

Selective Licensing in Hastings & St Leonards

Report on progress and future options

Report for Hastings Borough Council

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██████████ - RJFP Resourcing Limited



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Executive Summary

1. Background

- 1.1 Hastings Borough Council's Cabinet approved the introduction of a Selective Licensing scheme in March 2015 covering all privately rented accommodation in seven wards: Braybrooke, Castle, Central St Leonards, Gensing, Old Hastings, Ore and Tressell. This followed a detailed assessment of relevant evidence and an extensive consultation exercise in 2014. The scheme lasts for five years. It started on the 26 October 2015 and finishes on 25 October 2020.
- 1.2 The seven wards were selected due to strong evidence of significant and persistent anti-social behaviour (ASB) and a clear link between ASB and private rented homes that was not being adequately addressed by private landlords. The purpose of the scheme is to help secure a reduction in ASB, whilst at the same time driving up the management of the private rented sector (PRS) and improving housing standards.
- 1.3 Hastings Borough Council (HBC) commissioned this report to provide a review of progress with Selective Licensing to help inform possible options for a future scheme.

2. Selective Licensing - Outcomes

- 2.1 Councils are required to review discretionary licensing schemes from time to time. When the scheme was adopted HBC agreed to carry out an initial review at the end of year 2 with a further review at the end of year 4. The following key outcomes were agreed to review progress against:
 1. Reduction in anti-social behaviour
 2. Improvements in housing conditions for private tenants
 3. Improved management standards
 4. Reduction of empty homes
- 2.2 Year 2 progress was reported to Cabinet in October 2017¹. This report considers the position towards the end of year 4. It is based largely on data supplied by HBC Housing Renewal Service, supplemented by the results of the Hastings Stock Condition Survey 2016 (HSCS) and police data on crime and anti-social behaviour (ASB).

Reduction in ASB

- 2.3 The period since 2015 has seen a significant reduction in ASB. Overall, ASB recorded by the police across the Borough has reduced by 43.7% with all 16 wards experiencing a reduction.

- **44.7% reduction in anti-social behaviour since 2015 in the Selective Licensing area**
- **Highest ASB reductions in Gensing (58%) and Central St Leonards (56.1%)**

The area covered by the seven Selective Licensing wards has seen a slightly larger reduction of 44.7%. Notably, data provided for the percentage change in each wards shows Gensing (58.5%), Central St Leonards (56.1%) and Braybrooke (52%)

¹ 2nd Anniversary Review of the PRS Selective Licensing Scheme – HBC Cabinet report – 9 October 2017

wards have experienced significant reductions above the Borough average. The progress in reducing ASB across the Selective Licensing area is welcome and largely attributable to the strength of partnership working between a whole range of agencies.

- 2.4 Selective Licensing is clearly making a contribution to this outcome through reinforcing the responsibility of landlords and managing agents to address ASB caused by their tenants, with particular success in the Central St Leonards area. There are real concerns that the significant progress towards achieving this outcome over the past three years could well be eroded when the scheme ends in October 2020, as landlords and managing agents will no longer be obliged to deal with ASB.

Improvements in housing conditions

- 2.5 There is clear evidence that Selective Licensing is leading to improvements in housing conditions. Estimates suggest that HBC intervention at the three year point has led to around 300 improved homes. Selective Licensing and the need to obtain a licence has helped HBC identify high risk properties requiring intervention, often where tenants would not have risked complaining to their landlord. At the three year point property inspections have identified over 200 dwellings in the area with Category 1 hazards (where HBC is required to take action). However, research² has shown there are an estimated 1,420 dwellings with Category 1 hazards and on the current rate of progress it seems very unlikely that HBC will be able to address them all. When the scheme ends in October 2020 there may still be around 900-1,000 occupied homes (10% of occupied PRS dwellings in the area) with one or more Category 1 hazards needing attention. An estimated 31% (3,220) PRS dwellings fail the 'decent homes' standard. There are also likely to be up to 1,000 PRS dwellings that fall below the Band E minimum energy efficiency rating for PRS dwellings.

In the Selective Licensing area:

- **31% (3,220) of PRS dwellings fail the 'decent home' standard**
- **14% (1,420) of PRS dwellings have one or more Category 1 hazard**
- **210 dwellings identified so far with Category 1 hazards**
- **300 privately rented homes improved since 2015**

- 2.6 The report contains a number of case studies that provide good examples of the type of problems that HBC officers are dealing with. Without the licensing scheme in place it is clear that the landlords concerned would not have carried out the essential repairs and improvements, as in most cases the tenants were reluctant to complain about the problems for fear of retaliatory eviction and losing their tenancy.

Improved management standards

- 2.7 At the three year point in the scheme's life there is insufficient evidence to show that housing management standards have improved in the private rented sector. Complaints to the Council's Housing Renewal Service provide a measure of management standards in private rented homes, on the basis that tenants will complain to the Council, only as a last resort, if their attempts to achieve a solution

² Hastings Stock Condition Survey 2016

from their landlord or managing agent have not been successful. Comparative complaints data for the three years since the scheme was introduced in 2015 with the preceding three years shows a 40% increase in complaints from 2,586 to 3,628. Central St Leonards had the highest number of complaints (466). Six of the seven wards saw an increase, the one exception being Ore ward, which has the smallest number of complaints (18) and saw a small reduction overall. 90% (1,511) of all housing complaints received by HBC in 2017/18 arose in the Selective Licensing area. The HSCS 2016 provides a useful baseline of tenant satisfaction with living conditions and in general indicates that much of the private rented sector was likely to be well managed but it highlights concerns around the carrying out of routine maintenance (35.1% of landlords fail to carry out routine maintenance) and responding to problems promptly (21.7% fail to deal with problems in a reasonable period of time).

- **40% increase in housing complaints in the scheme area since 2015**
- **90% of all housing complaints come from the scheme area**

- 2.8 With the exception of Ore ward, the increase in housing complaints since licensing was introduced in 2015 suggests growing tenant concerns with management standards. The increase in housing complaints may indicate a growing problem but may also simply reflect a growing confidence amongst tenants in reporting problems. A further tenant survey to assess satisfaction with living conditions is necessary to properly consider achievement against the outcome of improving housing management standards.

Reduction of empty homes

- 2.9 The Selective Licensing wards contain 80% of the Borough's long term empty homes. Between 2013 and 2017 the number of empty homes in the seven wards increased by 33%, from 485 to 645. Since 2017, the number of long term empty homes in the area has fallen by 9% but at just over three and a half years into the scheme's five year life there are still 590 empty homes across the area, 22% more than there were in 2013.

- **9% reduction in empty homes in the Selective Licensing area since 2017**
- **590 long term empty homes across the area**

- 2.10 There are variations between the seven wards. Four wards have seen a decrease since 2017. Central St Leonards saw the largest reduction of 43 (18%). Three wards saw relatively small increases, Braybrooke (5), Castle (13) and Tressell (8). It is likely that the number of empty homes is a function of the wider housing market and the large concentration of PRS dwellings in the area. The evidence does suggest that licensing is not causing landlords to withdraw from the market and leave homes empty. The reduction in the number of long term empty homes since 2017 is a positive trend but the desired outcome of reducing empty homes has yet to be achieved.

3. Impact and Options

- 3.1 The PRS in Hastings has more than doubled over the past 20 years and the evidence suggests that it is continuing to grow. When the Selective Licensing scheme was established in 2015, Census data showed there were just under 8,900 PRS dwellings

in the area. Estimates from the HSCS (2016) and HBC (2019) suggest that the number of occupied PRS dwellings in the scheme area has grown a further 7% since 2015, from 9,580 to 10,257 in 2019. The continued growth in the PRS since the making of the Selective Licensing scheme suggests growing landlord confidence in the area.

- 3.2 Activity under the scheme has resulted in the licensing of over 7,600 dwellings (at August 2019) and it is expected that this will increase to 8,000 dwellings by the time the scheme ends. By July 2019 HBC officers had inspected 2,269 high risk dwellings (29.6% of dwellings with a licence). It is anticipated that HBC officers will have inspected a further 800 high risk dwellings bringing the total dwellings inspected to around 3,100 by October 2020.
- 3.3 Considerable enforcement action including prosecution and the issue of financial penalties has taken place with regard to landlords who have not come forward to license their properties and this has helped maintain the profile of the scheme. Nonetheless, when the scheme ends there could be over 2,000 PRS dwellings without a Selective Licence.
- 3.4 The review of data for individual wards in the current Selective Licensing area indicates that PRS conditions in Ore ward may be less problematic than the other six wards. Whilst Ore ward has a high proportion of PRS dwellings, HSCS data suggests the area has a lower level of non-decent homes than each of the other six wards and has the highest energy efficiency level with a SAP rating of 61. It also has the lowest number of empty homes and the level of ASB is second to lowest. Housing related complaints are extremely low in Ore with only 18 recorded over the past three years. These are sound reasons for excluding Ore ward from any future scheme and selecting a smaller area of six wards should mean it will be possible to inspect a larger proportion of dwellings to identify Category 1 and 2 hazards and secure improvements with the level of resources available.
- 3.5 The outcome of the options appraisal is that a limited area scheme based on six wards: Braybrooke, Castle, Central St Leonards, Gensing, Old Hastings and Tressell would have the most significant impact on the PRS. Based on current experience of discretionary licensing in the Borough, concentrating HBC resources on licensing PRS dwellings in this smaller area would mean a higher level of property inspections, the identification of more Category 1 and 2 hazards; and ultimately should lead to the improvement of more dwellings, together with better quality management of the PRS.
- 3.6 Discretionary licensing is an important component of HBC's strategic approach towards dealing with unsatisfactory conditions in the PRS, homelessness and empty homes, as set out in its Corporate Plan and Housing Strategy. The report shows the important inter-relationship between the Houses in Multiple Occupation Additional Licensing scheme and Selective Licensing, especially where ownership is fragmented between freeholders and leaseholders.

- **7% increase in PRS in the Selective Licensing area since 2015**
- **8,000 PRS homes licensed by October 2020**
- **Over 3,000 high risk dwellings inspected by October 2020**

4. The way forward

4.1 The progress made against the outcomes agreed in 2015 indicates that Selective Licensing is making a positive impact on conditions in the private rented sector in the area's seven wards, especially in relation to ASB. Selective Licensing does not appear to be having a negative effect on the private rented sector in the area, which has continued to grow. The HSCS was based on the scheme area and has highlighted significant problems with non-decent homes and Category 1 hazards in PRS dwellings.

4.2 The review of evidence shows PRS conditions in Ore ward to be less problematic. The options appraisal concludes that selecting a smaller area of the six wards of Braybrooke, Castle, Central St Leonards, Gensing, Old Hastings and Tressell, means it should be possible to inspect a larger proportion of dwellings to identify Category 1 and 2 hazards and secure improvements with the level of resources available.

4.3 All six wards meet the statutory test of having a high proportion of PRS dwellings let on assured tenancies or licences. The 2016 stock condition survey provides sufficient evidence to show there are significant numbers of PRS dwellings where Category 1 and Category 2 Hazards exist on the premises. On the current rate of progress there are likely to be in the region of 1,000 PRS homes with one or more Category 1 hazards and a significant number with one or more Category 2 hazards still needing attention by October 2020 when the current scheme ends. There are also likely to be up to 1,000 PRS dwellings that fall below the Band E minimum energy efficiency rating for PRS dwellings. HBC's risk assessment approach to carrying out inspections and following up with enforcement action where necessary is achieving positive results, giving confidence that making a further Selective Licensing scheme will lead to an improvement in general housing conditions in the chosen area.

- Up to 1,000 PRS dwellings with Category 1 hazards requiring improvement
- Up to 1,000 PRS dwellings falling below the minimum Band E energy efficiency rating

On the basis of the evidence in the report it is appropriate to seek a Selective Licensing designation in the six wards on the ground of poor housing conditions.

4.4 A designation is not being sought specifically on the ground of a high level of deprivation but four of the six wards are in the most deprived 10% and all have a high proportion of PRS dwellings thus meeting the statutory requirements for making a scheme. It is clear that Selective Licensing combined with other partner activity in these wards would help contribute to a reduction in the level of deprivation.

4.5 The report shows that ASB has reduced significantly in the current Selective Licensing area over the past three years and the evidence is such that it is not appropriate to seek a new Selective Licensing designation on the grounds of significant and persistent ASB. However, making a further Selective Licensing scheme would maintain the obligation on landlords and letting agents to deal with ASB and by doing so would help continue the current reduction in ASB and avoid the position reversing.

4.6 A new six ward Selective Licensing scheme requires confirmation by the Secretary of State. If HBC wishes to designate a new scheme it will need to carry out a comprehensive consultation exercise of a minimum of ten weeks prior to approving a scheme and seeking Secretary of State confirmation.

1. Introduction

- 1.1 On the 30 March 2015 Hastings Borough Council's Cabinet approved the introduction of a Selective Licensing scheme covering all privately rented accommodation in the following seven wards:
- Braybrooke
 - Castle
 - Central St Leonards
 - Gensing
 - Old Hastings
 - Ore
 - Tressell
- 1.2 This followed a detailed assessment of relevant evidence and an extensive consultation exercise in 2014. The seven wards were selected due to strong evidence of significant and persistent anti-social behaviour (ASB) and a clear link between ASB and private rented homes that was not being adequately addressed by private landlords. Designation of the scheme was intended to help secure a reduction in ASB whilst at the same time driving up the management of the private rented sector and improving housing standards.
- 1.3 The scheme came into effect on the 26 October 2015 and lasts 5 years, until 25 October 2020. A map showing the area covered by the scheme is included at Appendix 1.
- 1.4 Hastings Borough Council (HBC) has commissioned an 'exit strategy' review of the current Selective Licensing scheme. This report provides a review of progress since the introduction of Selective Licensing, as part of the process to help inform the future of the scheme. The report also reviews possible options for a future scheme.

2. Reviewing Progress

- 2.1 Local authorities are required to review discretionary licensing schemes from time to time and if following a review they consider it appropriate to do so, the authority may revoke the scheme. When the scheme was adopted a process of review was agreed to help assess whether there were ways of making it more effective and ultimately to determine the success of the scheme in its later stages, with a view to informing the exit strategy. This included carrying out an initial review at the end of year 2 with a further review at the end of year 4 to help decide on the future strategy before the five years have elapsed.
- 2.2 It was agreed that progress should be assessed against the following key outcomes:
1. Reduction in anti-social behaviour
 2. Improvements in housing conditions for private tenants
 3. Improved management standards
 4. Reduction of empty homes
- 2.3 An initial review was undertaken in 2017 towards the end of the second year of operation. This was reported to the Council's Cabinet on 9 October 2017³. The review concluded that, whilst there has been an improvement in property conditions over the past five years or so and complaints about housing conditions are lower per annum than prior to the introduction of the Selective Licensing scheme there is not sufficient evidence to show that the scheme has yet met its initial objectives and there is a need to continue the scheme.
- 2.4 This report considers the position towards the end of year 4. At the end of August 2019 the Council had received nearly 7,900 applications for selective licensing resulting in the issue of 7,882 licences. As 214 of these are a result of properties changing hands this means that at the beginning of September 2019 there are 7,668 properties with a Selective Licence. This is considerably higher than the original 2015 estimate of approximately 7,100 over the life of the scheme. By the end of 5 years it seems likely that the Council will have issued at least 8,000 licences.
- **Over 7,800 licences issued and 7,668 homes licensed against an initial target of 7,100** (August 2019)

• **Revised target now 8,000 licences issued by October 2020**
- 2.5 Good publicity and promotion has given selective licensing a high profile in Hastings, which may help to explain the positive level of compliance. Considerable enforcement action including prosecution and the issue of financial penalties has also taken place with regard to landlords who have not come forward to license their properties and this has helped maintain the profile of the scheme.
- 2.6 Progress against the key outcomes is set out in the following sections.

³ 2nd Anniversary Review of the PRS Selective Licensing Scheme – HBC Cabinet report – 9 October 2017

Anti-social Behaviour

2.7 The 2015 report informing the designation of the Selective Licensing scheme highlighted that in 2014/15 anti-social behaviour (ASB) in Hastings and St Leonards was increasing⁴. In addition, when compared with 13 other similar coastal resort towns and neighbouring authorities Hastings Borough had the third highest level of ASB (shown as a percentage of all residents)⁵. The seven wards included in the Selective Licensing scheme all had high levels of ASB per 1000 population and an above average proportion of privately rented homes. Mapping of ASB hotspots and incidents against different tenures demonstrated a clear link between ASB and privately rented homes.

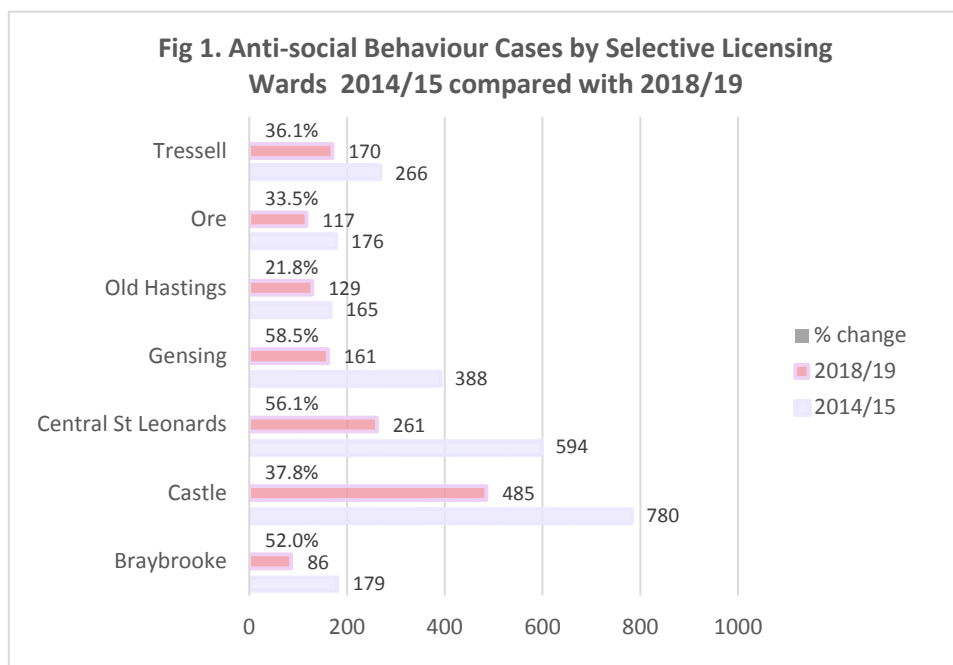
In Hastings:

- Anti-social behaviour as a percentage of the population has reduced from 5.41% in 2012 to 2.53% in 2019
- Anti-social behaviour has reduced by 43.7% since 2015

In the Selective Licensing area:

- Anti-social behaviour has reduced by 44.7% since 2015

2.8 The period since 2015 has seen a significant reduction in ASB. Overall, ASB recorded by the police across the Borough has reduced by 43.7% with all 16 wards experiencing a reduction⁶. The area covered by the seven Selective Licensing wards has seen a slightly larger reduction of 44.7%. The percentage change for each of the Selective Licensing wards between 2014/15 and 2018/19 is set out in Fig 1. below. Notably Gensing (58.5%), Central St Leonards (56.1%) and Braybrooke (52%) wards have experienced significant reductions above the Borough average.



Source: Sussex Police

⁴ Para 5.3 Proposed Selective Licensing Scheme HBC Cabinet report – March 2015

⁵ Para 5.3 Proposed Selective Licensing Scheme HBC Cabinet report – March 2015

⁶ Table 1 Appendix 1

- 2.9 Ward data for 2017 and 2018 comparing the level of ASB and the incidence of ASB per 1,000 population with the size of the private rented sector in each ward also shows a reduction in six of the Selective Licensing wards (see Appendix two Table 1.2). The exception being Tressell ward, where the number of incidents per 1,000 has increased from 28.7 to 32.7.
- 2.10 The comparison of ASB between Hastings and other comparable coastal areas and neighbouring authorities prior to the Selective Licensing area being designated was based on evidence available for 2012 and this showed that Hastings had the third highest level of ASB at 5.41%, when shown as a percentage of all residents. (see Appendix 2 Figure 1.3). A similar comparison of ASB in Hastings with broadly the same cohort of authorities, based on 2018/19 data, reveals a general reduction in ASB⁷ across all areas (see Table 1 below).

