopted an effective multi agency 'graded response' to tackling anti-social behaviour across Sunderland irrespective of housing tenure. This can range from a focus on prevention and early intervention by using tools and powers available including the issuing of early warning letters and Acceptable Behaviour Agreements, to application to the Court for an Anti-Social Behaviour Order.

2.4 If informal engagement fails, or it is not appropriate to adopt an informal approach, as certain circumstances require immediate intervention, formal action may be taken.

2.5 The Team's regulatory functions are extensive. They include; anti-social behaviour, tenancy harassment, public health nuisance, housing improvement and inspection and licensing of Houses in Multiple Occupation and selective licensing. Shown below is a schedule of legislation that Officers of the Team enforce on a regular basis:-

- Anti-social Behaviour Act 2003
- Crime and Disorder Act 1998
- Criminal Justice and Public Order Act 1994
- Criminal Justice and Immigration Act 2008
- Violent Crime Reduction Act 2006
- Local Government Act 1972
- Building Act 1984
- Civil Procedures Rules
- Clean Air Act 1993
- Control of Pollution Act 1974
- Environmental Protection Act 1990
- Housing Acts 1985, 1996 and 2004
- Housing, Grants, Construction and Regeneration Act 1996
- Local Government and Housing Act 1989
- Local Government (Miscellaneous Provisions) Acts 1976 and 1982
- Prevention of Damage by Pests Act 1949
- Public Health Acts 1936 and 1961
- Public Health Acts Amendment Act 1907
- Caravan Sites Act 1968
- Caravan Sites and Control of Development Act 1960
- Protection from Eviction Act 1977

3 CURRENT POSITION

ENFORCEMENT ACTIVITY KEY ACHEIVEMENTS

3.1 The information provided below summarises the activity that has taken place throughout 2010/11:-

- a) Overall the team has investigated and resolved approximately **2226** enquiries relating to poor housing conditions, empty properties and ASB during 2010/11 compared with **1253** in the previous year. This is due to better reporting ICT systems for the Anti-social Behaviour Team, more proactive empty property work and an increase in requests for service during the exceptionally cold winter weather;
- b) **369** empty homes have been brought back into use;
- c) **54** empty homes have been adequately secured against access thereby reducing the likelihood of arson and injury;
- d) **151** homes have been made fit to live in by advising property owners to undertake necessary works;
- e) **91** landlords have joined the Accreditation Scheme;

- f) **235** rented properties in the Selective Licensing area have been licensed;
- g) **559** privately rented properties in the selective licensing area have been inspected and schedules of work produced to bring them up to a decent standard;
- h) Weeks and weekends of Action have been held across the City to promote the roles and responsibilities of the Team and to encourage reporting of poor housing management, standards and anti-social behaviour;
- i) **26** additional houses in multiple occupation have been licensed;
- j) The authority has signed a protocol with the Tyne and Wear Fire Service and all other Tyne and Wear authorities regarding Fire Safety enforcement;
- k) **99.7%** of enquires responded to within 5 days;
- l) **27** properties have been demolished as part of the renewal programme to reduce non decent housing from the city;
- m) **138** councillor enquiries have been responded to;
- n) Enforcement priorities, identified in Local Area Plans have been implemented e.g. empty properties being returned to use;
- o) Partnerships have been further developed with the university and the hospital to strengthen joint work to improve the quality of student and hospital accommodation; and
- p) Officers from the team have attended 10 Local Multi Agency Problem Solving meetings across the Neighbourhood Police Team areas on a 5 weekly basis. The purpose of these meetings is to gather 'real time' intelligence about issues affecting the community and progress to resolution with relevant partner intervention.

INDIVIDUAL SERVICE AREAS

Housing Improvement

- 3.2 **704** enquiries relating to poor housing conditions have been investigated and resolved during the course of the year. This has included issues directly affecting resident's health and safety such as a lack of heating and hot water, dangerous stairs and dangerous gas installations.
- 3.3 Each year a number of enquiries are not fully resolved before the year end and are therefore carried over into the following year. 101 such enquiries, primarily those received in March, were carried over from March to April...

Public Health Protection

- 3.4 **150** enquiries relating to public health nuisance and drainage have been investigated and resolved with during the course of the year. This has included nuisance issues relating to blocked and defective drainage systems.

Empty Properties

- 3.5 **498** enquiries relating to problematic empty properties have been received and dealt with during the course of the year. This mostly relates to properties that are not secured against unauthorised access and may become a target for arson or ASB.
- 3.6 In addition, where resources allow, the team work proactively to identify property ownership details and encourage owners to bring properties back into use. During the year **369** homes have been brought back into use through the work of the Empty Property Officers, surpassing the target of 350.

Houses in Multiple Occupation regulation

- 3.7 Houses in Multiple Occupation (HMO) accommodate some of the city's most vulnerable members of society and it is therefore imperative that standards are maintained. Over the course of the year **42** enquiries from concerned residents were investigated and resolved.
- 3.8 In addition, the council operate a licensing scheme for many of the larger HMOs and over the course of the year a further **17** applications were received and processed resulting in a total of **139** licensed HMOs in the City.
- 3.9 The team operate an inspection regime based on the risk each individual HMO poses to its residents.

Selective Licensing

- 3.10 Selective Licensing was launched in July 2010 in the Middle Hendon and 'Long Streets' area of the City. It is a far reaching tool used to tackle problems in the private rented sector and requires all landlords of privately rented properties in the Middle Hendon and Long Streets area to apply to the council for a licence to continue renting in the designated area. To obtain a licence, landlords will have to meet certain criteria such as demonstrating they are 'fit and proper' persons and they are able to manage the property and the tenancy properly. In addition to the licensing requirement, all occupied privately rented properties are being inspected and schedules of work are being forwarded to the owners requiring necessary works to be undertaken.

- 3.11 Over the course of the year **432** applications were received and licences granted on **235** properties. Landlords known to the Council, who have not yet applied for a licence, will be pursued and prosecution explored.
- 3.12 **559** properties have been inspected in the Selective Licensing Area and follow up visits are continuing to ensure that landlords complete the required works to bring properties fully up to standard.

Immigration Inspections

- 3.13 **15** requests for property inspections to be carried out under the terms of Home Office immigration rules were received during the course of the year. This ensures that once immigrants move into the City they can feel assured that they are residing in accommodation that is safe, suitable and free from health and safety hazards.

Caravan Site Licensing

- 3.14 The City has **1** licensable caravan site which is located in the Silksworth ward and is inspected on an annual basis. Last years inspection resulted in a new licence being issued.

Tenancy Harassment

- 3.15 The team are also responsible for taking over cases where tenancy harassment has been identified, conducting further investigations and where necessary, prosecuting landlords.
- 3.16 The function was previously carried out by Legal Services and has only recently been transferred to the Housing Service; therefore to date the team have only received 1 referral which is still being investigated.

Summary table for Housing Enforcement activity

Cases referred to legal for prosecution	2
Works in default undertaken and charges lodged against property	27
Service of Statutory Notices	82

Anti-Social Behaviour

- 3.17 **993** enquiries relating to Anti-Social Behaviour have been received during the course of the year. This has included issues such as; adult and juvenile disorder, neighbour disputes and harassment.
- 3.18 The ASB enquiries listed below resulted in the following action being taken:-

Parenting contracts	1	These are made when there has been a problem with an under 16-year olds behaviour. Orders impose requirements on the parent(s) or guardian, which will usually include their attendance on guidance or counselling programme.
Acceptable Behaviour Agreements	67	These are voluntary written agreements between a person who has been involved in anti-social behaviour and one or more local agencies whose role it is to prevent such behaviour (e.g. police and housing). They are most commonly used for young people but may also be used for adults.
Anti Social Behaviour Order	1	These are statutory measures that contain conditions prohibiting offenders from specific anti-social acts or entering defined areas. They are civil orders made in court, and are effective for a minimum of two years. ASBOs can be applied for by local authorities, police forces, British Transport Police and by registered social landlords, but not by members of the public.
Assisting Police to obtain Anti-Social Behaviour Order	1	These are statutory measures that contain conditions prohibiting offenders from specific anti-social acts or entering defined areas. They are civil orders made in court, and are effective for a minimum of two years. ASBOs can be applied for by local authorities, police forces, British Transport Police and by registered social landlords, but not by members of the public.
Assisting Police to obtain Drink Banning Order	3	These have been introduced through the Violent Crime Reduction Act 2006 and have been available to Local Authorities and the Police from the 31 st August 2009. DBOs are designed to address an individual's alcohol misuse behaviour and protect others and their properties from such behaviour. DBOs are civil orders that can be made against an individual aged 16 or over if they have engaged in criminal or disorderly conduct whilst under the

	influence of alcohol. The order last for a minimum of two months and a maximum of two years. There is no custodial penalty for breach of an order although breach of a subsequent court sanction could result in a custodial sentence
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The cases above can take some time to resolve, therefore some cases will still be ongoing particularly those with intensive or multiple requirements.