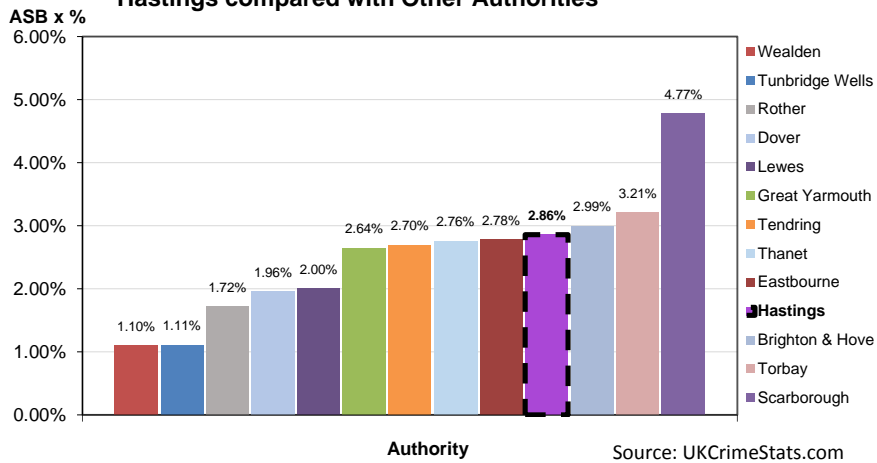
Table 1: Anti-Social Behaviour incidents as % of all residents - Hastings compared with other authorities - July 2018 to June 2019			
Authority	ASB	Population	ASB as % of Population
Wealden	1,634	148,911	1.10%
Tunbridge Wells	1,275	115,061	1.11%
Rother	1,559	90,574	1.72%
Dover	2,189	111,676	1.96%
Lewes	1,952	97,460	2.00%
Great Yarmouth	2,571	97,289	2.64%
Tendring	3,721	138,049	2.70%
Thanet	3,700	134,186	2.76%
Eastbourne	2,766	99,373	2.78%
Hastings	2,581	90,260	2.86%
Brighton & Hove	8,178	273,312	2.99%
Torbay	4,202	130,772	3.21%
Scarborough	5,193	108,772	4.77%

Source: UKCrimeStats.com

- 2.11 However, the data in Fig 2. below indicates that whilst Hastings has the seventh lowest number of ASB cases, when shown as a percentage of all residents the level of ASB has reduced to 2.86% but out of the thirteen areas the town has only dropped one place and now ranks as fourth highest, just above Eastbourne (2.78%) and below Brighton & Hove (2.99%). Hastings is just leading a cluster of five areas ranging from 2.64% through to 2.86%, which includes Great Yarmouth and Thanet both of which have current Selective Licensing schemes.

⁷ These ASB figures are taken from the UKCrimestats.com website for the rolling year to June 2019 and are therefore not directly comparable with the ward based ASB figures in Fig. 1 above provided by Sussex Police for financial years. The Sussex Police figures were downloaded from their live system and as such are a snapshot in time. The data has not been audited and therefore represents a reflection of crime rather fully verified 'performance data'.

Fig 2. Anti-Social Behaviour Incidents as % of population - Hastings compared with Other Authorities



2.12 In summary, the significant reduction in ASB across Hastings and in the Selective Licensing area is welcome and largely attributable to the strength of partnership working between a whole range of agencies across the Borough. The slightly larger reduction in ASB of 44.7% in the Selective Licensing area is particularly welcome. Selective Licensing is clearly making a contribution to this outcome through reinforcing the responsibility of landlords and managing agents to address ASB caused by their tenants, with some significant reductions, particularly in Central St Leonards and Gensing wards. However, there is a very real possibility that the good progress towards achieving this outcome over the past three years could well be eroded when the scheme ends in October 2020, as landlords and managing agents will no longer be obliged to deal with ASB.

Improvements in Housing Conditions for Private Tenants

2.13 Since the introduction of Selective Licensing in 2015, HBC commissioned a house condition survey in 2016⁸ [Hastings Stock Condition Survey 2016 (HSCS)]. This has established a useful baseline of housing conditions in private homes (owner-occupied and privately rented) against which it is possible to measure improvements. The HSCS was a random sample survey specifically targeted at private housing in the seven Selective Licensing wards, containing 20,250 residential properties of which 19,340 were estimated to be occupied. As with all sample surveys the results must be treated with a degree of caution as there is the potential for a small degree of statistical variation.

2.14 The HSCS reviewed a range of property and household characteristics and provided estimates on homes that were not meeting the 'decent homes standard' and those that were below standard in relation to the Housing Health & Safety Rating System (HHSRS), specifically those dwellings where at least one or more 'Category 1'⁹ hazard was identified. In both cases conditions were identified as being poorer in the private rented sector.

Non-Decent Homes by Tenure

- Privately rented - 31.4%
- Owner-occupied - 19.7%

Category 1 Hazards by Tenure

- Privately rented - 13.9%
- Owner-occupied - 10.2%

In the Selective Licensing area:

- **31% (3,220) of private rented homes fail the Decent Homes Standard**
- **13.9% (1,420) of private rented homes have one or more Category 1 hazard**

2.15 Recent HBC estimates of the size of the private rented sector in the seven Selective Licensing wards indicate that in July 2019 there were just over 10,250 occupied privately rented dwellings in the area. Applying this figure to the HSCS percentage estimates above suggests that around 3,220 (31.4%) private rented homes fail the Decent Homes standard (see Appendix 2 Table 2.6) and that around 1,420 (13.9%) private rented homes have at least one or more Category 1 hazard (see Appendix 2 Table 2.7).

2.16 Where properties are inspected under the licensing regime, or as result of complaints from tenants, officers from the HBC Housing Renewal Service will assess conditions against the HHSRS and where a Category 1 or Category 2¹⁰ hazard/s is identified will discuss improvements directly with the landlord or managing agents. In the event that the landlord or agent is unwilling or unable to rectify the problem formal notices will be served under Section 11 and/or Section 12 of the Housing Act 2004. At the beginning of July 2019 HBC officers had inspected 2,269 high risk

⁸ Hastings Stock Condition Survey 2016 - Opinion Research Services, December 2016

⁹ Where the HHSRS scoring system identifies a Category 1 hazard local authorities have a duty to take the most appropriate action to deal with it.

¹⁰ Hazards are rated according to how serious they are. Where a hazard is described as Category 2 it will be lower risk and less dangerous than Category 1. Local authorities have a power to take action in respect of Category 2 hazards but not a duty.

dwellings. This represents 29.6% of dwellings where licences have been issued. By the end of the scheme five year life it is anticipated that HBC officers will have inspected a further 800 high risk dwellings bringing the total dwellings inspected to around 3,100.

- 2.17 In the three years since introducing Selective Licensing HBC property inspections have so far identified 210 dwellings in the area with Category 1 hazards (see Appendix 2 Table 2.1). Not every case has required formal action under the Housing Act to remedy the problem. In 83 dwellings it was necessary to serve a Section 11 notice to remedy one or more Category 1 hazards (see Appendix 2 Table 2.2). A further 74 dwellings required combined action under Section 11 and Section 12 to deal with Category 1 and Category 2 hazards (see Appendix 2 Table 2.3). 18 further cases required action under Section 12 to address Category 2 hazards (see Appendix 2 Table 2.3). Overall a total of 175 (83%) dwellings required formal action under Section 11 and Section 12 (see Appendix 2 Table 2.4).

- **Nearly 2,300 high risk dwellings inspected**
- **Selective Licensing has so far identified 210 dwellings with Category 1 hazards**
- **240 private rented homes improved following formal action by HBC officers**

- 2.18 The various case studies at Appendix 4 provide good examples of the type of problems that HBC officers are dealing with, along with helpful descriptions of the identified hazards and the action required to remedy them. The before and after photos demonstrate clearly the positive outcomes that HBC intervention can achieve. It is clear from these examples that without the licensing scheme in place it is unlikely that the landlords concerned would have carried out the essential repairs and improvements, as in most cases the tenants were reluctant to complain about the problems for fear of retaliatory eviction and losing their tenancy.

- 2.19 Since 2015 there are 240 cases where owners have complied with enforcement action resulting in improved dwellings (See Appendix 2 Table 2.5). This figure is slightly higher than the number of dwellings identified with Category 1 hazards over the same period, partly because it will include the result of action started before Selective Licensing commenced in 2015 (e.g. where major work is needed this can take several months to complete) and also because the figures include the result of a small number of other non-Housing Act enforcement action. This figure is likely to be an underestimate of improvements carried out as some landlords will have improved their properties without the need for formal action. As indicated at para. 2.17 above, activity related to Category 1 hazards has shown that out of the 210 dwellings identified as having one or more Category 1 hazard, 175 cases (83%) required formal Housing Act enforcement action. This suggests that 17% of landlords dealt with identified hazards without formal action being necessary. On this basis it is possible that an additional 49 homes will have benefited from repairs and improvements.

- 2.20 In summary, there is evidence to indicate that Selective Licensing is leading to improvements in housing conditions. Estimates suggest that HBC intervention at the three year point has led to the improvement of around 300 homes. Selective Licensing and the need to obtain a licence has helped HBC identify high risk properties requiring intervention, often where tenants would not have risked

complaining to their landlord. On the current rate of progress it seems very unlikely that HBC will have been able to address all the estimated 1,400 or so dwellings with Category 1 hazards. When the Selective Licensing 5 year life ends in October 2020 there may still be around 900-1,000 occupied homes (just under 10% of PRS dwellings in the area based on current estimates) with one or more Category 1 hazards needing attention, not including those falling below standard since 2016.

Improvements in Management Standards

2.21 One of the main means of measuring improvements in management standards is to consider tenants' satisfaction with their living conditions. The recent HSCS 2016 asked tenants a number of questions about renting in the private rented sector. The findings are set out in Table 2 below. Whilst in general they indicate that much of the private rented sector was likely to be well managed, they do highlight issues around landlords failing to carry out routine maintenance, with only 64.9% fulfilling this obligation (or 35.1% failing to carry out routine maintenance); and failing to deal with problems in a reasonable period of time, with only 78.3% doing so (or 21.7% not).

- 40% increase in housing complaints since 2015 in the Selective Licensing area
- 1,511 housing complaints received in 2017/18

2.22 This data acts as a useful baseline to management standards in the private rented sector and it would be appropriate to revisit these same questions about living in the private rented sector in a tenant survey at an appropriate point to help inform the decision about any future selective licensing scheme.

Table 2: Private rented sector issues highlighted in Hastings House Condition Survey 2016		
Issues arising with private sector landlords	Private Rented Dwellings where household answered 'Yes'	
	Number	Proportion
Is there a written tenancy agreement?	8,750	91.26%
Was deposit NOT protected under a government backed deposit scheme?	1,180	20.37%
Does the landlord respond to problems in a reasonable period of time?	7,500	78.29%
Does the landlord have an emergency number?	8,180	85.41%
Does the landlord carry out routine maintenance?	6,220	64.89%
Does the landlord always give notice before entering the property?	7,500	78.22%
Is there a smoke alarm working and present?	7,480	82.61%
All occupied private rented dwellings	9,580	100.00%

Source: HHCS 2016

2.23 Complaints to the Council's Housing Renewal Service provide another measure of management standards in private rented homes, on the basis that tenants will complain to the Council, often as a last resort, if their attempts to achieve a solution from their landlord or managing agent have not been successful. The service receives a high level of housing complaints from private residents and mainly from private tenants (see Appendix 2 Table 3.1). In 2017/18 a total of 1,670 complaints were received, the highest annual number recorded over the past 8 years. 90% of these (1,511) arose in the seven wards in the Selective Licensing area. Significantly, with one notable exception in 2014/15, the number of complaints has grown year

on year. Data on the number of complaints actioned is set out at Appendix 2 Table 3.3, which shows the clear up rate is around 80%.

- 2.24 One way of assessing the potential impact of Selective Licensing is to compare the three years since the scheme was introduced in 2015 with the preceding three years, i.e. 2012/13-2014/15, (see Appendix 2 Table 3.2). The data for the Selective licensing area shows an increase in complaints from 2,586 in the three years prior to designation of the scheme compared to 3,628 for the subsequent three years, an increase of 40%. Six of the seven wards saw an increase, the one exception being Ore ward, which has the smallest number of complaints and saw a small reduction overall.
- 2.25 This position is confirmed in Table 3 below, which shows the change in average complaints each year since the introduction of Selective Licensing compared with the preceding three years. It confirms the low level of complaints in Ore ward and the small average reduction. The biggest numerical change was in in Castle ward (100) and the highest percentage change was in Braybrooke (125%) and Tressell (133%).

Table 3. % Change in average complaints per annum since introduction of Selective Licensing – 2015/16-2017/18 compared with 2012/13-2014/15				
Ward	2012-2015	2015-2018	Change since SL	% change
Braybrooke	47	106	59	125%
Central St Leonards	399	466	67	17%
Castle	175	276	100	57%
Gensing	145	178	33	23%
Old Hastings	39	83	45	116%
Ore	21	18	-3	-17%
Tressell	35	82	47	133%

Source: HBC Housing & Built Environment

- 2.26 Whilst the complaints data for the Selective Licensing area shows a clear trend upwards, it is difficult to reach firm conclusions about the reasons for the overall increase in complaints across the area. It is possible that one contributory factor is growth in private renting across the area. The increase may also be partly due the licensing scheme making tenants more aware of the options available for dealing with issues at their property. They may also feel more confident about reporting complaints within the Selective Licensing regime as landlords cannot evict them simply to avoid obtaining a licence. Whilst ‘retaliatory eviction’ (where landlords are able to evict tenants who complain about living conditions) is a real fear for tenants, it is likely that this would be a greater issue without the benefit of the licensing framework.
- 2.27 In summary, the HSCS 2016 provides a useful baseline of tenant satisfaction with living conditions and highlights concerns around the carrying out of routine maintenance and responding to problems promptly. With the exception of Ore ward, the increase in housing complaints since licensing was introduced in 2015 suggests growing tenant concerns with management standards. At this point in the five year life of the Selective Licensing scheme there is insufficient evidence to

show that housing management standards have improved in the private rented sector. The increase in housing complaints may indicate a growing problem. However, it may also simply reflect a growing confidence amongst tenants in reporting problems. A further tenant survey to assess satisfaction with living conditions is recommended at an appropriate point in the future in order to properly consider achievement against the outcome of improving housing management standards.

Reduction of Empty Homes

- 2.28 In 2001 HBC adopted its first strategy to tackle the very large number of empty homes in the town. At that time nearly 3,400 privately owned homes were empty, representing 8.4% of the total housing stock. Of these nearly 2,000 were classed as long term empty (empty for 6 months or more). Adopting a strategic approach was considered important as long term empty properties can become ‘honey pots of crime’ acting as havens for substance misuse and drug dealing, encouraging other ASB such as fly-tipping, which may attract vermin and disease and can lead to vandalism associated with derelict properties. Empty properties in poor condition can drag a neighbourhood down, adversely affecting property values and investment in the area.
- 2.29 For all these reasons HBC has given priority to addressing the issue over a long period and has achieved considerable success through a variety of measures. By 2013 the number of long term empties had reduced significantly, down to 667. Since 2013 progress in reducing the number further has proved more challenging but positive outcomes are still being achieved.
- 2.30 Information on long-term empty homes in Hastings is presented by ward in Appendix 2 Table 4.1. The table compares the position for all wards in November 2013 with July 2017 and June 2019. Ward level data on empty homes was not available in 2014/15 to enable a time specific comparison from the date Selective Licensing was introduced. However, between 2013 and 2019 the data shows a 10% increase in empty homes across the whole Borough with a peak in July 2017.
- 2.31 The position for the Selective Licensing area and each of the seven wards is set out in Table 4 below. In the Selective Licensing area over the same period the number of empty homes increased by 22% from 485 to 590 with a similar peak in July 2017.

- 80% of all Hastings’ empty homes are in the Selective Licensing area
- 22% more empty homes in the Selective Licensing area since 2013
- 9% reduction in empty homes in the Selective Licensing area since 2017

Table 4. Number of Long Term Empty Homes in Selective Licensing area – 2013-2019 (Empty for 6 months or more)					
Ward	Nov 2013	July 2017	June 2019	Change 2017-2019	% Change
Central St Leonards	150	240	197	-43	18%
Castle	135	150	163	13	-9%
Gensing	67	110	86	-24	22%
Old Hastings	61	53	43	-10	19%
Braybrooke	39	53	58	5	-9%
Ore	14	25	21	-4	16%
Tressell	19	14	22	8	-57%
Totals	485	645	590	-55	9%
Selective Licensing Wards					

Source: HBC Housing & Built Environment

- 2.32 In the Selective Licensing wards the number of empty homes increased from 485 in 2013 to 645 in 2017, equating to a 33% increase. Between 2017 and 2019 there was a reduction in empty homes across the whole Borough (11%) and within the Selective Licensing area (9%). This suggests that changes in the number of empty homes in the Selective licensing area are following the Borough wide trend.
- 2.33 There are variations between the scheme's seven wards. Four wards have seen a decrease since 2017, the largest reduction 43 (18%) being in Central St Leonards. Three wards have seen relatively small increases, Braybrooke (5), Castle (13) and Tressell (8).
- 2.34 The data at Appendix 2 Table 4.1 shows the majority (80%) of empty homes are situated in the Selective Licensing area. This is probably as much to do with the above average levels of private renting in all seven wards and the high turnover associated with this tenure, together with the large number of small dwellings, than a direct result of Selective Licensing.
- 2.35 In summary, it is likely that the number of long term empty homes is a function of the wider housing market but the evidence does suggest that licensing is not causing landlords to withdraw from the market and leave homes empty. However, at this point (just over three and a half years into the scheme's five year time frame), although the number of empty homes has started falling since 2017, the desired outcome of reducing empty homes has yet to be achieved.

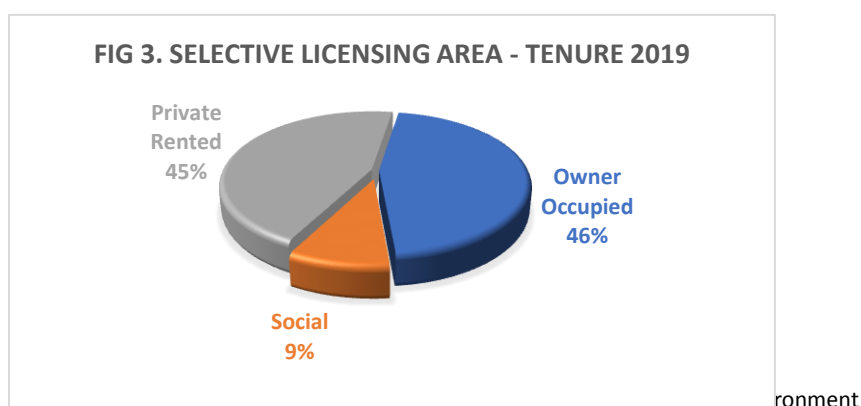
3. Issues Arising from the Review

Licences issued

- 3.1 At designation it was envisaged that out of the estimated 8,900 homes in the scheme area HBC would license around 7,100 of them. By the end of June 2019 HBC had licensed just over 7,668 homes exceeding the five year target by nearly 600. Understandably the licence application rate has slowed down at this stage in the scheme but it is anticipated that HBC will have issued around 8,000 licences by October 2020 when the five year period ends.

Growth of the Private Rented Sector

- 3.2 This suggests that the private rented sector is growing and recent estimates based on a range of HBC data confirm that since the 2011 Census the private rented sector has grown from 11,863 (29%) to 14,485 (33%) across the whole Borough in 2019 (see Appendix 3 Table 4.1). In the Selective Licensing area the revised estimates show that the private rented sector now comprises 45% of the housing stock (see Fig. 3 below) alongside 46% owner-occupation.



- 3.3 Growth of the private rented sector over the past 18 years is set out at Table 5 below. This shows that since 2001 the private rented sector in the seven wards has doubled from 5,156 to 10,527 in July 2019 and between 2011 and 2019 has grown by nearly 1,400 homes, a 15% increase.

Table 5. Private Rented Dwellings in Selective Licensing Area by Ward - 2001-2019

	2001 (Census)		2011 (Census)		2019 (HBC Estimate)		2001- 2019	2001- 2019
	P/Rented	% of housing stock	P/Rented	% of housing stock	P/Rented	% of housing stock	Overall Change	Overall % Change
Braybrooke	593	25%	910	37%	1116	48%	523	88%
Castle	1233	39%	2086	55%	2206	53%	973	79%
Central St Leonards	1343	39%	2533	59%	2771	53%	1428	106%
Gensing	991	37%	1621	51%	1848	54%	857	86%
Old Hastings	436	17%	692	25%	787	34%	351	81%
Ore	218	10%	479	21%	729	36%	511	234%
Tressell	342	17%	576	26%	800	36%	458	134%
Total SL Wards	5,156	29%	8,897	43%	10,257	45%	5,101	99%

Source: HBC Housing & Built Environment

3.4 Central St Leonards has seen the largest numerical increase overall but much of this occurred between 2001 and 2011; over the past 8 years the private rented stock in the ward has only increased by around 240 homes. Ore and Tressell wards have seen the largest percentage increases since 2001 against the lowest levels of private renting; and between 2011 and 2019 saw the private rented stock increase by 250 and 224 homes respectively.

Impact of Selective Licensing

3.5 Three years into the five year life of the Selective Licensing scheme there is evidence from this review that it is having a positive impact, albeit that progress against the agreed outcomes is mixed. When the area was designated, there were around 8,900 privately rented homes in the seven wards¹¹. As indicated above recent HBC estimates suggest that there are now around 10,250 privately rented homes in the area. With such a large and growing number of private rented homes it would be unrealistic to expect substantial delivery of outcomes when only 60% of the way through the five year period.

3.6 The high level of ASB in the seven wards linked to private rented homes was the primary reason for designating the Selective Licensing area. Consequently, reducing ASB was an important outcome and success measure. The significant reduction in ASB, both in the Selective Licensing area and across the town as a whole, at this relatively early stage is therefore extremely positive. Selective Licensing has clearly made a contribution to this outcome and the significant ASB reductions in Central St Leonards and Gensing wards are particularly welcome. However, there is a very real possibility that the good progress towards achieving this outcome over the past three years could well be eroded when the scheme ends in October 2020. Even so, if the current much reduced ASB levels are maintained or indeed continue to fall it would be difficult to argue that Selective Licensing should continue in all or part of the current area on the grounds of ASB alone.

3.7 Improving housing conditions inevitably takes time, especially if major works are needed, or if landlords are unwilling or unable to deal with the repairs and/or improvements required. It would be unrealistic, therefore, to expect significant progress against this outcome at this stage. Nonetheless, there is evidence to indicate that Selective Licensing is resulting in housing improvements, with an estimated 300 homes improved as a result of HBC formal and informal action. The data also indicates that Selective Licensing has resulted in an increase in action to deal with unsatisfactory housing conditions compared with preceding years. Importantly, Selective Licensing and the need to obtain a licence has helped HBC identify high risk properties requiring intervention, often where tenants would not have risked complaining to their landlord as highlighted in the various case studies at Appendix 4. However, on the current rate of progress it appears unlikely that HBC will have been able to address all the estimated 1,400 or so dwellings with Category 1 hazards before October 2020. In fact there is every likelihood that there may still be between

¹¹ Census 2011

900-1,000 homes with one or more Category 1 hazard needing attention at the end of the Selective Licensing period.

- 3.8 At this point it is difficult to reach a view on whether housing management standards are improving in the private rented sector. The HSCS 2016 provides a useful baseline of tenant satisfaction with living conditions and highlights concerns around the carrying out of routine maintenance and responding to problems promptly. The increase in housing complaints since licensing was introduced in 2015 suggests growing tenant concerns with management standards and the increase in housing complaints may indicate a growing problem. However, it may also simply reflect a growing confidence amongst tenants in reporting problems, in part fuelled possibly by HBC inspections arising from Selective Licensing. A further tenant survey to assess satisfaction with living conditions is recommended at an appropriate point in the future in order to properly consider achievement against this particular outcome.
- 3.9 The number of long term empty homes in the Selective Licensing area has started falling since 2017 but at the three year point there are still 22% more long term empty homes across the area than there were in 2013. It is likely that the number of empty homes is a function of the wider housing market. However, the evidence does suggest that licensing is not causing landlords to withdraw from the market and leave homes empty; indeed the estimated growth in the private rented sector since 2011 suggests growing landlord confidence in the area. The reduction in the number of long term empty homes since 2017 is a positive trend but the desired outcome of reducing empty homes has yet to be achieved.

Conclusion

- 3.10 In conclusion, the progress made against the outcomes agreed in 2015 indicates that Selective Licensing is making a positive impact on conditions in the private rented sector in the area's seven wards. Selective Licensing does not appear to be having a negative effect on the private rented sector in the area, which has continued to grow since 2015 and is now 15% larger than in 2011.
- 3.11 In 2015 the high level of ASB was the main ground for the Selective Licensing designation and this has now reduced by nearly 45% in the area, despite the growth in private renting. The number of empty homes in the area is beginning to fall but more work is needed to get back to 2013 levels. The growth in complaints received by HBC is an area of concern and this requires further research into tenant satisfaction with tenancies in order to better understand the position.
- 3.12 Good progress is being made towards securing improvements in housing conditions in the area with at least 300 homes improved to date. However, the evidence suggests that at the current rate of progress there will still be around 900-1,000 homes with Category 1 hazards requiring attention at the end of the five year period. Inevitably, this figure will be boosted by other properties that have fallen below standard since the HSCS in 2016.
- 3.13 The case studies appended to the report highlight the benefits of the Selective Licensing approach and the improvements in housing conditions and property

management that can be achieved by direct HBC intervention. This is often where tenants were being unsuccessful in getting action from the landlord or managing agent, or would not have complained for fear of retaliatory eviction and losing their tenancy.

4. Selective Licensing - Future Considerations

Government Policy & Guidance

- 4.1 Since HBC designated the Selective Licensing scheme the Government amended regulations¹² with effect from April 2015 to broaden the scope of licensing beyond tackling low housing demand and anti-social behaviour; and also published guidance¹³ on the new regime. Additional grounds were introduced to enable a Selective Licensing designation to be made if the area to which it relates satisfies one or more of the following conditions. The area is one experiencing:
- 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
- 4.2 Full details of the statutory requirements for each condition are set out at Appendix 5.
- 4.3 Where a designation is being considered on the grounds of property conditions, migration, deprivation and/or crime the local authority may only make a designation if the area has a high proportion of property in the private rented sector. Government advice is that an area can be considered as having a high proportion of privately rented properties if it contains a higher percentage than the average for the private rented sector across England. This figure is currently 19%¹⁴.
- 4.4 There are a number of other factors that the local authority is required to take into account in making a designation. First, it must identify the objective or objectives that a designation will help to achieve set against the grounds listed above.
- 4.5 Second, it must consider whether there are other courses of action available to achieve the objectives without the need for a designation. If the local authority decides that there is no practical and beneficial alternative to the scheme, it must only make the designation if the scheme will significantly assist it to achieve its objectives with other actions it may be taking.
- 4.6 Third, any designation must be consistent with the local housing strategy and must seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector.
- 4.7 When considering making a designation the local authority is required to carry out a full and meaningful consultation of people who are likely to be affected

¹² The Selective Licensing of Houses (Additional Conditions) (England) Order 2015/977

¹³ Selective Licensing in the private rented sector - A guide for local authorities DCLG - March 2015

¹⁴ English Housing Survey 2017/18 Headline Report MHCLG - January 2019

by it and consider any representations made. The consultation period must be at least 10 weeks. Results from the consultation must be published together with the authority's response to issues raised.

- 4.8 Local authorities are required to review the operation of a designation from time to time and, if following a review they consider it appropriate to do so, they may revoke the scheme¹⁵. Government guidance indicates that Selective Licensing is not intended to be an end in itself but a means to an end and is about improving management standards in the private sector in areas where those standards are sorely needed to be improved, for the benefit of occupiers and the wider community. Monitoring progress, therefore, is important in order to assess whether the scheme is achieving the desired effect and whether or not it is still needed in its current or a revised form. The guidance recognises that Selective Licensing may not provide instant solutions and may have to be a long term strategy. Even if there is little improvement in the initial phase it acknowledges this does not necessarily mean that the scheme is a failure.
- 4.9 Where a local authority wishes to renew an existing Selective Licensing scheme, if it covers more than 20% of the geographical area of the authority or 20% of private rented homes in the area, then it will require confirmation by the Secretary of State. Where this is the case the guidance indicates that consideration will be given as to whether the existing scheme has met or not met its objectives and whether the scheme was properly made. It makes it clear that the Secretary of State will only confirm a renewal if he is satisfied there is a continuing need for a scheme and the consultation and other processes have been gone through.

Review of Evidence against Selective Licensing grounds

- 4.10 If HBC wishes to renew or revise the existing Selective Licensing scheme it will need to demonstrate that there is sufficient evidence against one or more of the six statutory grounds set out at para 4.1 above. This section considers the statutory grounds in turn and reviews whether in each case the evidence is strong enough to meet the statutory criteria for designation set out at Appendix 5.
- 4.11 All seven wards in the current Selective Licensing scheme area meet the statutory test of containing a high proportion of properties in the PRS, that are occupied either under assured tenancies or licences to occupy, in order to invoke the additional conditions of poor housing conditions, migration, deprivation and crime. As indicated in Table 5 at para. 3.3 above, individually they all exceed the current Government threshold for England of 19%. Census 2011 data shows that the PRS represents 43% of the housing stock in the current area. Recent HBC analysis of household data in 2019 suggests that the PRS has grown to 45% of the stock in the current Selective Licensing area.

¹⁵ Section 84 Housing Act 2004

Low Housing Demand

- 4.12 Whilst Hastings & St Leonards remains one of the most deprived areas in the South East region it has seen a fragile recovery in terms for economic growth over the past ten years as regeneration continues apace. More recently it has experienced a marked recovery in the housing market and has become a destination for inward investment and new home seekers. House prices in the town are buoyant but remain lower than elsewhere in the region and the opportunity to acquire a larger property, e.g., for a growing family in a revitalised town is an attractive opportunity. Regeneration is positive and to be welcomed but brings with it greater challenges for those least able to compete in the housing market. This is resulting in those most economically disadvantaged in terms of poor health, education and skills finding it increasingly difficult to secure housing that is adequate for their needs at a price they can reasonably afford.
- 4.13 There is a growing lack of affordable accommodation in the PRS partly due to an increasing gap between Local Housing Allowance (housing benefit) and average rents in the private sector, meaning accommodation is inaccessible for benefit dependant households. As the market for private rented accommodation has become competitive, landlords are often reluctant to accept tenants with a poor history of tenancy sustainment and those on benefits. **The evidence suggests that low housing demand is not a feature of the local housing market. Consequently, it is not appropriate to seek a Selective Licensing designation on the ground of low housing demand.**

Significant and persistent anti-social behaviour

- 4.14 The progress review in Chapter 2 has shown that the period since the Selective Licensing scheme was designated in 2015 has seen a significant reduction in ASB. Overall, ASB in the Borough has reduced during this period by 43.7% but the scheme area of seven wards has seen a slightly larger reduction of 44.7%. Of particular significance is the fact that three wards have experienced reductions in ASB way above the Borough average, notably Gensing (58.5%), Central St Leonards (56.1%) and Braybrooke (52%).

Ward	Population by ward (all ages)	Private Renting Households	ASB Incidents per 1,000 population (2017)	ASB Incidents per 1,000 population (2018)	ASB 2017 (Calendar)	ASB 2018 (Calendar)
Castle	7006	2,086	94.1	77.9	659	546
Central St Leonards	7178	2,533	52.4	39.6	376	284
Tressell	5509	576	28.7	32.7	158	180
Gensing	6630	1,621	32.6	23.5	216	156
Old Hastings	5896	692	32.9	23.6	194	139
Ore	5396	479	25.0	21.3	135	115
Braybrooke	5378	910	22.1	16.0	119	86

Source: HBC Housing & Built Environment

- 4.14 Ward data for 2017 and 2018 comparing the level of ASB and the incidence of ASB per 1,000 population with the size of the private rented sector in each ward also shows a reduction in six of the Selective Licensing wards. (See Table 6 above ranking the wards based on 2018 data). The exception being Tressell

ward, where the number of incidents per 1,000 has increased from 28.7 to 32.7.

- 4.15 The significant reduction in ASB in the Selective Licensing area is welcome and largely attributable to the strength of partnership working between a whole range of agencies across the Borough. Selective Licensing is clearly making a contribution to this outcome through reinforcing the responsibility of landlords and managing agents to address ASB caused by their tenants, with some significant reductions, particularly in Central St Leonards and Gensing wards. There is, however, a very real concern that the good progress towards achieving this outcome over the past three years could well be eroded when the scheme ends in October 2020. **The levels of ASB remain significant but given that they are reducing considerably across six of the seven wards it is not possible to say that ASB is persistent. On this basis it is not appropriate to seek a Selective Licensing designation on the ground of significant and persistent anti-social behaviour.**

Poor housing conditions

- 4.16 As indicated at para. 4.11 above all seven wards in the current Selective Licensing scheme meet the statutory requirement of containing a high proportion of properties in the PRS let on assured tenancies or licences. In 2016 HBC commissioned a review of housing conditions that complied with its responsibilities under section 3 (1) of the Housing Act 2004. The Hastings Stock Condition Survey 2016 (HSCS) was specifically targeted at the seven wards in the current Selective Licensing area. The survey estimated that 3,240 (31.4 %) PRS dwellings failed the Decent Homes standard. The HSCS data included vacant PRS dwellings, whereas the July 2019 HBC estimate for PRS dwellings was only able to include occupied dwellings. Based on the July 2019 HBC estimates for the PRS in the area this suggests that approximately 3,220 occupied PRS dwellings are 'non-decent'.
- 4.17 The HSCS estimate of 31.4% PRS non-decent dwellings is significantly higher than the national position for the PRS in England which is 25%¹⁶. Table 2.6 at Appendix 2 gives the estimated breakdown of non-decent PRS dwellings by ward. This shows that the ward with the highest percentage of PRS dwellings failing the decent homes standard is Castle at 41.5%. Braybrooke and Central St Leonards have the second highest proportion with both at 26.4%. Tressell at 24.9% is just about at the national average. Old Hastings (20%), Ore (19.3%) fall just below and Gensing (14%) is well below the national average.
- 4.18 The Decent Homes standard is based on how a dwelling performs against four different criteria:
- Minimum statutory standard: Category 1 hazards under the HHSRS
 - Dwelling state of repair: Disrepair to major building elements and amenities
 - Lack of modern facilities: Provision of kitchens, bathrooms and other amenities

¹⁶ English Housing Survey 2017-18

- Thermal comfort failures: Provision of efficient heating and effective insulation

Data for these criteria is not available from the HSCS at ward level due to the overall sample size. However, the position on non-decent homes by tenure for the separate criteria across all seven wards is set out at Table 7 below, (with the exception of lack of modern facilities where the sample size was too small to differentiate between tenures).

Criteria	Owner-occupier		Private rent		All dwellings	
	No of dwellings	% of total stock	No of dwellings	% of total stock	No of dwellings	% of total stock
Category 1 hazards	1,020	10.2%	1,430	13.9%	2,450	12.1%
Dwelling state of repair	480	4.8%	1,840	17.8%	2,320	11.4%
Lack of modern facilities	-	-	-	-	300	1.5%
Thermal comfort failures	1,280	12.9%	1,400	13.6%	2,680	13.2%
Total Failures*	2,780	-	4,670	-	7,750	-
Total dwellings failing the Decent Homes standard	1,960	19.7%	3,240	31.4%	5,200	25.7%

* Excludes lack of modern facilities

Source: Hastings Stock Condition Survey 2016

4.19 The data highlights the seriousness of problems in the PRS. 13.9% of stock fails the standard because of a Category 1 hazard, (this is 44.1% of all non-decent, PRS dwellings). Significantly, it shows that 17.8% of the total PRS stock is in disrepair (an estimated 1,840 PRS dwellings), representing 56.7% of non-decent PRS homes. 13.6% of total PRS stock fails on thermal comfort, representing 43.2% of non-decent PRS homes).

4.20 The HSCS estimated that 13.9% of PRS dwellings in the scheme area had at least one Category 1 hazard. Percentage estimates are available from the HSCS by ward and based on current HBC estimates for the PRS in the area this suggests that 1,426 dwellings have at least one Category 1 hazard. This is broadly in line with the national figure of 14%¹⁷.

Ward	No of PRS Dwellings (July 2019)	% with Category 1 Hazards	No of Dwellings with Category 1 Hazards
Castle	2206	19.7%	435
Tressell	800	15.3%	122
Braybrooke	1116	14.7%	164
Central St Leonards	2771	11.5%	319
Ore	729	9.7%	71
Old Hastings	787	7.8%	61
Gensing	1848	5%	92
Total	10257	13.9	1426

Source: HBC Housing & Planning Service & Stock Condition Survey 2016

Table 8 above ranks the Selective Licensing wards by the percentage of Category 1 hazards. Castle ward (19.7%) has the highest proportion of PRS dwellings with Category 1 hazards, followed by Tressell (15.3%) and Braybrooke (14.7%). The percentage of PRS dwellings with Category 1 hazards in Central St Leonards (11.5%) and Gensing (5%) has reduced

¹⁷ English Housing Survey 2017-18

considerably since the previous stock condition survey was carried out in 2007, which estimated 34.4% of PRS dwellings in these two wards had one or more Category 1 hazards¹⁸. The HBC strategic approach to housing renewal through Renewal Areas in priority wards and PRS licensing, together with the over-arching approach to regeneration has undoubtedly helped achieve this significant improvement. Nonetheless, there are still an estimated 319 PRS dwellings in Central St Leonards with Category 1 hazards and a further 92 in Gensing ward. The HSCS highlighted that converted flats and small terraced houses have the highest proportion of Category 1 hazards (14.3% and 13.6% respectively). These are the predominant property types in the town centre wards.

4.21 The HSCS does not provide a breakdown by ward or tenure for Category 2 hazards and therefore estimates for PRS dwellings are not available. However, it was able to provide % estimates for the scheme area as a whole. These are set out in Table 9 below which shows the main reasons for failure against the hazard rating system.

Table 9. Category 1 & Category 2 hazards - reasons for failure		
Reason for failure	% with Category 1 hazards (Band A-C)	% with Category 2 hazards (Band D-E)
Excess cold	8.9%	21.3%
Fall on stairs	3.0%	11.6%
Domestic hygiene	1.4%	4.7%
Fall on level surfaces	1.6%	4.1%
Position of amenities	0.4%	1.5%
Uncombusted fuel	0.4%	1.4%
Other	2.7%	9.4%

Source: Hastings Stock Condition Survey 2016

4.22 The most prominent reasons for failure for both Category 1 and Category 2 hazards are excess cold and falls. The data confirms that one might expect to find an even greater proportion of Category 2 hazards across the area; and based on the evidence associated with Category 1 hazards the likelihood is that a greater proportion of these will be found in the PRS.

4.23 The progress review in Chapter 2 of this report reveals there is evidence to indicate that Selective Licensing is leading to improvements in housing conditions - in the region of 300 PRS homes. Selective Licensing and the need to obtain a licence has helped HBC identify high risk properties requiring intervention, often where tenants would not have risked complaining to their landlord. At July 2019 HBC officers have inspected nearly 2,300 high risk dwellings and are likely to inspect a further 800 by October 2020. This means that by the end of 2020 just over 30% of all PRS dwellings in the area will have been inspected. On the current rate of progress it seems very unlikely that HBC will have been able to address all the estimated 1,400 or so dwellings with Category 1 hazards, let alone those with Category 2 hazards. When the Selective Licensing 5 year life ends in October 2020 there may still be at least 900-1,000 homes with one or more Category 1 hazards needing attention, not including those falling below standard since 2016.

¹⁸ Hastings Stock Condition Survey 2016 - Fig. 54

4.24 Energy efficiency in residential buildings is measured in two different ways. First, the Decent Homes standard considers the efficiency of the heating system and the effectiveness of the insulation (which may need to be thicker depending on the type of fuel used for heating) to establish whether there is thermal comfort failure. As indicated in Table 9 above the HSCS estimated that 1,400 (13.6%) PRS dwellings were non-decent due to thermal comfort failure. Second, the Government’s Standard Assessment Procedure (SAP) monitors the energy efficiency of a dwelling and allows comparisons between different dwellings to be made. The HSCS provides an estimate of Energy Performance Certificate (EPC) SAP rating bands by tenure and this is summarised at Table 10 below. The average SAP rating in the seven wards was 58 (Band D) in 2016 compared to the national figure of 60 at that time (see Fig 2.8 Appendix 2). Castle ward fell into Band E with a SAP rating of 53 and Ore and Tressell wards were at the upper end of Band D both with a SAP rating of 61.

Table 10. Energy performance in existing Selective Licensing area - SAP Banded				
EPC SAP Range Band	Owner occupied	Private rent	Overall	English Housing Survey 2013-14
Band A (92-100)	0.0%	0.0%	0.0%	1%
Band B (81-91)	0.0%	0.0%	0.3%	
Band C (69-80)	19.9%	28.8%	24.5%	20.9%
Band D (55-68)	52.2%	44.8%	48.4%	52.6%
Band E (39-54)	18.0%	13.5%	15.7%	19.1%
Band F (21-38)	6.0%	8.7%	7.4%	5%
Band G (1-20)	3.4%	4.2%	3.8%	1.5%
Total	100.00%	100.00%	100.00%	100.00%

Source: Hastings Stock Condition Survey 2016

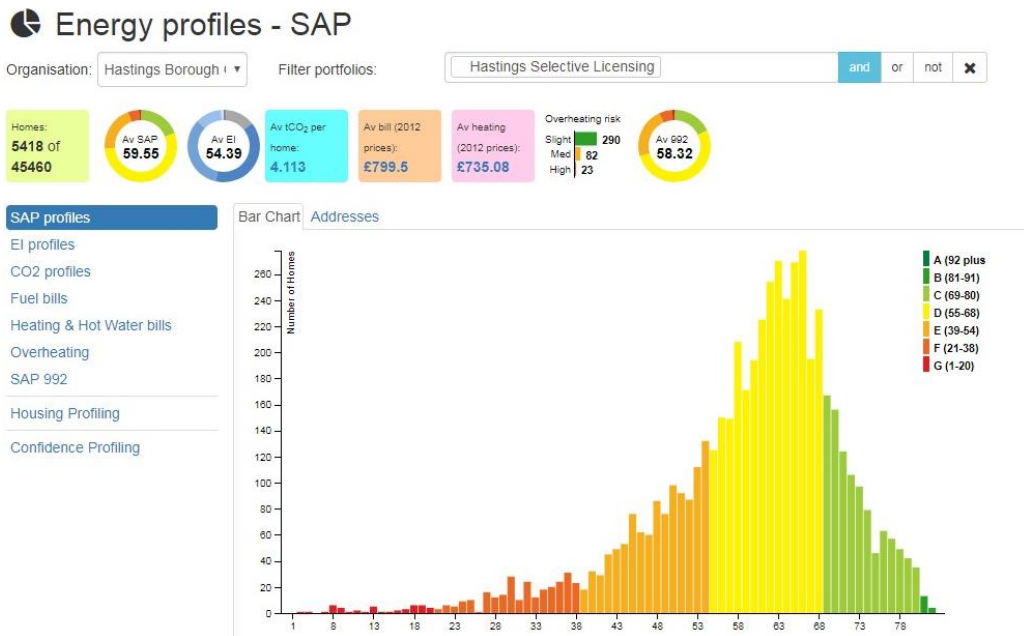
4.25 Since 1 April 2018, regulations require privately rented homes to have a minimum energy performance rating of E where the tenancy is new or renewed, (unless there is an applicable exemption). The regulations will apply to all other tenancies with effect from 1 April 2020. The HSCS shows that 12.9% of private rented homes were below this level with an energy efficiency rating of F (8.7%) or G (4.2%). This was well below the national F and G combined figure for England of 6.5%¹⁹. The Government’s aim is to increase SAP ratings across the board and for all PRS dwellings to have achieved Band C by 2030, where practicable, cost-²⁰effective and affordable.