SUPPORTING ACTIVITIES

Landlord Accreditation

- 3.19 **91** new landlords joining the Accreditation Scheme during the course of the year bringing the total to **351** accredited landlords covering **2003** properties. These were mostly in the Hendon area as a result of the introduction of Selective Licensing.
- 3.20 The Team also hold a Landlord Forum every quarter. The forums are attended by those private landlords who work in partnership with the Council and provide a platform to discuss and inform landlords of issues which may have an impact on them. Issues discussed have included; fire safety, local housing allowance, warmfront, selective licensing, crime prevention, homelessness and tax.

Tenant Vetting

- 3.21 **265** vetting requests have been received during the course of the year, of which **41** resulted in an unsatisfactory outcome. This has helped landlords to reach an informed decision in relation to future tenants and, therefore, minimise potential problems in neighbourhoods.
- 3.22 It is anticipated that this number will increase due to the introduction of selective licensing which requires landlords to utilise a vetting system in respect of potential tenants.

Area Renewal

- 3.23 The city has three designated renewal areas in Castletown, Hetton Downs and Hendon.
- 3.24 In Castletown, a housing led regeneration masterplan has been developed with the community. As part of this, **118** pre 1919 properties of a poor standard were demolished to make way for 79 new homes to be built in 2010/11. A further 92 properties are undergoing external improvements during 2010/11 as part of the block improvement scheme.
- 3.25 A housing led Area Action Plan is being developed for Hetton Downs. In line with this plan, 161 pre 1919 properties, identified by a housing survey as being among the worst in the city, have been demolished to prepare a

site for new housing. Additionally, a Neighbourhood Renewal Assessment is currently being undertaken on Maudlin Street to determine the future of the 28 properties in the street. The report and its findings are now available and have been discussed with local Ward Members.

- 3.26 A Neighbourhood Renewal Assessment in the Middle Hendon area (2007) is being implemented by Back on the Map in partnership with the Council. As part of this housing led plan, 432 properties have been externally improved and work is ongoing to develop a scheme that will hopefully result in approximately 100 new homes on the site of the previous Amberley and Harrogate Streets. A selective licensing scheme is also operational in this area (see above) to complement renewal activities.

Development of hot spot Area Intervention programme

- 3.27 This year has seen the development of a new approach to target geographical areas that have been identified as areas in need of intervention in relation to poor property conditions, high level of empty properties, anti social behaviour etc with a focus on the deployment of resources without the support of capital funding. This project work has neighbourhood specific targets to be achieved in a determined period of time. Such areas include; Eden Vale, Barnes, Wellington and Waterloo, Washington and the Racecourse estate, Houghton-le-spring.
- 3.28 The area focus approach has resulted in stronger partnerships developing with key partners. For example in the Eden Vale area strong links have been forged with the University and the City Hospital whilst in the Houghton area the same is true with Gentoo.
- 3.29 The Local Area Action Plans (LAP) for each Area Committee are also used to focus resources into subject areas to assist in the achievement of the aims and objectives of the determined priorities identified within each area.
- 3.30 This year the Anti-Social Behaviour Team have been working with the Police in two separate operations within the City This includes working on a Friday and Saturday night to increase patrols, reassure residents and target known perpetrators of hotspot areas of anti-social behaviour.

4. CONCLUSION

- 4.1 Through its work, the Housing and Neighbourhood Renewal Team contributes actively to the Council's wider objectives of People, Place and Economy and its aim "to ensure the people and City of Sunderland fulfil their potential".
- 4.2 The work of the team meets not only the Council's aims but directly meets the needs of local neighbourhoods by both responding to requests for service and proactively targeting the issues that are important to that neighbourhood.

5 RECOMMENDATIONS

- 5.1 Scrutiny Committee is invited to consider this report and provide views on the enforcement activity for the year 2010/11. Furthermore the Committee may wish to suggest areas of enforcement activity for the current year.

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