4.26 A recent assessment based on a sample of licensed properties where there is a current EPC, suggests that the average SAP for the PRS in the current Selective Licensing area is now 59.55 (see Figure 4 below). The assessment also suggests that 4.9% of PRS dwellings in the area fall below the Band E energy efficiency rating with a rating of F or G. This is a significant reduction from the 2016 figure of 12.9% and may simply reflect that the PRS dwellings without an EPC are more likely to be less energy efficient. However, 4.9% suggests that a minimum of 500 PRS dwellings are in Bands F and G but if one applies the HSCS figure of 12.9% the number falling below Band E could be nearer 1,300.

¹⁹ English Housing Survey 2013-14

²⁰ Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015

Fig 4. Licensed properties with an EPC and SAP rating - September 2019



4.27 In summary, all seven wards meet the statutory test of having a high proportion of PRS dwellings let on assured tenancies or licences. HBC commissioned a stock condition survey in 2016 that provides sufficient evidence to show there are significant numbers of PRS dwellings where Category 1 and Category 2 Hazards exist on the premises. Activity under the current Selective Licensing scheme already has resulted in the licensing of over 7,600 dwellings and it is expected that by the end of the scheme’s five years this figure will increase to around 8,000 dwellings. To date inspections of high risk dwellings have identified over 200 with one or more Category 1 hazards and HBC enforcement action so far has improved 240 PRS dwellings.

4.28 On the current rate of progress estimates suggest there are likely to be in the region of 1,000 PRS homes with one or more Category 1 hazards and a significant number with one or more Category 2 hazards still needing attention by October 2020 when the current scheme ends. There are also likely to be between 500-1,000 PRS dwellings that fall below the Band E minimum energy efficiency rating for PRS dwellings. HBC has shown that its risk assessment approach to carrying out inspections and following up with enforcement action where necessary is achieving positive results. **Overall, based on the evidence from HBC’s current approach to PRS licensing, the designation of a further Selective Licensing scheme will lead to an improvement in general housing conditions in the chosen area. On this basis it is appropriate to seek a Selective Licensing designation on the ground of poor housing conditions.**

High Levels of Migration

4.29 Over the years there have been demographic changes in Castle, Central St Leonards and Gensing wards resulting from the very large proportion of PRS dwellings in the area. The relative affordability of housing in the town compared to the South East region is leading to additional inward migration of

households relocating from elsewhere. Hastings is playing its part in accommodating asylum seekers as part of the Home Office dispersal area programme and more recently has actively supported the resettlement of Syrian refugees programme. Properties do come to the attention of the local authority, the police and other agencies where there are issues of overcrowding, poor conditions and unsatisfactory management often affecting economic migrants from Europe and elsewhere. These problems are addressed using a multi-agency approach, where necessary. **However, the level of migration and demographic change is not pronounced enough to warrant a Selective Licensing designation on the ground of migration.**

High Level of Deprivation

- 4.30 Hastings as a whole faces significant challenges associated with deprivation. The Index of Multiple Deprivation (IMD) 2015 ranked Hastings as the 20th most deprived local authority area in England (out of 326 areas). Almost 1 in 3 Hastings residents live in areas that are amongst the most deprived 10% in England. 16 out of the 53 Super Output Areas (SOAs) are in the most deprived 10% and Hastings is ranked 13th jointly with Stoke on Trent for the proportion of SOAs in the most deprived 10%. Hastings remains the most deprived area in the South East region and in the East Kent and East Sussex Local Enterprise Partnership. It is also the second most deprived seaside town after Blackpool based on average score and proportion of SOAs in the most deprived 10%.
- 4.31 The Government published the IMD 2019 in late September 2019. A full briefing on the position in Hastings is not yet available. However, the initial high level data suggests that although Hastings ranking has improved slightly the level of deprivation in the Borough remains broadly the same. The slightly improved position seems to be due to deprivation deteriorating in other comparable areas. For example, as indicated above, in 2015 Hastings was ranked 13th jointly with Stoke on Trent against the proportion of neighbourhoods in the most deprived 10% nationally; the IMD 2019 now ranks Hastings 17th jointly with North East Lincolnshire against the same indicator. If time permits an updated assessment of the implications arising from IMD 2019 would be useful in helping HBC reach a final decision on any future Selective Licensing scheme.
- 4.32 Average annual earnings (£20,066) are 24% lower than for the South East overall²¹. Male life expectancy in Hastings is 10th worst in England. Almost 1 in 4 adults are smokers²². 1 in 5 adults are estimated to have a common mental health disorder²³. Currently there are 149 individuals living in bed and breakfast, an increase of nearly 200% in two years²⁴.
- 4.33 Five of the seven wards in the current Selective Licensing area feature SOAs in the most deprived 10%. This includes all of Castle and Central St Leonards wards and parts of Gensing, Ore and Tressell wards. Gensing has two SOAs in

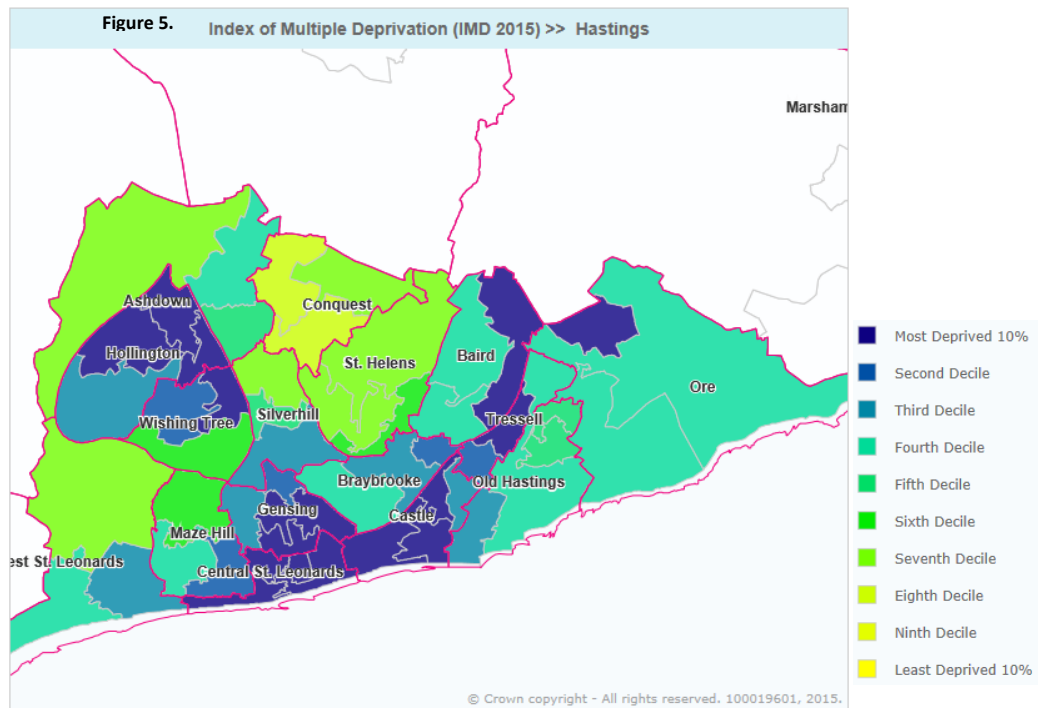
²¹ 2018 Annual Survey of Hours and Earnings

²² 2017 Annual Population Survey

²³ 2017 Common Mental Health Disorders Profiles

²⁴ HBC Housing & Built Environment

the most deprived 10%, one in the 2nd decile and one in the 3rd decile. Ore has one SOA in the most deprived 10% and two in the 4th decile. This can partly be explained by the fact that Ore ward is on the eastern edge of Hastings and much of the ward contains a part of the Hastings Country Park. Tressell has one SOA in the most deprived 10%, one in the 2nd decile and one in the 4th decile. Of the other two Selective Licensing wards, Braybrooke is slightly less deprived with one SOA in the most deprived 20%, one in the 3rd decile and one in the 4th decile. Deprivation in Old Hastings ward is even less pronounced with one SOA in the most deprived 30%, one in the 4th decile and two in the 5th decile. The map at Fig 5. below illustrates the deprivation picture for the Borough.



4.34 Key statistics for the most deprived 10% wards are set out in table 6.1 at Appendix 6. There are eight wards in total falling into this category. Three of them, Baird, Hollington and Wishing Tree are areas with large concentrations of social housing and whilst they also contain properties in the PRS, the proportion of PRS households are well below the current Government threshold of 19% for consideration to include them in a Selective licensing designation. In table 6.1 the percentage figures for the PRS are based on the 2011 Census. This is because HBC 2019 comparator estimates are only available for the current Selective Licensing area. As previously stated, current HBC estimates indicate the PRS has grown across Hastings and especially so in the wards of Braybrooke (48%), Old Hastings (34%), Ore (36%) and Tressell (36%). In the case of Castle, Central St Leonards and Gensing wards the PRS continues to exceed 50% of the housing stock.

4.35 Significantly, the five Selective Licensing wards containing the most deprived 10% areas are more deprived than England and East Sussex for all the indicators and in most cases are more deprived than the Hastings average. Highlights from the table reveal the following for the five wards compared with Hastings averages:

- Male life expectancy is less
- Female life expectancy is less (with the exception of Castle)
- A greater proportion of children live in poverty
- Unemployment is greater (with the exception of Ore)
- There are significant problems with overweight or obese children aged 10-11
- There are more working age people with long term health issues or a disability in Castle, Central St Leonards and Gensing wards
- There is a greater proportion of BME population in Castle, Central St Leonards and Gensing ward

4.36 Over the past 18 years Hastings has received considerable investment to support the regeneration of the town and help address issues of deprivation, overseen by the Hastings & St Leonards Local Strategic Partnership (LSP). The LSP brings together representatives from the local statutory, voluntary, community and private sectors to address key local issues, discuss strategies and initiatives and shared learning. They aim to encourage joint working and prevent 'silo working' (i.e. different agencies that share aims working in isolation). Involvement of the community is a key aspect of local strategic partnerships. There is a track record of achievement in the town including the link road and development of the A21 corridor; Jerwood; Source BMX Park; crime and ASB reduction; new station; improved housing; and transport improvements, amongst others. There is also significant investment by the Hastings & Rother Clinical Commissioning Group to help tackle health inequalities and improve the wider determinants of health. This has helped support the health needs of vulnerable people in the most deprived 10% areas through a range of projects and initiatives.

4.37 In summary, all five wards meet the statutory test of having a high proportion of PRS dwellings let on assured tenancies or licences. All of the above data highlights that the five Selective Licensing wards in the most deprived 10% areas are suffering from a high level of deprivation and given the current size of the PRS in these wards the deprivation will be affecting a significant number of the occupiers of PRS properties. HBC and a wide range of statutory and voluntary sector partners are actively involved in tackling deprivation in these priority areas. **Although deprivation would not be the main ground for making or renewing a Selective Licensing designation it is clear that a designation combined with other partner activity in these five most deprived 10% wards would help contribute to a reduction in the level of deprivation in these areas.**

High Level of Crime

4.38 Although Hastings has a higher than average overall crime rate there is recent evidence that the rate of growth in crime is reducing. As already stated above, ASB levels have come down over the past three years. However, there are concerns about other aspects, e.g., violence against the person, criminal damage and public order but there is no evidence that this is linked directly to the PRS.

4.39 In 2017/18 the overall crime rate for Hastings was 99.4 per 1,000 population compared with 73.9 for the South East and 82 for England and Wales. This is an increase from 2015/16 when the rate in Hastings was 85.2 per thousand compared with 58.6 for the South East and 65.8 for England and Wales. It should be noted that changes to the way certain crimes are recorded were introduced in 2014, which has led to increases in reported crime across the majority of the country and helps explain the greater percentage increase in the South East region and England and Wales.

- The rate for violence against the person was 33 per 1,000 population compared with 23.6 for England and Wales and 23.1 for the South East.
- The rate for criminal damage was 13.7 per 1,000 population compared with 9.9 for England and Wales and 9.4 for the South East.
- The rate for public order offences was 8.5 per 1,000 population compared with 6.4 for England and Wales and 5.8 for the South East.

4.40 The Hastings Joint Action Group reports to the Safer Hastings and Rother Partnership. The annual Strategic Assessment demonstrates the range of community safety issues needing to be addressed and informs priorities. Local residents still consider antisocial behaviour (in all its forms) as the main issue that needs addressing. To support this HBC has changed the role of its street wardens to enforce various aspects of the ASB Public Space Protection Order, taking the pressure off local police.

4.41 In 2019/20²⁵ has prioritised a number of specific activities to help address crime in the Borough, as follows:

- Street & community related anti-social behaviour – street based antisocial behaviour, in all its forms, causes alarm and distress to all. Medium and High Risk victims continue to be supported through the multi-agency ASBRAC process.
- Violent Crime (especially Domestic Abuse) – violence, either in public or at home is unacceptable. Public violent behaviour will not be tolerated in any of the town centres or in rural areas. Reported hidden violence and abuse continues to rise. More is also being dealt with. The safer community partnerships want to continue this positive activity and promote reporting of domestic abuse.
- Youth Crime and vulnerable young people – both in reducing young people as victims of crime and anti-social behaviour and working in partnership to reduce both the occurrence and impact of young people involved in crime and ASB.
- Road Safety - the Safer Hastings & Rother Roads Partnership group, delivers a range of campaigns and actions needed to reduce injury and make road use safer. Inconsiderate driving behaviour, especially speeding and lack of attention are of local concern.
- Modern Slavery & Human Trafficking – this hidden issue can be found in a variety of circumstances from caring and domestic services,

²⁵ East Sussex Safer Communities Partnership - Business Plan 2017-2020

farming, hand car washes to nail bars and takeaways. The exploitation of individuals across Hastings includes people trafficking UK residents across the country.

- Partnership communications and reassurance messages – Many messages about personal and community safety are lost in modern communication methods. Improving and focusing on messages that are important to residents, visitors and businesses will be developed.

4.42 In summary, Selective Licensing contributes to the wider multi-agency strategic approach of improving community safety and tackling crime. For example, the fit and proper person test identifies criminal and rogue landlords and compliance checks enable the identification of houses being used for illegal purposes. **Although Hastings suffers from high levels of crime there is not sufficient evidence to indicate that it is linked to the PRS. A Selective Licensing designation is not, therefore, being sought on the ground of high level of crime.**

The requirement for Secretary of State approval

4.43 As previously stated in para. 4.8 above, Secretary of State (SoS) approval is required if HBC wishes to renew an existing scheme or make a new one where it covers more than 20% of the geographical area of the authority or 20% of private rented homes in the area. The current seven ward scheme covers an area of 11.3 square kilometres, which represents 38% of the total HBC area of 29.7 square kilometres and thus if renewed would require SoS approval. A scheme covering less than 616.6 hectares (<20% of 3,083 hectares) would not require approval, unless it contained more than 20% of all PRS dwellings identified in the 2011 Census. The current seven ward scheme includes 8,687 PRS dwellings out of a total of 11,863 PRS dwellings based on Census 2011 as required by the regulations (see Table 3.1 at Appendix 3). This equates to 75% of the PRS and if renewed without modification would require SoS approval. It follows that a scheme that includes less than 2,372 PRS dwellings would not require SoS approval.

4.44 Where a scheme requires confirmation by the SoS it cannot come into force until three months after the SoS has confirmed it.

Summary

4.45 Although all seven wards in the current Selective Licensing area have a higher proportion of PRS dwellings than the national and regional averages, the evidence is such that it is not appropriate to seek a new Selective Licensing designation on the grounds of low housing demand, significant and persistent ASB, high levels of migration or high level of crime.

4.46 Overall, based on the evidence from HBC's current approach to PRS licensing, the designation of a further Selective Licensing scheme will lead to an improvement in general housing conditions in the chosen area. The seven wards meet the statutory requirements for making a designation. On this basis it is appropriate to seek a Selective Licensing designation on the ground of poor housing conditions.

- 4.47 High level of deprivation is not the main ground for making a Selective Licensing designation. However, the five most deprived 10% wards with a high proportion of PRS dwellings meet the statutory requirements for making a designation. It is clear that a designation combined with other partner activity in these five wards would help contribute to a reduction in the level of deprivation in these. On this basis it is appropriate to seek a Selective Licensing designation on the ground of high levels of deprivation in the five wards.
- 4.48 The review of data for individual wards in the current Selective Licensing area indicates that conditions in Ore ward may be less problematic than the other six wards. Whilst Ore ward has a high proportion of PRS dwellings it also has a higher proportion of social housing (17%) than the other six wards, which contributes to the ward being among the most 10% deprived areas. HSCS data suggests the area has a lower level of non-decent homes than each of the other six wards and has the highest energy efficiency level with a SAP rating of 61. It also has the lowest number of empty homes and the level of ASB is second to lowest. This may partly explain why the level of housing related complaints are lowest in Ore, e.g., 18 compared to 466 in Central St Leonards ward for the three years between 2015 and 2018²⁶. Selecting a smaller area of six wards should mean it will be possible to inspect a larger proportion of dwellings to identify Category 1 and 2 hazards and secure improvements with the level of resources available.
- 4.49 In conclusion, therefore, it is appropriate to undertake an options appraisal based on the evidence from the review of the current Selective Licensing scheme in Chapter 2 and the further information provided on housing conditions and deprivation in Chapter 4, in order to establish the most appropriate geography and size of any future Selective Licensing scheme.
- 4.50 Depending on the outcome of the options appraisal, Secretary of State approval would be required if the proposed scheme is greater than 20% of the geographical area of Hastings Borough or includes more than 20% of the Borough's private rented sector. If HBC wishes to make a designation then a comprehensive consultation exercise of a minimum of ten weeks will be required prior to designation and seeking SoS confirmation, if necessary.

²⁶ See Table 3 para. 2.25 above

5. Selective Licensing and Strategic Priorities

Corporate Plan

- 5.1 Housing is an important component of the HBC corporate plan²⁷. The Council's vision includes providing people with warm, comfortable affordable homes. An important value at the heart of the plan is that:

'all local people have a right to a safe, secure, affordable home in an environment that enhances their health, quality of life and access to lifelong learning'

- 5.2 Creating decent homes is a key priority for HBC and it seeks to do so by facilitating the supply of secure, affordable and well-designed homes, through strategic planning policies, planning conditions, regulation of the private rented sector, tackling bad landlords, and directly building or acquiring homes and supporting social housing providers.

Housing Strategy, homelessness and empty homes

- 5.3 The Hastings housing strategy²⁸ provides the detail on delivering the corporate plan vision and values. At its heart is the ambition to provide decent, high quality, affordable and secure homes to meet the aspirations of the people of Hastings and St Leonards. Meeting housing needs and aspirations and supporting economic regeneration are key priorities within the strategy and provide the strategic fit for actions targeted at securing improvements in the Borough's privately rented homes.

- 5.4 Improving the quality of the existing housing stock is a key element of the housing strategy. It includes a number of priority actions to support this objective, as follows:

- Seek improvements in private rented housing through a mixture of licensing and enforcement where necessary
- Encourage and support responsible landlords
- Monitor the condition of the private housing stock
- Continue to bring empty homes and derelict land back into use, through CPOs where necessary
- Maintain focus on the regeneration of Central St Leonards
- Reduce fuel poverty and improve energy efficiency for local residents

- 5.5 Homelessness prevention is also key within the housing strategy. The PRS has proved to be an important resource in helping to meet housing need and prevent homelessness. Nonetheless the pressure on local private and social affordable housing is leading to increased homelessness. Homelessness applications reached 1,285 in 2018/19. At the end of 2018/19 there were 149 individuals and families living in bed and breakfast accommodation, which is

²⁷ Hastings Borough Council Corporate Plan 2019-20

²⁸ Hastings & St Leonards Housing Strategy 2016-2019

almost a 200% increase over the past two years. The HBC homelessness strategy²⁹ has recently been revised and is currently out for consultation. It continues to set out ways of working with PRS landlords to help meet housing need and the Council's obligations under the homelessness legislation.

- 5.6 There are a range of current initiatives that underpin the HBC approach to tackling homelessness in conjunction with the PRS, a number of which are funded under HBC's Flexible Homelessness Support Grant allocation.

Rent in advance / deposits

- 5.7 The council offers interest-free loans for rent in advance and deposits to support homeless households and people at risk of homelessness to secure new accommodation in the private rented sector. The scheme is administered by Hastings and Rother Credit Union.

Tenancy Sustainment Funding

- 5.8 The council has set aside funding to support people already living in the private rented sector to keep their existing accommodation. The fund is primarily used to provide interest free loans to clear rent arrears etc. and avoid evictions or placement in emergency accommodation.

Rent Guarantor Scheme

- 5.9 The rent guarantor scheme is intended to support people leaving support accommodation to access new accommodation. The council will offer guaranteed rent for the first 6 months of a new tenancy, plus a further 3 months guaranteed rent if the tenant is later evicted for rent arrears.

Social Lettings Agency

- 5.10 An innovative Social Lettings Agency (SLA) was set up in 2015 to improve access to the private rented sector. The SLA leases properties from private landlords to provide temporary accommodation for homeless households. Leasing properties is a cheaper alternative to traditional emergency accommodation. The SLA currently leases 20 properties and plans to increase this to 56 units by the end of March 2021. This increase reflects the rise in demand for emergency accommodation. The scheme will prioritise leasing family sized accommodation and offset the additional costs of running the scheme on savings from the HBC emergency accommodation budget.

Houses in Multiple Occupation

- 5.11 The house in multiple occupation (HMO) housing stock in Hastings is not characterised by the traditional shared house HMO of bedsit or student houses. There are less than 200 properties which fall into this category. Instead, the HMOs which make up the bulk of the HMO stock in Hastings and St Leonards are a special category of HMO known as Section 257 HMOs. These are HMOs (as defined in Section 257 of the Housing Act 2004) which consist of poorly converted self-contained flats of which less than two thirds of those flats are owner-occupied. Before 2004 these properties were never classified

²⁹ Hastings Homelessness & Rough Sleeping Strategy 2019-2023

as HMOs and may alternate between being and not being HMOs merely by the terms of their occupancy. Many of these flats are small conversions providing minimum space to meet the demands of the market. The number of single occupancy households increased by 40% between 1991 and 2004 and now stand at 16,000 households across the Borough. Within this reality, HMOs offer a relatively affordable form of accommodation. Unfortunately, due to high demand and the lack of properties available to rent, some HMO properties are sub-standard and occupied by those who cannot afford better alternatives.

5.12 The HSCS estimated that in the seven wards covered by Selective Licensing there were a total of 1,120 HMO buildings containing approximately 3,090 separate dwellings. Previous research³⁰ has suggested that 85% of the Borough's HMOs are located in these seven wards. The HSCS highlighted concerns around certain aspects of fire safety provision in private rented flats and HMOs. Only 50% of HMOs were estimated to have mains wired smoke detectors (and only 45% of self-contained flats). More positively it estimated that in the event of fire 59% had an escape route free from obstructions (65% in self-contained flats but reducing to 42.6% in HMOs). However, this still means 41% do not have an adequate escape route. These issues are symptomatic of housing that is poorly managed and in a poor condition and is indicative of the general poor fire safety standards in the town's HMOs. It must be borne in mind that these properties are cases where the landlord has applied for a licence. It is probable that those properties where the landlord has failed to apply or has deliberately avoided applying will have even worse fire safety standards

5.13 The areas where these HMO's are located experience high levels of worklessness, poor health, high levels of crime and anti-social behaviour, and physical and social deprivation. Research shows that housing conditions play an important part in the health and well-being of its residents.

Additional Licensing Scheme for HMOs

5.14 For the above reasons HBC has sought to use discretionary licensing to secure improvements in the quality and management of PRS dwellings, in addition to pursuing its responsibilities in relation to mandatory HMO licensing. In 2011 HBC designated 4 wards - Castle, Braybrooke, Gensing and Central St Leonards as areas where additional HMO licensing would apply. This scheme ran for five years until 2016.

5.15 Upon completion of the scheme 911 HMO licences had been issued, (leaving up to 200 HMOs without a licence). Of the licence applications received only 1% of the properties complied with the standards adopted by the Council in respect of amenity and fire safety standards. The other 99% of properties were deficient in some way, as follows:

1. 72% of HMOs lacked suitable automatic fire detection and alarm systems.

³⁰ Hastings House Condition Survey 2008

2. 46% of HMOs lacked emergency lighting installations in the common parts.
 3. 88% of HMOs lacked a complete and satisfactory means of escape in case of fire.
- 5.16 Throughout the life of the scheme Council intervention resulted in the improvement of 465 HMOs but clearly a large proportion of HMOs still required upgrading. The licensing regime revealed that even responsible landlords and freeholders who have willingly submitted licence applications were just as likely to have properties that are substandard and need improvement as those criminal landlords who operate without the requisite licence. This was much greater than was originally predicted.
- 5.17 As a consequence HBC consulted on a proposal to run the scheme for a further five years in the same four wards and subsequently designated a new scheme which came into effect on 3 May 2018.
- 5.18 Since May 2018 HBC has received 951 applications for HMOs under the Additional Licensing scheme. Where the landlord has applied for a licence but has not fully complied with the scheme requirements they are issued with a one year licence with conditions attached. Once basic standards are achieved they can upgrade to a three year licence or for five years if the full professional standard is achieved. Of the 951 applications 273 are one year licence renewals and of the 126 renewals processed so far 42% have resulted in improvements to the HMO. This suggests that Additional Licensing and the HBC tiered approach to issuing licences based on the quality of management is helping to drive up standards in HMOs.
- 5.19 The nature of HMOs subject to discretionary licensing is that they may contain any number of different residents including leaseholders, freeholders and tenants. Ownership and control of such properties can be complex with Right to Manage companies, letting agents, managing agents and absentee owners all of whom may have some interest in how a property is run. These parties may not always agree on the best way forward. Licensing provides a means by which a single party takes responsibility for the property and has responsibility to ensure that it is managed effectively. In a significant number of cases individual rented flats are owned separately on long leases, which means the freeholder has no direct control over the dwellings. Under current arrangements, these circumstances require the freeholder to apply for an Additional HMO Licence and landlords of the individual flats to licence them under the Selective Licensing scheme. This ensures that the building and all the dwellings within it meet current fire safety standards, as well as a good standard of maintenance and repair.

Tackling the issues in partnership

- 5.20 The Council and its partners recognise the importance of working together to address poor conditions and unsatisfactory management within the PRS, whilst at the same time recognising that many landlords provide well managed reasonable quality accommodation. To support this the Housing Strategy provides a framework for co-ordinating activity and interventions,

not only to secure improvements in housing conditions but also to address homelessness and reduce the number of long-term empty homes.

- 5.21 HBC is not shy in using its Housing Act powers where necessary to help achieve housing strategy objectives, e.g. improvement notices to bring rented homes up to standard, designation of an Additional Licensing scheme for HMOs in the four town centre wards, declaration of a Renewal Area to address the specific problems in Central St Leonards, and the use of compulsory purchase to help bring long term empty properties back into use for people in housing need.
- 5.22 HBC's approach to tackling empty homes is set out in the Empty Homes Strategy and is overseen by an officer in the HBC Planning service. Much of the work involves partnership activity with property owners and registered providers. An example of this is YMCA Downs Link Group (DLG), which has run a leasing scheme for landlords since 2013 offering Transitional Housing in East and West Sussex for young people. The aim of the project is to bring empty homes back into use for vulnerable people. Across Hastings and St Leonards they currently have 110 units of Transitional Housing for young people aged 18-35yrs old. The aim of the project is to bring empty homes back into use for vulnerable people. YMCA DLG have worked in partnership with Homes England on this project accessing their Empty Homes Grants programme. They apply for grant funds to lease an empty property from a private landlord for a period of 5 years. The grant enables completion of some works on the property for the landlord in some cases and to subsidise the rent for the young person to make it more affordable in their period of transition from intensive Supported Accommodation to independent living. The scheme provides lower level support via the YMCA tenancy ready programme for a period of up to four years.
- 5.23 However, HBC also believes it is important to provide advice and support to landlords and tenants alike. Comprehensive information is provided on the HBC website. It supports the Hastings and St Leonards Landlords Forum, which meets six-monthly and is convened jointly with the National Landlords Association (NLA). Training sessions are provided with the NLA when there is local demand on current issues. The Council has also previously secured funding for a dedicated officer to assist landlords with advice and guidance. Although the funding has now ceased, there is still a dedicated Rogue Landlord Hotline providing:
- Advice on the correct procedure in serving notices and obtaining a legal eviction
 - Breach of tenancy agreements
 - Rent payments/rent arrears
 - Advice on abandonment
 - What to do if a tenant has damaged your property.
- 5.24 As a part of the previous Rogue Landlord Project the Council commissioned three on-line videos designed to assist Landlords with starting, managing and ending tenancies. These are available on the Council's website.

6. Options Appraisal & Proposed Way Forward

- 6.1 The Housing Act 2004 requires that before making a discretionary licensing designation a local authority must consider whether there are any other courses of action available to them that might provide an effective method of dealing with the problem or problems in question.
- 6.2 This options appraisal was carried out in accordance with Government guidance and seeks to examine a range of alternative options including Selective Licensing.
- 6.3 There are two parts to the appraisal process. The first is option development, which identifies the available options for tackling substandard and 'problem' privately rented properties in the Borough and examines the strengths and weaknesses of each. The second part is the option appraisal itself. It measures the effectiveness of each of the identified options by giving them individually a series of scores against the agreed objectives. The options, and the objectives against which they are scored, need to derive from the Council's vision for the future role of the private rented sector.
- 6.4 A panel of Council officers undertook the options appraisal and considered how each of the options could meet the objectives. Each panel member scored the options individually against how likely they were to achieve the objectives. Average scores were then arrived at for each option.
- 6.5 Full details of the options appraisal methodology are attached at Appendix 7.

Vision for the Borough's Private Rented Sector

- 6.6 The agreed vision for the private rented sector and the future role it can play in helping to meet the Housing Strategy objective 'to provide decent, high quality, affordable and secure homes to meet the aspirations of the people of Hastings and St Leonards' is:

To maximise the contribution made by the private rented sector towards meeting current and future housing need through tailored, targeted and proportionate intervention and support designed to secure safe, well-managed, energy efficient and decent accommodation.

Option Development

- 6.7 Five possible options for tackling substandard and 'problem' PRS properties in Hastings were identified and are set out below:
 1. **Do nothing** - This option would involve the Council doing nothing to intervene in the private rented sector, leaving the housing market as the driver for landlords carrying out improvements to their properties.
 2. **Do the minimum** - This option envisages Council intervention in the sector being limited to a basic 'complaint response' service with

action by other departments and agencies on a largely ad hoc basis using the various powers available to them.

3. **Continue the existing Selective Licensing scheme** - in effect designation of a new scheme covering the same properties as the previous scheme.
4. **Borough wide Selective Licensing scheme** - Licensing introduced for all private rented accommodation across the borough.
5. **Limited area Selective Licensing scheme** - Licensing introduced in the wards or parts of wards with the highest concentration of private rented properties and significant problems of poor housing conditions, deprivation and ASB.

6.8 The panel agreed eight objectives for the private rented sector and these are listed in the table below. Each of the options identified were evaluated and scored against the agreed objectives.

No.	Objective
1.	To keep occupants safe by securing effective management of private rented properties.
2.	To improve the living conditions for tenants through ensuring an appropriate level of facilities is provided.
3.	To improve housing standards and maintenance within private rented properties, with particular emphasis on security, fire safety and thermal comfort.
4.	To ensure landlords exercise appropriate management and supervision of their properties to help reduce any adverse impact on the neighbourhood, e.g. from anti-social behaviour.
5.	To encourage investment in private rented homes and increase the availability of affordable and decent accommodation for those in housing need.
6.	To build on and expand existing partnerships with landlords, agents, tenants, colleges and the Universities, community forums and partner agencies/services, maintaining effective two-way communication, promoting joint working and best practice and through these, facilitating improvements to the private rented sector.

7.	To encourage and support owners and managing agents of private rented properties to work proactively with the Council in achieving clearly defined standards and management of private rented properties.
8.	To facilitate stable and integrated communities through policy and proactive targeting of intervention.

Outcome of the Options Appraisal

- 6.9 Each panel member evaluated and scored the five options against the agreed objectives using the scoring criteria set out below. Scores were averaged for each option/objective and a total score arrived at for each option.
- 6.10 A summary of the Panel's averaged total scores from the appraisal exercise is set out below for each option and ranked according to their total score.

Options	Total Score	Rank
1. Do nothing	0	5 th
2. Do the minimum	30	4 th
3. Continue existing Selective Licensing scheme	85	2 nd
4. Borough wide Selective Licensing	84	3 rd
5. Limited area Selective Licensing	107.5	1 st

6.11 The outcome of the appraisal process as regards which option would best meet the agreed vision and objectives for the PRS in Hastings is that a limited area scheme based on the six wards would have the most significant impact on the PRS. A map showing the six wards is attached at Appendix 8. This can be explained by a combination of reasons, e.g., these wards each contain exceptionally high proportions of PRS dwellings amounting to 66% of the Borough's PRS, the poorest housing conditions, poorest energy efficiency, high levels of deprivation, and significant levels of ASB. Based on the experience of discretionary licensing in the Borough, concentrating HBC resources on licensing PRS dwellings in this smaller area would mean a higher level of property inspections and the identification of more Category 1 and 2 hazards. Ultimately, this should lead to the improvement of more PRS dwellings, together with better quality management of the sector.

6.12 Based on Census 2011 data the six wards include 58.7% (6,959 dwellings) of the Borough's PRS. HBC 2019 estimates suggest the six wards could now include 9,528 private rented dwellings, representing 65.8% of the Borough's PRS.

7. Conclusion

- 7.1 Over the past 20 years Hastings private rented sector has more than doubled and the evidence suggests that it is continuing to grow. Since the Selective Licensing area was designated in 2015 estimates suggest that the number of occupied PRS dwellings in the area has grown from 9,580 to 10,257. The progress made against the outcomes agreed in 2015 indicates that Selective Licensing is making a positive impact on conditions in the private rented sector in the area's seven wards, especially in relation to ASB. Selective Licensing does not appear to be having a negative effect on the private rented sector in the area, which has continued to grow. The HSCS study area was based on the seven wards in the scheme area and has highlighted significant problems with non-decent homes and Category 1 hazards in PRS dwellings.
- 7.2 Activity under the current Selective Licensing scheme already has resulted in the licensing of over 7,600 dwellings and it is expected that by the end of the scheme's five years this figure will increase to around 8,000 dwellings. However, as a result of the growth in the PRS, when the scheme is due to end in October 2020 there could be over 2,000 PRS dwellings without a Selective Licence. To date inspections of high risk dwellings have identified over 200 with one or more Category 1 hazards and HBC enforcement action so far has improved 240 PRS dwellings.
- 7.3 On the current rate of progress estimates suggest there are likely to be in the region of 1,000 PRS homes with one or more Category 1 hazards and a significant number with one or more Category 2 hazards still needing attention by October 2020 when the current scheme ends. There are also likely to be between 500-1,000 PRS dwellings that fall below the Band E minimum energy efficiency rating for PRS dwellings. HBC has shown that its risk assessment approach to carrying out inspections and following up with enforcement action where necessary is achieving positive results.
- 7.4 The outcome of the appraisal process as regards which option would best meet the agreed vision and objectives for the PRS in Hastings is that a limited area scheme based on the six wards of Braybrooke, Castle, Central St Leonards, Gensing, Old Hastings and Tressell would have the most significant impact on the PRS. Based on the experience of discretionary licensing in the Borough over the past eight years, concentrating HBC resources on licensing PRS dwellings in this smaller area would mean a higher level of property inspections, the identification of more Category 1 and 2 hazards; and ultimately should lead to the improvement of more dwellings together with better quality management of the PRS.
- 7.5 HBC must consider how discretionary licensing fits with its overall Housing Strategy and how it will provide a co-ordinated approach to homelessness, empty properties and anti-social behaviour. These elements have been discussed throughout this report in terms of the work being carried out by the HBC Housing Renewal service and HBC's partners.

- 7.6 The Council's overall strategic aims in the Corporate Plan and the Housing Strategy, lay out HBC's overall objectives and how Selective Licensing links to them. HBC's homelessness strategy addresses homelessness through the maintenance of existing tenancies and innovative provision of new accommodation. Empty homes are dealt with through the Empty Homes Strategy led by an officer in the HBC Planning service.
- 7.7 Discretionary licensing is an important component of HBC's strategic approach towards dealing with unsatisfactory conditions in the PRS. This report has shown the important interrelationship between the HMO Additional Licensing scheme and Selective Licensing, especially where ownership is fragmented.
- 7.8 All six wards meet the statutory test of having a high proportion of PRS dwellings let on assured tenancies or licences. HBC commissioned a stock condition survey in 2016 that provides sufficient evidence to show there are significant numbers of PRS dwellings where Category 1 and Category 2 Hazards exist on the premises.
- 7.9 Overall, based on the evidence from HBC's current approach to PRS licensing, the designation of a further Selective Licensing scheme will lead to an improvement in general housing conditions in the chosen area. **On the basis of the evidence in this report it is appropriate to seek a Selective Licensing designation on the ground of poor housing conditions.**
- 7.10 Whilst a designation is not being sought specifically on the ground of a high level of deprivation, four of the six wards are in the most deprived 10% and all have a high proportion of PRS dwellings thus meeting the statutory requirements for making a designation. It is clear that a designation combined with other partner activity in these wards would help contribute to a reduction in the level of deprivation.
- 7.11 Although all six wards in the proposed area have a higher proportion of PRS dwellings than the national and regional averages, the evidence is such that it is not appropriate to seek a new Selective Licensing designation on the grounds of low housing demand, significant and persistent ASB, high level of migration or high level of crime. However, the report has shown that ASB has reduced significantly in the current Selective Licensing area over the past three years. Designating a further Selective Licensing scheme would maintain the obligation on landlords and letting agents to deal with ASB and by doing so would help continue the current reduction in ASB and avoid the position reversing.
- 7.12 A six ward scheme would require confirmation by the Secretary of State as the proposed scheme at 20.3% is slightly greater than 20% of the geographical area of Hastings Borough and at 58.7%, based on Census 2011 data, it includes more than 20% of the Borough's private rented sector. If HBC wishes to make a designation then a comprehensive consultation exercise of a minimum of ten weeks will be required prior to designation and seeking SoS confirmation.

Appendices

1 – Map of Selective Licensing Area

2 - Outcomes Data

3 - Growth of the Private Rented Sector in Hastings

4 - Case Studies – The Benefits of Selective Licensing

5 - Selective Licensing Designation Criteria

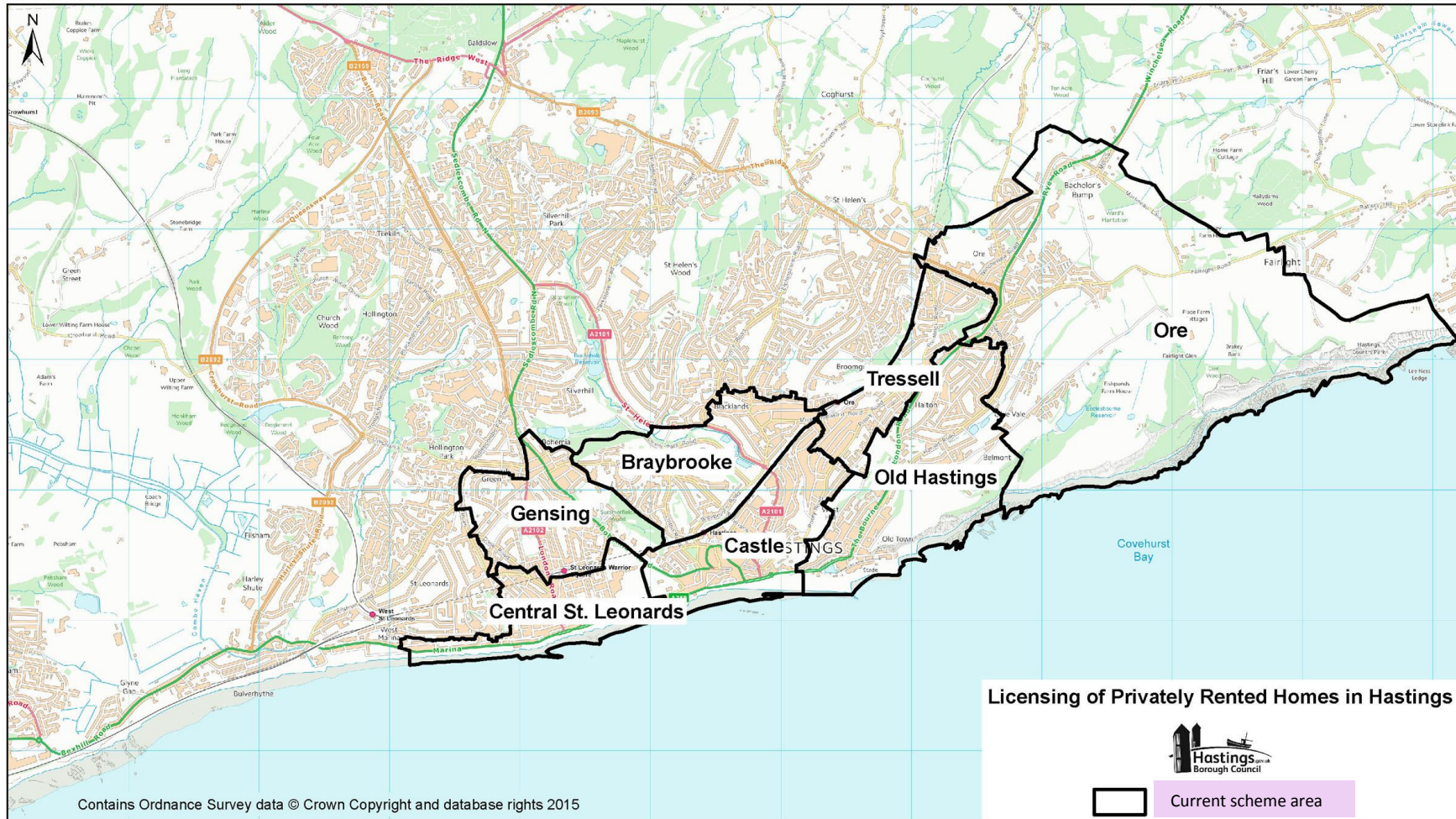
6 - Key Deprivation Statistics

7 - Options Appraisal Methodology

8 - Proposed Selective Licensing Scheme for Consultation

9 - Background Papers

Appendix 1 – Map of Selective Licensing Area



Appendix 2 - Outcomes Data

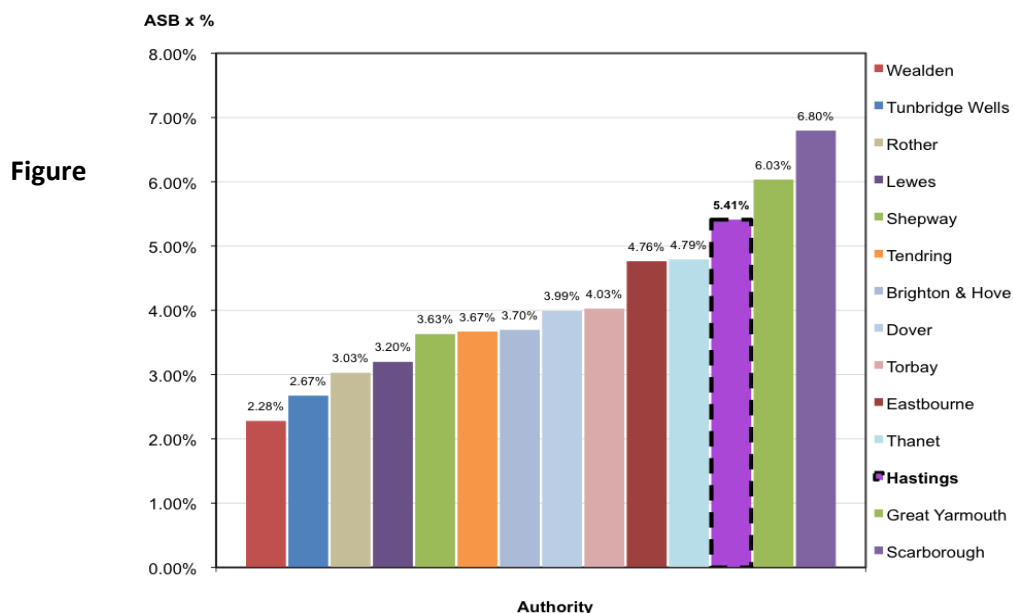
1. Anti-Social Behaviour

Ward Name	2014/15	2015/16	2016/17	2017/18	2018/19	Total	% change
Braybrooke	179	100	99	118	86	582	52.0%
Castle	780	731	634	670	485	3300	37.8%
Central St Leonards	594	492	490	359	261	2196	56.1%
Gensing	388	256	237	198	161	1240	58.5%
Old Hastings	165	146	171	184	129	795	21.8%
Ore	176	141	153	130	117	717	33.5%
Tressell	266	197	187	170	170	990	36.1%
Sub Total	2548	2063	1971	1829	1409	9820	44.7%
Ashdown	88	85	126	112	76	487	13.6%
Baird	264	249	208	195	179	1095	32.2%
Conquest	67	61	53	42	30	253	55.2%
Hollington	271	207	225	211	180	1094	33.6%
Maze Hill	162	84	108	92	86	532	46.9%
Silverhill	131	144	138	87	96	596	26.7%
St Helens	110	61	48	40	30	289	72.7%
West St Leonards	171	171	141	105	98	686	42.7%
Wishing Tree	236	146	138	175	103	798	56.4%
Ward Unknown	11	4	1	2	-	18	
Total	4059	3275	3157	2890	2287	15668	43.7%
Selective Licensing Wards	Source: Sussex Police						

Table 1.2. Anti-Social Behaviour by Ward and Private Renting - 2017 & 2018

Ward	Population by ward (all ages)	Private Renting Households	ASB Incidents per 1,000 population (2017)	ASB Incidents per 1,000 population (2018)	ASB 2017 (Calendar)	ASB 2018 (Calendar)
Central St Leonards	7178	2,533	52.4	39.6	376	284
Castle	7006	2,086	94.1	77.9	659	546
Tressell	5509	576	28.7	32.7	158	180
Gensing	6630	1,621	32.6	23.5	216	156
Old Hastings	5896	692	32.9	23.6	194	139
Ore	5396	479	25.0	21.3	135	115
Braybrooke	5378	910	22.1	16.0	119	86
Baird	5542	186	39.7	31.9	220	177
West St Leonards	5321	421	22.6	18.6	120	99
Silverhill	4950	413	18.4	20.2	91	100
Wishing Tree	5618	335	34.2	20.1	192	113
Conquest	5071	287	7.9	6.7	40	34
Hollington	6315	268	33.9	26.9	214	170
Ashdown	6455	227	18.7	11.9	121	77
St Helens	4832	177	8.9	6.8	43	33
Maze Hill	5716	652	16.8	13.3	96	76

Selective Licensing Wards Anti-Social Behaviour incidents Source: HCC Licensing & Building Environment compared with other authorities - 2012



1.3

2. House Conditions

Ward	2012/13	2013/14	2014/15	2010-2014	2015/16	2016/17	2017/18	2015-2018	Total
Central St Leonards	18	27	2	47	19	34	53	106	153
Castle	15	10	15	40	12	24	16	52	92
Gensing	12	9	8	29	7	13	10	30	59
Braybrooke	2	0	1	3	1	1	1	3	6
Old Hastings	0	2	2	4	2	6	5	13	17
Tressell	1	3	0	4	0	1	2	3	7
Ore	0	1	2	3	1	1	1	3	6
TOTAL FOR SL AREA	48	52	30	130	42	80	88	210	340
Maze Hill	4	0	2	6	0	1	0	1	7
Ashdown	2	0	1	3	2	1	2	5	8
Wishing Tree	0	0	0	0	0	0	6	6	6
Baird	2	0	0	2	0	0	0	0	2
West St Leonards	1	0	2	3	2	0	0	2	5
Hollington	1	0	1	2	0	1	1	2	4
Silverhill	0	1	0	1	1	0	1	2	3
Conquest	0	1	0	1	0	0	0	0	1
St Helens	0	0	0	0	0	0	0	0	0
TOTAL FOR NON SL AREA	10	2	6	18	5	3	10	18	36
Total	58	54	36	148	47	83	98	228	376

Source: HBC Housing & Built Environment

Ward	2013-2014	2015-2019	Total
Braybrooke	2	2	4
Castle	9	37	46
Central St Leonards	19	18	37
Gensing	9	17	26
Old Hastings	1	6	7
Ore	1	3	4
Tressell	1	0	1
TOTAL FOR SL AREA	42	83	125
Ashdown	0	2	2
Baird	0	0	0
Conquest	1	0	1
Hollington	0	0	0
Maze Hill	0	3	3
Silverhill	0	2	2
St Helens	0	0	0
West St Leonards	0	1	1
Wishing Tree	0	0	0
TOTAL FOR NON SL AREA	1	8	9
Totals	43	91	134

Source: HBC Housing & Built Environment

Table 2.3. Section 11 & 12 Notices Served Together 2013-2019			
Ward	2013-2015	2015-2019	Total
Braybrooke	0	2	2
Castle	9	19	28
Central St Leonards	9	30	39
Gensing	4	17	21
Old Hastings	3	4	7
Ore	1	0	1
Tressell	0	2	2
TOTAL FOR SL AREA	26	74	100
Ashdown	0	3	3
Baird	0	0	0
Conquest	0	0	0
Hollington	0	1	1
Maze Hill	0	0	0
Silverhill	1	0	1
St Helens	0	0	0
West St Leonards	1	2	3
Wishing Tree	0	0	0
TOTAL FOR NON SL AREA	2	6	8
Totals	28	80	108

Source: HBC Housing & Built Environment

Table 2.4. Section 12 Improvement Notices - 2013 - 2019			
Ward	2013-2014	2015-2019	Total
Braybrooke	1	1	2
Castle	1	3	4
Central St Leonards	4	10	14
Gensing	2	3	5
Old Hastings	0	0	0
Ore	0	1	1
Tressell	0	0	0
TOTAL FOR SL AREA	8	18	26
Ashdown	0	1	1
Baird	0	0	0
Conquest	0	0	0
Hollington	0	0	0
Maze Hill	2	0	2
Silverhill	0	0	0
St Helens	0	0	0
West St Leonards	0	0	0
Wishing Tree	0	0	0
TOTAL FOR NON SL AREA	2	1	3
Totals	10	19	29

Source: HBC Housing & Built Environment

Table 2.5. All Housing Enforcement Action Complied With 2011/12-2017/18					
Ward	2011/12-2013/14	% of all action	2015/16-2017/18	% of all action	Total
Central St Leonards	80		104		184
Castle	49		57		106
Gensing	40		28		68
Braybrooke	22		16		38
Tressell	3		20		23
Old Hastings	6		8		14
Ore	3		7		10
Selective Licensing Area Total	203	89.8%	240	89.9%	443
Maze Hill	6		6		12
Wishing Tree	3		6		9
Ashdown	4		5		9
West St Leonards	2		5		7
Baird	4		1		5
Silverhill	3		2		5
Hollington	1		1		2
Conquest	0		1		1
St Helens	0		0		0
Non SL Area Total	23	10.2%	27	10.1%	50
Grand Total	226		267		493

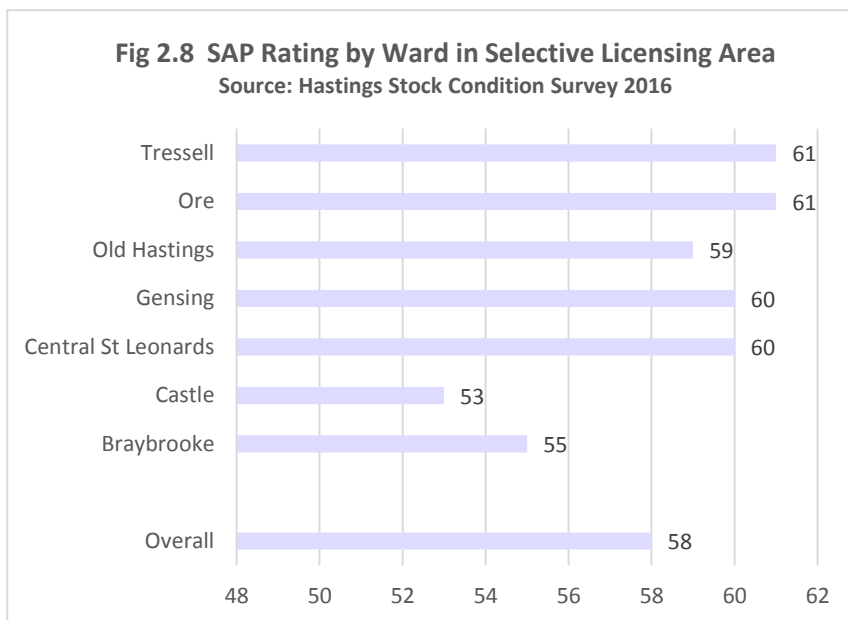
Source: HBC Housing & Built Environment

Table 2.6. Non-Decency by Selective Licensing Wards			
Ward	No of PRS Dwellings (July 2019)	% Non-Decent	No of Non-Decent Dwellings
Braybrooke	1116	26.4	295
Castle	2206	41.5	915
Central St Leonards	2771	26.4	732
Gensing	1848	14.2	262
Old Hastings	787	20.0	157
Ore	729	19.3	141
Tressell	800	24.9	199
Total	10257	31.4	3221

Source: HBC Housing & Planning Service & Stock Condition Survey 2016

Table 2.7. Category 1 Hazards by Selective Licensing Wards			
Ward	No of PRS Dwellings (July 2019)	% with Category 1 Hazards	No of Dwellings with Category 1 Hazards
Braybrooke	1116	14.7	164
Castle	2206	19.7	435
Central St Leonards	2771	11.5	319
Gensing	1848	5	92
Old Hastings	787	7.8	61
Ore	729	9.7	71
Tressell	800	15.3	122
Total	10257	13.9	1426

Source: HBC Housing & Built Environment & Stock Condition Survey 2016



3. Management Standards

Ward	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	Total
Central St Leonards	171	124	209	411	578	385	552	462	2892
Castle	123	122	169	151	206	142	254	431	1598
Gensing	86	51	89	142	203	127	228	178	1104
Braybrooke	32	33	55	30	57	60	108	151	526
Old Hastings	21	10	24	32	60	27	90	133	397
Ore	8	11	16	23	25	19	14	20	136
Tressell	28	21	29	33	44	43	68	136	402
TOTAL FOR SL AREA	469	372	591	822	1173	803	1314	1511	7055
Baird	26	21	21	21	36	17	11	19	172
Maze Hill	16	22	30	31	34	28	18	16	195
Hollington	12	15	22	21	29	13	11	10	133
West St Leonards	18	9	17	20	32	22	10	11	139
Ashdown	6	12	20	21	26	20	12	32	149
Wishing Tree	21	9	11	9	12	9	8	50	129
Silverhill	3	8	13	7	21	9	11	15	87
St Helens	2	2	3	7	10	6	2	4	36
Conquest	1	2	6	3	8	2	2	3	27
TOTAL FOR NON SL AREA	105	100	143	140	208	126	85	160	1067
Total	574	472	734	962	1381	929	1399	1671	8122

Source: HBC Housing & Built Environment

Ward	Total	2012/13	2013/14	2014/15	2012-2015	%	2015/16	2016/17	2017/18	2015-2018	%
Braybrooke	461	55	30	57	142	31%	60	108	151	319	69%
Central St Leonards	2597	209	411	578	1198	46%	385	552	462	1399	54%
Castle	1353	169	151	206	526	39%	142	254	431	827	61%
Gensing	967	89	142	203	434	45%	127	228	178	533	55%
Old Hastings	366	24	32	60	116	32%	27	90	133	250	68%
Ore	117	16	23	25	64	55%	19	14	20	53	45%
Tressell	353	29	33	44	106	30%	43	68	136	247	70%
TOTAL FOR SL AREA	6214	591	822	1173	2586	42%	803	1314	1511	3628	58%

Source: HBC Housing & Built Environment

Table 3.3. Housing Renewal Complaints Actioned 2013/14-2017/18							
Ward	2013/14	2014/15	Total 2013- 2015	2015/16	2016/17	2017/18	Total 2015- 2018
Central St Leonards	482	362	844	198	508	438	1144
Castle	303	204	507	129	242	402	773
Gensing	254	166	420	114	283	52	449
Braybrooke	98	56	154	52	107	136	295
Tressell	77	44	121	36	63	36	135
Old Hastings	78	60	138	26	83	26	135
Ore	38	25	63	16	13	16	45
TOTAL FOR SL AREA	1330	917	2247	571	1299	1106	2976
Maze Hill	71	34	105	26	17	9	52
Baird	49	36	85	17	11	18	46
Hollington	42	29	71	13	11	13	37
Ashdown	57	26	83	18	12	28	58
West St Leonards	46	31	77	19	9	19	47
Silverhill	35	21	56	9	10	9	28
Wishing Tree	66	12	78	9	6	9	24
St Helens	14	7	21	6	2	6	14
Conquest	7	8	15	2	2	2	6
TOTAL FOR NON SL AREA	387	204	591	119	80	113	312
Grand Total	1717	1121	2838	690	1379	1219	3288

Source: HBC Housing & Built Environment

4. Empty Homes

Table 4.1. Number of Long Term Empty Homes by Ward – 2013-2019 (Empty for 6 months or more)					
Ward	Nov 2013	July 2017	June 2019	Change 2017-2019	% Change
Central St Leonards	150	240	197	-43	18%
Castle	135	150	163	13	-9%
Gensing	67	110	86	-24	22%
Old Hastings	61	53	43	-10	19%
Braybrooke	39	53	58	5	-9%
Ore	14	25	21	-4	16%
Tressell	19	14	22	8	-57%
Sub-Totals	485	645	590	-55	9%
Maze Hill	36	56	31	-25	45%
St Helens	19	28	8	-20	71%
Silverhill	36	23	25	2	-9%
Wishing Tree	7	21	14	-7	33%
Conquest	3	20	8	-12	60%
West St Leonards	16	15	22	7	-47%
Hollington	7	13	11	-2	15%
Baird	37	12	8	-4	33%
Ashdown	21	12	17	5	-42%
Sub-Totals	182	200	144	-56	28%
Totals	667	845	734	-111	13%
Selective Licensing Wards	Source: HBC Housing & Built Environment				

Appendix 3 - Growth of the Private Rented Sector in Hastings

Table 3.1. Private Rented Dwellings by Ward - 2001-2019								
	2001 (Census)		2011 (Census)		2019 (HBC Estimate)		2001- 2019	2001- 2019
	P/Rented	% of housing stock	P/Rented	% of housing stock	P/Rented	% of housing stock	Overall Change	Overall % Change
Hastings	6689	18%	11863	29%	14485	38%	7796	117%
Braybrooke	593	25%	910	37%	1116	48%	523	88%
Castle	1233	39%	2086	55%	2206	53%	973	79%
Central St Leonards	1343	39%	2533	59%	2771	53%	1428	106%
Gensing	991	37%	1621	51%	1848	54%	857	86%
Old Hastings	436	17%	692	25%	787	34%	351	81%
Ore	218	10%	479	21%	729	36%	511	234%
Tressell	342	17%	576	26%	800	36%	458	134%
Total SL Wards	5156		8897		10257		5101	99%
Ashdown	59	3%	227	9%	409	25%	350	593%
Baird	67	3%	186	9%	361	20%	294	439%
Conquest	109	5%	287	14%	465	32%	356	327%
Hollington	151	6%	268	11%	390	20%	239	158%
Maze Hill	407	19%	652	28%	571	32%	164	40%
St Helens	123	6%	177	8%	442	29%	319	259%
Silverhill	246	13%	413	20%	637	35%	391	159%
West St Leonards	242	12%	421	19%	512	32%	270	112%
Wishing Tree	129	6%	335	14%	441	21%	312	242%
Total Non- SL Wards	1533		2966		4228		2695	176%

Source: HBC Housing & Built Environment

Appendix 4 - Case Studies – The Benefits of Selective Licensing

1.1 Bohemia Road – Gensing Ward

This property is a first and second floor 2 bedroom maisonette of solid wall construction with a low EPC. It is located off a busy main road and the main access is via an alley-way. The family currently living in the property is made-up of three adult's mother, father and their adult son who is to some extent vulnerable. The current tenants have been in situ for over three years. The occupants especially their son was extremely worried about intruders gaining access through the defective front door. Therefore, the father was sleeping in the lounge most nights snuggled up to a crowbar which he felt he needed to protect his property. The tenants also reported issues with youths causing anti-social behaviour by hanging around in the dark alley-way outside the property and on one occasion urinating through the occupant's letter box.

There were numerous hazards identified in this property on the selective licence inspection visit including:-

Hazard One - Damp and Mould

There were historical and ongoing issues with penetrating damp and mould to the hallway, lounge bedroom one and bedroom two. There appears to be defects to the roof.

Hazard Two - Excess Cold

The heating system is via an uneconomical gas boiler and non-conventional boxed in pipework fitted to all rooms. There does not appear to be adequate loft insulation fitted.

Hazard 12 - Entry by Intruders/Fire

The front door was a draughty timber framed door from which rain penetrated underneath. There was no mortice lock fitted with no opening from the inside except by the use of a key.

Hazard 20 - Falls on the level

The pathway leading to the entrance of the property through the alley-way is slightly uneven with no adequate lighting.

The downpipe on the wall near the front door had become dislodged and water was seeping on the pathway by the front door becoming frozen in cold weather.

Hazard 23 –Electrical Hazards

The light fitted to the bathroom did not have an 'Ingress Protection' (IP) rating and there was no useable socket for the washing machine in the kitchen.

Action Plan under Selective Licence

- The occupants were referred to the Council's anti-social behaviour officer to investigate the issues with anti-social behaviour.
- The occupants were also referred to 'Warm Homes' for financial assistance for those in receipt of a low income to install an energy efficient boiler into the property.

A schedule of works was produced and the following works were being undertaken:-

- The Insulation in the loft topped up to 270mm
- Investigation of the roof and surrounding areas have been undertaken by a contractor, some missing tiles replaced and the levels of damp are currently being monitored.
- The front door has been replaced with a UPVC one.
- A security light has been fitted outside the property to enable the occupants to open their door and prevent unwanted youths hanging around outside.
- The downpipe has been re-secured onto the wall.
- The extractor fan in the bathroom has been overhauled.
- The bathroom light has been changed for one which has a 'Ingress Protection rating of IPX4.
- A new socket has been sited for the washing machine.

The occupants are continuing to work with 'Warm Homes' scheme and are hoping there will be an opportunity to have a new boiler fitted in which case the landlord will provide new fixed radiators. This will further enhance the Energy performance Certificate (EPC) rating of the property. The landlord is to appoint a specialist company to provide a report on the damp and mould.

The Council's Anti-Social Behaviour Officer has now agreed to provide and fit a new gate to the front entrance of the alley way to help eliminate the gathering of teenagers outside the property who are causing anti-social behaviour.

Conclusion

It could be argued that if the Council did not have the Selective Licencing scheme in place this property would not have been inspected as the tenants claimed they would not have reported it to the Council as they did not want to complain. Once the works have been carried out to the property this will significantly improve the property's energy efficiency rating whilst improving the Borough's housing stock.

Examples of Unsatisfactory Conditions and Improvements Achieved



The new security light and UPVC front door

1.2 Southwater Road – Gensing Ward

This property is a large three storey 4/5 bed house of solid wall construction. The family living in the property (at the time of inspection) is made-up of four adult's and one child; Mother, father and their one year old son, a sister and their brother. The current tenants have been in situ for over two years. The property is in reasonably good condition it has gas central heating and double glazing fitted. There are no signs of damp and mould the tenants claim that although the property is extremely big with high ceilings it is not cold during winter months.

Nevertheless, there were some serious fall/electrical hazards and identified in this property on my selective licence inspection visit including:-

Hazard 21 Falls associated with stairs and steps

- The stairs leading from the front of the property to the basement have no fixed handrail fitted.
- The step leading from the rear door to the garden is broken.

Hazard 22 – Falls between levels

- The casement window in the rear bedroom (which was used by the one year old) has a low cill which is significantly below 1100mm. The window can be opened fully without restriction; there is a vast drop from the third floor to the unforgiving surface below.
- There is a vast change of levels in the garden area between two and three meters from the ground level to the basement level and there is no protective barrier to prevent a child/adult from falling.

Hazard 23 - Electrical

- The light fitted to the bathroom and ensuite did not meet the current IP (Ingress Protection) rating.
- There was no current Electrical Inspection Condition Report for the property.

Hazard 24 – Fire

- The smoke detection fitted was not operational.

Action Plan under Selective Licence

A schedule of works was produced and the following works were undertaken:-

- A Suitable handrail to the external front steps leading to basement was fitted.
- The step in the garden was re-built.
- Opening restrictors were supplied and fitted to the rear bedroom.
- A suitable barrier was supplied and fitted in the garden where the levels substantially changed.
- The smoke detectors were overhauled and were tested and working on final inspection.
- The existing light fitting to the ensuite and bathroom were changed to IP rated systems.
- A new EICR was undertaken and submitted.
- A new RCD unit was fitted.

Furthermore, since the inspection the family with the child have moved out of the property and another adult relative has moved into their room.

Conclusion

It could be argued that if the Council did not have the selective licence scheme in place this property would not have been inspected and there were some serious fall hazards identified. The electrics clearly required updating and the landlord, had a new consumer unit fitted. Furthermore, the fire detection system is now fully operational which in a property of this size in terms of safety is highly important.

Examples of Unsatisfactory Conditions and Improvements Achieved

Condition at Initial Inspection



Condition at final inspection

Condition at initial inspection



Condition at final inspection



Condition at initial inspection



Condition at final inspection



Condition at initial inspection



Condition at final inspection



Condition at initial inspection



Condition at final inspection



1.3 Bohemia Road – Gensing Ward

This property is a first floor flat of solid wall construction no thermal insulation and a low EPC. It has double glazing to all rooms and fitted electrical heating in the lounge / bedroom but no heating in the kitchen and hallway. The bathroom has a small electrical heater fitted. The property is located on top of a commercial premises trading as a massage parlour. The family living in the property are made-up of two adult's mother, father and their young 4 year old son. The current tenants have been in situ for around four years. There were numerous hazards identified in this property on the selective licence inspection visit including:-

Hazard One - Damp and Mould

- There are historical and ongoing issues with extensive penetrating damp mould and condensation to the kitchen, lounge and bathroom.

Hazard Two -Excess Cold

- The property is solid wall with no insulation and the heating system is via electrical fitted wall heaters fitted to the lounge and bedroom areas with a small heater fitted to the bathroom. The tenants claim that the current heating system is uneconomical and places them into fuel poverty to use. Furthermore, there does not appear to be adequate loft insulation fitted. Furthermore, the level of damp and mould growth will make the property also feel substantially colder.

Hazard 14 – Noise

- There does not appear to be adequate sound insulation between the dwelling and the commercial premises below. The commercial premises below operate late into the night causing the occupants substantial sleep deprivation.

Hazard 24 – Fire

- There was only one detector fitted which was not operational.
- There did not appear to be adequate fire separation between the dwelling and the commercial premises below.

Hazard 25 – Hot Surfaces and Materials

- The socket for the cooker and used for appliances was located directly above the cooker which increased the likelihood of tipping hot pans off the hot and potentially onto young children when using the sockets or via cables to the equipment connected to the sockets.
- The oven door of the cooker was completely broken and come off in the occupant's hands when opening thereafter cooking.

Action Plan under Selective Licence

The occupants were also referred to 'Warm Homes' for financial assistance to install an energy efficient boiler into the property and the landlord is managing the application.

A schedule of works was produced and initially the agents were not engaging. However due to persistent intervention a relationship has now been built between the landlord and HBC officer and the following works are currently being undertaken:-

- The Oven door has been replaced.
- The cooker socket has been refitted to a suitable location.
- The landlord is arranging the installation of a suitable interlinked fire detection system between the residential and commercial premises.
- The landlord is arranging to have suitable sound and fire insulation fitted between premises.
- The landlord has arranged a full Investigation of the roof and surrounding areas, some missing tiles have been replaced and the levels of damp are currently being monitored.
- The landlord will ensure the Insulation in the loft is topped up to 270mm
- The landlord has agreed to fully decorate the dwelling once all works are completed.
- The landlord has agreed that if Warm Homes are unable to financially assist the occupants with gas fired central heating, he will pay to install a new system.

Conclusion

There appeared to be a complete break- down of communication between the landlord and tenants and It could be argued that if the Council did not have the selective licence scheme in place the above hazards would not have been identified and rectified. The landlord is now undertaking the works. The tenants are extremely happy as they claim that most of the hazards identified were in the property from the start of the tenancy. Therefore, due to this scheme and inspection the tenants will be living in a safer and healthier environment. Furthermore, the works will increase the EPC rating and at the same time contribute towards improving the borough's housing stock.

Examples of Unsatisfactory Conditions



Lounge Penetrating Damp

Lo
unge
Damp
and
Mould



Bathroom Damp and Mould



Smoke Detection System



Cooker Door

Socket above Cooker



1.4 All Saints Street - Old Hastings Ward

This property is a three storey grade 2 listed 3 bedroom semi-detached house. It is of solid wall construction fitted with gas central heating. The occupants are a married couple with no children. The occupants have been in situ for over one year.

There were hazards identified in this property on the selective licence inspection visit including:-

Hazard One - Damp and Mould

There was an issue with penetrating damp to the kitchen ceiling, bedroom ceiling and through the toilet ceiling. The window to the right hand side in the bathroom did not open and subsequently there were vast amounts of condensation in and around that area.

Hazard Two - Excess Cold

The walls are of solid wall construction with no insulation and the windows are timber framed single glazed. Some of the timber windows are poor fitting, rotten and draughty. The windows in bedroom one, ensuite bathroom, landing and the small toilet do not open/close as intended.

The loft does have insulation but the occupants are not sure if it meets the current standard of 270mm. The issues with penetrating damp in the property will additionally cause the property to feel substantially colder.

Action Plan under Selective Licence

A schedule of works was produced and the following works were undertaken:-

- The Insulation in the loft topped up to 270mm
- Investigation of the roof and surrounding areas has been undertaken by a specialist contractor and works have been completed to the roof to secure loose/cracked tiles and repointing to the ridge. The gully has also been cleaned of debris. The leaks appear to have stopped and the landlord is waiting for the affected areas to completely dry out and has agreed to redecorate those areas.
- It has been agreed that if the condensation levels do not improve in the bathroom area the landlord will arrange to have a mechanical extractor fan fitted. I have diarised to re-inspect in six months.
- New windows have been fitted to the landing, toilet and bathroom the others have been refurbished to open/close securely as intended and are now in complete working order.

Conclusion

There had been ongoing issues with the roof leaking since the tenants moved into this property. The tenants had allegedly reported the issues to the agents on numerous occasions. Therefore, it can be seen that undertaking a selective licence inspection on this particular property has prompted the landlord to replace the defective windows and overhaul the remaining windows. This together with topping up the loft insulation will to some extent improve the energy efficiency of the property, which of course improves the local housing stock.

Examples of Unsatisfactory Conditions and Improvements Achieved

Condition of bathroom window at initial inspection (below)



Bathroom window at final inspection (right)



Condition of bedroom window at initial inspection (below)



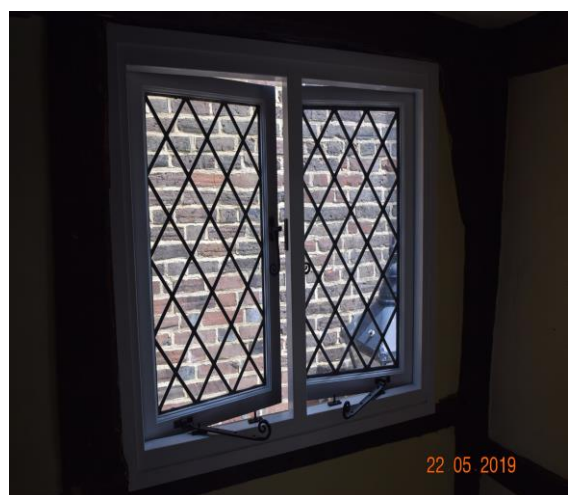
Bedroom window at final inspection (right)



Condition of landing window (missing stay) does not open as intended at initial inspection (below)



Landing window at final inspection (right)



1.5 St Mary's Road – Castle Ward

The property is a small two storey Victorian terraced house, with a cellar.

It was occupied by a family with several young children. An inspection was carried out under the selective licensing scheme, which identified several hazards. These included lack of opening restriction to windows on upper floors, and serious fire safety concerns due to lack of adequate smoke detection in the cellar and the main part of the house. There were also serious security concerns arising from the poor condition of the front and rear doors to the house, and the bathroom was in a poor condition with major hygiene concerns arising from a leaking soil pipe onto a flat roof, which was being used by the family as a yard area.

Action Plan under Selective Licence

As a result of the inspection, an improvement notice was served on the landlord, which resulted in additional smoke detection being installed in the cellar and main house, opening restrictors being fitted to windows and the front and rear doors being repaired. Extensive works were also carried out at the front and rear of the property, with repairs to render, front railings, and bitumen sealing to the soil pipe and flat roof in the rear yard.

Conclusion

As the tenants had not made a complaint to the Council, it would not have been aware of these issues had HBC not inspected the property as part of the Selective Licensing scheme.

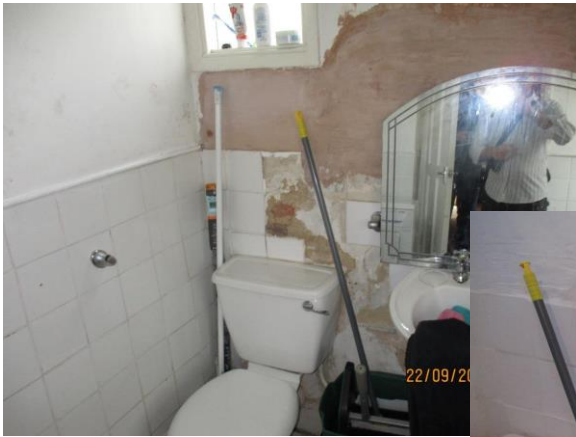


Front door frame before (above)

Examples of Unsatisfactory Conditions and Improvements Achieved



Front door frame after (right)



Bathroom before (below)



Bathroom after (right)

Flat roof area before (right)



Leaking soil pipe before

(below)



Flat roof area after (right)

Disrepair to front elevation of property (below)



Front elevation after work (above and left)

1.6 Flat Above a Shop - Central St Leonards Ward

In August 2017 a complaint was received relating to disrepair to a drainage system, affecting the empty commercial unit below two flats. The top flat had been Selectively Licenced, however the first floor flat had not. While the initial complaint was quickly resolved and although not linked to the first floor flat it was felt that further investigation was warranted as to why it had not been licenced.

The subsequent inspection established that the flat was tenanted and required a licence. The inspection also revealed that the boiler was not in working condition; therefore, the fixed form of heating within the property could not be used and the internal temperature of the property could not be maintained at a minimum of 18°C. Also, this boiler should have been providing hot water to the kitchen sink and bathroom wash hand basin. Due to its condition there was no hot water to these facilities. The only hot water to the property was via the independent electric shower unit and the tenant was using freestanding electric heaters to heat the property.

The boiler was located outside of the flat in the staircase that forms part of the common means of escape in case of fire. This not only affected the protection of the means of escape but also left the boiler in a situation that it can be tampered with.

Defects to the entrance door of the flat, fire protection, cooking facilities, toilet facilities, a lack of suitable ventilation to all rooms with damp and mould growth were also identified. These defects meant that the tenant had insufficient protection from intruders or fire, insufficient ventilation to the property; damp and mould growth to the rear bathroom walls and was exposed to hazards that make it difficult to maintain food and personal hygiene.

The tenant had been living with the property in this condition for approximately 2 years and was too scared to complain due to the circumstances of how the property was let to her.

Action Plan under Selective Licence

Improvement Notices under the Housing Act 2004 were served and were followed by an Environmental Protection Act 1990 Abatement Notice when the condition of the toilet facilities worsened. However, these were not complied with. Also, despite the team chasing the landlord the flat remained without a Selective Licence.

The landlord had little to no regard as to how to operate within the law as a landlord and other criminal activities were associated with the provision of the flat. He had no regard to the condition of the property or how it had affected the physical and mental health of a vulnerable tenant. His only communication was to state that he did not have the money to carry out the works.

Conclusion

It is extremely unlikely that HBC would have become aware of the condition of this property without the investigation into why the flat was not licenced under the Selective Licensing scheme. The tenant has now left, being removed from the hazards and is taking a positive move away from the significantly negative aspects experienced. The landlord was successfully prosecuted and fined over £2,000. They are now being pursued to repay rent received in Housing Benefit during this time.

Examples of Unsatisfactory Conditions



Lock missing to flat entrance door



Location of the inoperable gas boiler in common parts



1.7 Western Road – Central St Leonards Ward

This property is a second floor flat of solid wall construction with a low EPC. When this property was initially inspected it was occupied by a single male occupant.

On inspection under the Selective Licensing scheme various hazards were identified including a Category one hazard for excess cold.

Hazard One - Damp and Mould

There had previously been issues with penetrating damp to the ceiling of bedroom one and subsequently repairs to the roof were undertaken to remedy this issue.

Hazard Two - Excess Cold

The heating to the dwelling was via old style non-controllable storage heaters that were supplemented by the tenant with portable heaters leaving trailing wires throughout the property. The window in bedroom one was also broken allowing the escape of heat.

The communal hallway stair-carpet was completely removed by the tenant who stated it had an infestation of flees.

Hazard 23 –Electrical Hazards

The immersion heater located in the cupboard of bedroom one was leaking water.

The light fitted to the bathroom was not IP ingress rated.

Action Plan under Selective Licence

A schedule of works was produced and the following works are currently being undertaken:-

- Repairs to be carried out to the roof area (completed)
- Repair/Replace the window in bedroom one (Completed)
- Investigate the cause of the leak to the immersion heater and repair/replace parts (Completed)
- Replace bathroom light for one which has an 'Ingress Protection rating of IPX4. (Completed)
- The landlord was asked to replace the stair-carpet as this not only contributed to the level of excess cold in the property but also causing a hazard of noise to flat one and flat two. (The stair carpet will be fully replaced once the refurbishment of flat One is complete as per my schedule of works as flat one is now empty)
- The landlord was asked to provide an effective efficient and economical heating system to the dwelling. The system must be capable of heating each habitable room to 19°C when the outside temperature is -1°C heating must be fully controllable. (Completed) a new Gas Fired Central Heating system was installed.

Conclusion

The tenant was clearly living in a very cold and damp property and It could be suggested that if the Council did not have the selective licence scheme in place this property would not have been

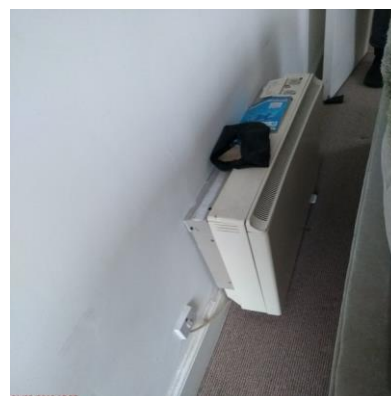
inspected and works carried out to bring the property up to reasonable standard and improve the local housing stock. The installation of a gas fired central heating system will significantly improve the energy efficiency and thermal comfort of the property. Furthermore flat one which was inspected is now empty and undergoing a full refurbishment in order that the landlord can adhere to the schedule of works that HBC produced and once the works are completed (within the next three months) this will of course bring another property up to standard and improve the overall EPC of the Building.

Examples of Unsatisfactory Conditions and Improvements Achieved

Broken bedroom window unable to close (below)



Bedroom window repaired (above)



Old heating system
with supplementary portable heaters (above)



New Gas Fired Central Heating Boiler (left)

Appendix 5 - Selective Licensing Designation Criteria

1. Low housing demand

The statutory requirements for designating a scheme on the grounds of low housing demand under s80(3) and (4) of the Housing Act 2004 (the Act) are that the LHA must be satisfied of the following before making the designation:

- that the area is, or is likely to become, an area of low housing demand
- that making a designation will, when combined with other measures taken in the area by the local housing authority (LHA), or by other persons together with the LHA, contribute to the improvement of the social or economic conditions in the area.

In deciding the above the LHA must consider (among other matters):

- the value of residential premises in the area, in comparison to the value of similar premises in other areas which the LHA considers to be comparable (whether in terms of types of housing, local amenities, availability of transport or otherwise)
- the turnover of occupiers of residential premises
- 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.

2. Significant and persistent anti-social behaviour (ASB)

Section 80(6) of the Act sets out the statutory criteria an LHA needs to be satisfied to designate an area for Selective Licensing on the grounds of ASB before making a designation:

- there is a significant and persistent problem caused by ASB within the area to be designated
- that some or all private sector landlords in the area are failing to act to combat the problem that it would be appropriate for them to take, and
- that making the designation when combined with other measures taken in the area by the LHA or others together with the LHA will lead to a reduction or the elimination of the problem

3. Poor housing conditions

The statutory requirements for designating an area for Selective Licensing on the grounds of poor property conditions are the LHA must show before making the designation:

- that the area contains a high proportion of properties in the PRS, in relation to the total number of properties in the area
- that the properties referred to in the PRS are occupied either under assured tenancies or licences to occupy
- that having carried out a review of housing conditions under section 3(1) of the Act, the local housing authority considers it would be appropriate for a significant number of the properties in the private rented sector to be inspected, with a view to determining whether any Category 1 or Category 2 hazards exist on the premises

- that the LHA intends to carry out such inspections as referred to above, with a view to carrying out any necessary enforcement action; and
- that making a designation will, when combined with other measures taken in the area by the LHA, or by other persons together with the LHA, including any licence conditions imposed under section 90 of the Act, contribute to an improvement in general housing conditions in the area

4. High levels of migration

The statutory requirements for approving a scheme on the grounds of high levels of migration are that the LHA must show before making the designation that the designated area:

- contains a high proportion of properties in the PRS, in relation to the total number of properties in the area
- that the properties in the PRS in the area are occupied either under assured tenancies or licences to occupy
- has or is recently experienced or is experiencing an influx of migration into it
- that a significant number of the properties in the private rented sector in the area are occupied by those migrants referred to above; and
- that making a designation will, when combined with other measures taken in the area by the LHA, or by other persons together with the LHA, contribute to—
 - the preservation or improvement of the social or economic conditions in the area; and
 - ensuring that the properties in the PRS in the area are properly managed, and, that overcrowding is prevented

5. High levels of deprivation

The statutory requirements for approving a scheme on the grounds of deprivation are that the LHA must show before making the designation that the designated area:

- contains a high proportion of properties in the private rented sector, in relation to the total number of properties in the area
- that the properties in the PRS in the area are occupied either under assured tenancies or licences to occupy
- is suffering from a high level of deprivation, which affects a significant number of the occupiers of properties in the PRS; and
- that making a designation will, when combined with other measures taken in the area by the LHA, or by other persons together with the LHA, contribute to a reduction in the level of deprivation in the area.
- In determining whether an area is suffering from a high level of deprivation, the LHA may have regard to the following factors in relation to the area—
 - the employment status of adults
 - the average income of households
 - the health of households
 - the availability and ease of access to education, training and other services for households
 - housing conditions
 - the physical environment; and
 - levels of crime

6. High level of crime

The statutory requirements for designating an area for Selective Licensing on the grounds of high crime are that the LHA must demonstrate before making the designation that the designated area:

- contains a high proportion of properties in the PRS, in relation to the total number of properties in the area
- that the properties in the PRS in the area are occupied either under assured tenancies or licences to occupy
- suffers from high levels of crime
- that the criminal activity affects those living in the properties in the private rented sector, or other households and businesses in the area; and
- that making a designation will, when combined with other measures taken in the area taken by the LHA other persons together with the LHA or by the police, contribute to a reduction in the levels of crime in the area, for the benefit of those living in the area

Appendix 6 - Key Deprivation Statistics

Table 6.1 - Key statistics for deprived wards in Hastings

Indicator	Period	England	East Sussex	Hastings	Wards in most deprived areas of Hastings							
					Baird	Castle	Central St Leonards	Gensing	Hollington	Ore	Tressell	Wishing Tree
1 Average IMD Score for area	2015	-	19	33	42	50	55	44	45	33	43	37
2 Private renting	2011	17%	18%	29%	9%	55%	59%	51%	11%	21%	26%	14%
3 Social renting	2011	18%	11%	15%	32%	8%	13%	7%	44%	19%	25%	32%
4 Total population	2017	-	552,259	92,813	5,542	7,006	7,178	6,630	6,315	5,396	5,509	5,618
5 % under 20s	2017	24%	21%	23%	29%	21%	18%	22%	30%	25%	30%	25%
6 % 20-64s	2017	58%	53%	57%	52%	65%	65%	65%	56%	56%	58%	54%
7 % 65+	2017	18%	25%	19%	20%	14%	16%	13%	14%	19%	12%	21%
8 BME population	2011	14%	4%	6%	5%	8%	14%	10%	5%	4%	4%	5%
9 Children in poverty	2016	17%	17%	26%	39%	29%	41%	30%	33%	32%	39%	34%
10 Unemployment rate	Apr-19	3%	3%	5%	6%	7%	9%	8%	6%	4%	6%	4%
11 No qualifications	2011	23%	23%	25%	34%	21%	24%	23%	33%	30%	27%	32%
12 Mothers smoking during pregnancy	2016-17	11%	12%	18%	25%	15%	23%	19%	25%	22%	31%	17%
13 10-11 year olds overweight or obese	15/16 to 17/18	34%	31%	34%	29%	42%	41%	35%	34%	38%	34%	32%
14 Working age with long term health problem or disability	2011	13%	14%	18%	21%	20%	22%	22%	23%	18%	18%	23%
15 Life expectancy for males	2013-17	80	80	77	77	74	73	74	76	76	76	76
16 Life expectancy for females	2013-17	83	84	82	83	83	80	77	81	83	80	85

Source: Public Health Intelligence Team - East Sussex County Council

Wards in current Selective Licensing area

Key
>40
30-40
20-30
<20

Notes

- 1 Population weighted Index of Multiple Deprivation (IMD) score based on LSOAs within are, 2015
- 2 Accommodation rented from a private landlord or letting agent, Census 2011
- 3 Accommodation rented from a registered social landlord, housing association, housing co-op or charitable trust, Census 2011
- 4-7 Mid 2017 estimates of resident population, ONS
- 8 People who responded to any category other than White British/Northern Irish, Irish, Gypsy or Irish Traveller, or other white, Census 2011
- 9 % of children aged under 16 living in low income families, ONS
- 10 Working age people claiming Job Seekers Allowance or Universal Credit, DWP
- 11 People aged 16+ with no academic or professional qualification, Census 2011
- 12 Mothers recorded as smokers at time of delivery, ESCC
- 13 Children in Year 6 aged 10-11 who were overweight or obese when measured in school, ESCC
- 14 People aged 16-64 with long term health problem or disability, ESCC
- 15 Life expectancy at birth for males, ESCC
- 16 Life expectancy at birth for females, ESCC

Appendix 7 - Options Appraisal Methodology

1. Introduction

The Housing Act 2004 requires that before making a discretionary licensing designation a local authority must consider whether there are any other courses of action available to them that might provide an effective method of dealing with the problem or problems in question.

This options appraisal therefore seeks to examine a range of alternative options including licensing.

There are two parts to the appraisal process. The first is option development, which identifies the available options for tackling substandard and 'problem' privately rented properties in the Borough and examines the strengths and weaknesses of each. The second part is the option appraisal itself. It measures the effectiveness of each of the identified options by giving them individually a series of scores against the agreed objectives. The options, and the objectives against which they are scored, need to derive from the Council's vision for the future role of the private rented sector.

A panel of Council officers from HBC Housing & Built Environment undertook the options appraisal.

2. Our Vision

The agreed vision for the private rented sector and the future role it can play in helping to meet the Housing Strategy objective 'to provide decent, high quality, affordable and secure homes to meet the aspirations of the people of Hastings and St Leonards' is:

To maximise the contribution made by the private rented sector towards meeting current and future housing need through tailored, targeted and proportionate intervention and support designed to secure safe, well-managed, energy efficient and decent accommodation.

3. Option Development

3.1 Options

Given the experience of licensing since 2015, five possible options for tackling substandard and ‘problem’ properties in Hastings were identified and are set out below:

- 1. Do nothing.** This option would involve the Council doing nothing to intervene in the private rented sector, leaving the housing market as the driver for landlords carrying out improvements to their properties.
- 2. Do the minimum.** This option envisages Council intervention in the sector being limited to a basic ‘complaint response’ service with action by other departments and agencies on a largely ad hoc basis using the various powers available to them.
- 3. Continue the existing Selective Licensing scheme.** In effect this is designation of a new scheme covering the same properties as the previous scheme.
- 4. Borough wide Selective Licensing Scheme.** Licensing introduced for all private rented properties across the whole Borough.
- 5. Limited area Selective Licensing scheme.** Licensing introduced in the wards or parts of wards with the highest concentration of private rented properties and significant problems of poor housing conditions, deprivation and ASB.

3.2 Strengths and Weaknesses

The strengths and weaknesses of each option are now examined.

Option 1 – Do nothing		
Option Description	For	Against
<ul style="list-style-type: none"> ▪ No Council involvement in the sector ▪ Housing market is the driver for improvements to the sector 	<ul style="list-style-type: none"> ▪ No additional resource costs ▪ Housing market determines the quality of accommodation ▪ Meets landlord aspirations for self-regulation 	<ul style="list-style-type: none"> ▪ Would not meet statutory obligations ▪ Community concerns not addressed ▪ Concerns of people renting not addressed

Option 2 – Do the minimum		
Option Description	For	Against
<ul style="list-style-type: none"> ▪ Council intervention limited to: <ul style="list-style-type: none"> •Complaint response; •Action on Planning Use contraventions on properties where external appearance detrimental to amenity; •Building Control action on non-compliant works. 	<ul style="list-style-type: none"> ▪ Responds to tenants’ expressed concerns ▪ Ensures Council meets basic statutory responsibilities towards standards in rented housing ▪ If pursued rigorously sends a strong signal to the erring landlord, may lead to subsequent voluntary improvement ▪ Should produce worthwhile 	<ul style="list-style-type: none"> ▪ Reliance on the market unlikely to yield widespread housing improvement in the current climate; ▪ Reactive intervention not strategic: <ul style="list-style-type: none"> •No impact beyond the subject property; •Not need- or risk-based; •Wider issues in rented stock not addressed; •Little scope for project planning

<ul style="list-style-type: none"> Wider issues left to the normal operation of the market 	<p>improvements in neighbourhood environment, external appearance, structural integrity, fire safety in cases where these tackled.</p>	<p>against defined objectives.</p> <ul style="list-style-type: none"> Little scope for synergy with other Council initiatives; Lack of scope for coordination across agencies and staffing imbalances between them would seriously undermine the initiative. Most Planning, Building Regs enforcement powers would not reach longer-established stock-where need is greatest; Key issues- amenities, space, health and safety would be overlooked; Acting only on complaint can lead to retaliatory eviction; No. of complaints fluctuates, staffing stays the same so quality of response varies; Labour-intensive, so costly; Falls short of meeting goals of Housing Strategy
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Option 3 - Continue the existing Selective Licensing scheme		
Option Description	For	Against
<ul style="list-style-type: none"> Selective Licensing scheme in the seven current wards: Braybrooke Castle Central St Leonards Gensing Old Hastings Ore Tressell where there is a concentration of PRS dwellings Positive impact on tackling anti-social behaviour linked to the sector 	<ul style="list-style-type: none"> Strategic: <ul style="list-style-type: none"> Area selected by need, risk, priority Activity can be planned, targets set, outputs measured. Familiarity with current scheme boundaries, etc Reduction in ASB maintained and possibly further reduced Scheme would be self-funding Continue impact on achieving housing standards Credibility, standing of rented sector enhanced as 'approved' rental housing pool enlarges. Strong sanctions for non-compliance Likely to be popular with tenants and communities 	<ul style="list-style-type: none"> Risk of 'displacement': new rental properties established outside designated areas to avoid controls. Scheme would need appropriate staff resourcing to succeed. Continuing the scheme could be unpopular with some landlords who comply with current housing standards and manage properties effectively Scheme on its own will not deal with anti-social behaviour of tenants Some landlords may sell up due to cost of meeting the required housing standards but doesn't seem to be an issue with current scheme

Option 4 – Borough wide Selective Licensing		
Option Description	For	Against

<p>Licensing introduced for all private rented properties across the Borough's 16 wards.</p>	<ul style="list-style-type: none"> ▪ Seen as fairer for all landlords as not focused on specific part of the town ▪ More strategic as would tackle problems in all properties ▪ Avoids risk of displacing problems from one area to another 	<ul style="list-style-type: none"> ▪ Not targeted ▪ Disproportionate – if evidence suggests concentration of problems in certain areas ▪ Significant staff resources required to license all properties within 5 years ▪ Phased approach would be required to deal with the large number of properties ▪ Would take resources away from doing other priority housing renewal activity
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Option 5 - Limited area Selective Licensing scheme		
Option Description	For	Against
<ul style="list-style-type: none"> ▪ Selective Licensing scheme in six wards where there is a concentration of private rented properties above the national average; and there is evidence of poor housing conditions, deprivation, and/or anti-social behaviour linked to the PRS ▪ Activity based on improving poor housing conditions and identifying Category 1 & 2 hazards by property inspections ▪ Positive impact on the five most deprived 10% wards 	<ul style="list-style-type: none"> ▪ Strategic: <ul style="list-style-type: none"> ▪ Area(s) selected by need, risk, priority ▪ Activity can be planned, targets set, outputs measured. ▪ Scope for marked impact in chosen Area(s): Economies of scale, etc.; Fairness: mandatory nature of scheme means all landlords are required to participate; ▪ Reduction in ASB maintained and possibly further reduced ▪ Scheme would be self-funding ▪ Big impact on achieving housing standards ▪ Credibility, standing of rented sector enhanced as 'approved' rental housing pool enlarges. ▪ Strong sanctions for non-compliance ▪ Likely to be popular with communities 	<ul style="list-style-type: none"> ▪ Risk of 'displacement': new rental properties established outside designated areas to avoid controls. ▪ Scheme would need appropriate staff resourcing to succeed. ▪ Likely to be unpopular with some landlords who comply with current housing standards and manage properties effectively ▪ Scheme on its own will not deal with anti-social behaviour of tenants ▪ Some landlords may sell up due to cost of meeting the required housing standards but doesn't seem to be an issue with the current scheme

4. Option Appraisal

4.1 Introduction

The panel identified eight objectives for the private rented sector and these are listed in the table below. Each of the options identified were evaluated and scored against the agreed objectives.

4.2 Objectives

No.	Objective
1.	To keep occupants safe by securing effective management of private rented properties.
2.	To improve the living conditions for tenants through ensuring an appropriate level of facilities is provided.
3.	To improve housing standards and maintenance within private rented properties, with particular emphasis on security, fire safety and reduce greenhouse gas emissions.
4.	To ensure landlords exercise appropriate management and supervision of their properties to help reduce any adverse impact on the neighbourhood, e.g. from anti-social behaviour.
5.	To encourage investment in private rented homes and increase the availability of affordable and decent accommodation for those in housing need.
6.	To build on and expand existing partnerships with landlords, agents, tenants, colleges, community forums and partner agencies/services, maintaining effective two-way communication, promoting joint working and best practice and through these, facilitating improvements to the private rented sector.
7.	To encourage and support owners and managing agents of private rented properties to work proactively with the Council in achieving clearly defined standards and management of private rented properties.
8.	To facilitate stable and integrated communities through policy and proactive targeting of intervention.

4.3 Appraisal of options against objectives

Each panel member evaluated and scored the five options against the agreed objectives using the scoring criteria set out below. Scores were averaged for each option/objective and a total score arrived at for each option.

4.3 Appraisal of options (continued)

Scoring Criteria	Scoring
Over 1- 5 years on a significant number of properties.	0 = will not impact
	1 = very little impact
	2 = reasonable impact
	3 = significant impact
	4 = very significant impact

Objective	Option 1	Option 2	Option 3	Option 4	Option 5
	Do nothing	Do the minimum	Renew Selective Licensing scheme	Borough wide Selective Licensing	Limited area Selective Licensing
1. To keep occupants safe by securing effective management of private rented properties.	0	4	10.5	9	13
2. To improve the living conditions for tenants through ensuring an appropriate level of facilities is provided.	0	4.5	11	10	15.5
3. To improve housing standards and maintenance within private rented properties, with particular emphasis on security, fire safety and thermal comfort.	0	3.5	11.5	11.5	15.5
4. To ensure landlords exercise appropriate management and supervision of their properties to help reduce any adverse impact on the neighbourhood, e.g. from anti-social behaviour.	0	3	13	12	11

	Option 1	Option 2	Option 3	Option 4	Option 5
Objective	Do nothing	Do the minimum	Renew Selective Licensing scheme	Borough wide Selective Licensing	Limited area Selective Licensing
5. To encourage investment in private rented homes and increase the availability of affordable and decent accommodation for those in housing need.	0	2.5	9	10.5	13.5
6. To build on and expand existing partnerships with landlords, agents, tenants, colleges and the Universities, community forums and partner agencies/services, maintaining effective two-way communication, promoting joint working and best practice and through these, facilitating improvements to the private rented sector.	0	5.5	11.5	10.5	12
7. To encourage and support owners and managing agents of private rented properties to work proactively with the Council in achieving clearly defined standards and management of private rented properties.	0	4	9.5	12	14
8. To facilitate stable and integrated communities through policy and proactive targeting of intervention.	0	3	9	8.5	13
Total Score	0	30	85	84	107.5
%	0%	10%	28%	27%	35%

5. Option Appraisal - Outcome

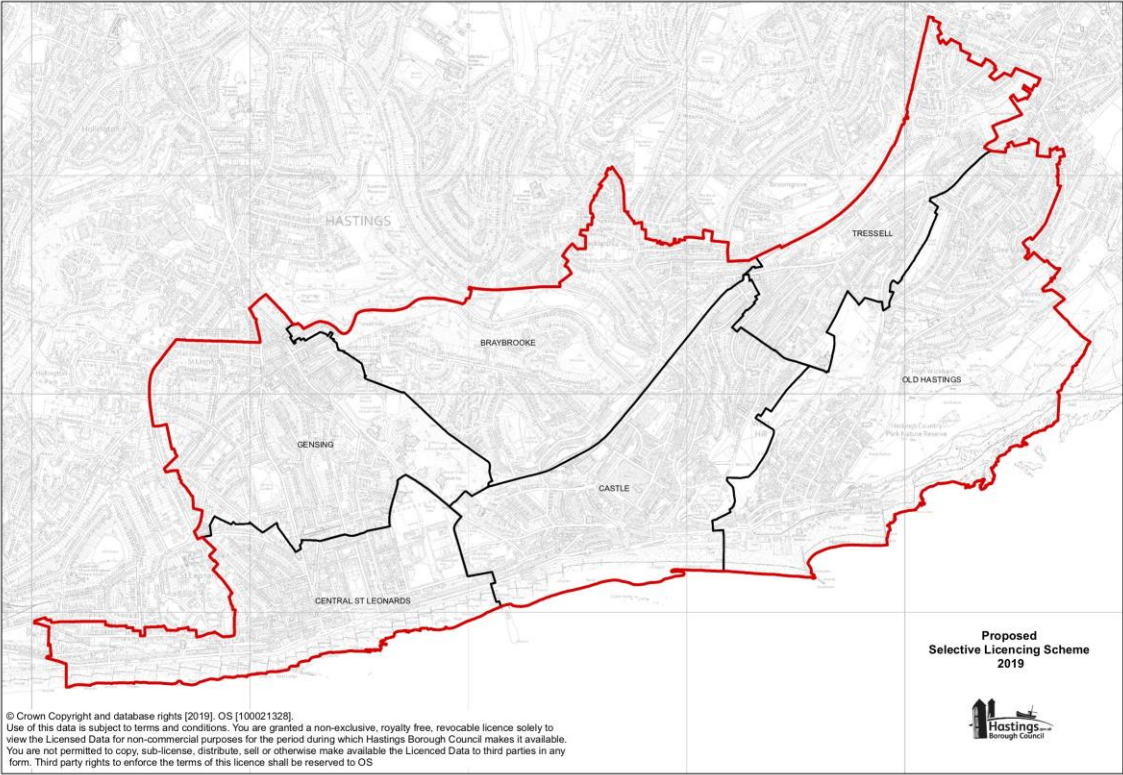
A summary of the Panel's averaged total scores from the appraisal exercise is set out below for each option and ranked according to their total score:

Options	Total Score	Rank
1. Do nothing	0	5 th
2. Do the minimum	30	4 th
3. Renew existing Selective Licensing scheme	85	2 nd
4. Borough wide Selective Licensing	84	3 rd
5. Limited area Selective Licensing	107.5	1 st

The outcome of the appraisal process as

regards which option would best meet the agreed vision and objectives for the PRS in Hastings is that a limited area scheme based on the 6 wards would have the most significant impact on the PRS. This can be explained by a combination of reasons, e.g., these wards each contain exceptionally high proportions of PRS dwellings amounting to 6% of the Borough's PRS, the poorest housing conditions, poorest energy efficiency, high levels of deprivation, and significant levels of ASB. Based on the experience of discretionary licensing in the Borough, concentrating HBC resources on licensing PRS dwellings in this smaller area would mean a higher level of property inspections, the identification of more Category 1 and 2 hazards. Ultimately, this should lead to the improvement of more PRS dwellings, together with better quality management of the sector.

Appendix 8 - Proposed Selective Licensing Scheme for Consultation



Appendix 9 - Background Papers

Housing Act 2004

Anti-Social Behaviour, Crime and Policing Act 2014

Selective Licensing (Additional Conditions) (England) Order 2015/977

Selective Licensing in the private rented sector - A guide for local authorities - DCLG
March 2015

Proposed Selective Licensing scheme for private rented homes in Hastings - HBC
Cabinet - 30 March 2015

2nd Anniversary Review of the Private Rented Sector Selective Licensing Scheme -
HBC Cabinet - 9 October 2017

Hastings Private Sector House Condition Survey 2016

Hastings & St Leonards Housing Strategy

Hastings & St Leonards Empty Homes Strategy

Draft Hastings & St Leonards Homelessness & Rough Sleeping Strategy 2019-2023

Hastings BC Corporate Plan 2019-2020

Hastings Community Safety Partnership Action Plan 2019/20