

THE OVERVIEW AND SCRUTINY COMMITTEE

20 MAY 2013

FINDINGS OF THE INFORMAL SCRUTINY GROUP ON HOUSES IN MULTIPLE  
OCCUPATION

REPORT OF ASSISTANT DIRECTOR (HOUSING)

Contact Officer: Richard Botham Tel. 01962 848421

Email: rbotham@winchester.gov.uk

RECENT REFERENCES

CAB2093 - Houses in Multiple Occupation – Stanmore - 19.01.2011

EXECUTIVE SUMMARY

The Overview and Scrutiny Committee decided at its meeting on 28 May 2012 to establish an Informal Scrutiny Group (ISG) to review the effect houses in multiple occupation (HMOs) are having on City estates, and in particular the Stanmore estate.

This report describes the process of the review and the ISG's consequent recommendations.

RECOMMENDATIONS:

That The Overview and Scrutiny Committee consider the recommendations of the ISG and recommend to Cabinet the following:

1. That the Assistant Director (High Quality Environment) commence a one year pilot of the Enhanced Neighbourhood Management approach in localities with a significant number of Houses in Multiple Occupation; the pilot to commence on 1 July 2013.

2. That the success of that approach be reviewed after six months to determine its effectiveness and consider whether an additional licensing scheme or other measures are needed. A further review of the pilot scheme will take place after a full year of operation.
3. That consultation be undertaken about the possibility of an additional licensing scheme being introduced in the Winchester town area (a three mile radius from the city centre)
4. That officers work in partnership with the University to support students to set up a means of recording and publicising feedback on the quality of private rented accommodation and the service offered by landlords.
5. That officers extend the coverage achieved by the 'Welcome to the Neighbourhood' booklet.
6. That the University of Winchester and the University of Southampton be encouraged to provide more purpose-built accommodation for their students.
7. That the Council commission an update of its 2007 Private Sector Stock Condition Survey and revise its Private Sector Housing Strategy.
8. That officers be requested to review the local planning approach to HMOs.
9. That officers work in partnership with the University of Winchester and University of Southampton to find ways to foster effective community cohesion between students and their neighbourhoods.

## THE OVERVIEW AND SCRUTINY COMMITTEE

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### FINDINGS OF THE INFORMAL SCRUTINY GROUP ON HOUSES IN MULTIPLE OCCUPATION

#### REPORT OF ASSISTANT DIRECTOR (HOUSING)

##### 1. Introduction

- 1.1. In the last few years there has been increasing concern raised by Councillors over the escalation of houses in multiple occupation (HMO) that have been set up throughout the entire town area but especially in the estates and, in particular, in the Stanmore neighbourhood.
- 1.2. A report on the issue was submitted to Cabinet (CAB2093 refers) in January 2011 which resulted in the following recommendations:
  - 1.2.1. A consultation be undertaken in relation to an Additional Licensing Scheme for houses in multiple occupation in the Stanmore neighbourhood;
  - 1.2.2. That a report on the outcome of the consultation be submitted to a future Cabinet for decision and that, if a decision is made to introduce a Licensing Scheme in Stanmore, Cabinet receive a further Report monitoring its progress to ascertain whether the scheme should be extended to other areas in due course.
- 1.3. A public consultation was undertaken between 1 July – 31 October 2011 by the Private Sector Housing Team. However, other proposed Council initiatives planned to be implemented in Stanmore to address estate concerns precluded the presentation of a report to Cabinet. However, in April 2012, Councillor Scott once again raised the issue of the impact of HMOs on City Estates in general. This was in response to the increase in the numbers of properties purchased by property developers who then convert or adapt houses, often for student accommodation. The increase in student and other types of HMOs particularly in the St Luke's Ward has changed its historical community profile. This is perceived as bringing about a number of associated problems including parking, noise, rubbish and the general untidiness of the estate. Although St Luke's Ward has the highest concentration of HMOs, concerns have also been raised by other Councillors about increasing HMO numbers in other city estates and their impact on communities. The matter was raised at The Overview and Scrutiny Committee held on 28 May 2012 and subsequently passed as a matter to be investigated by an Informal Scrutiny Group (ISG).
- 1.4. This report summarises the matters considered by the ISG and its recommendations for action.

## 2. HMO Informal Scrutiny Group

- 2.1. The first of four meetings was convened on 23 October 2012 by the City Estates HMO Informal Scrutiny Group with membership comprising of Councillors J. Scott (lead) E. Berry, J. Berry, B. Collin, D. Green and R. Prowse.
- 2.2. Officer support was provided by Robert Heathcock Assistant Director (High Quality Environment), Richard Botham (Head of Housing Services), Steve Tong (Housing Options and Support Manager) and Kevin Reed (Environmental Health Technician).

## 3. Terms of Reference for the ISG were agreed as:

- To consider and review the impact of increasing numbers of Houses in Multiple Occupation (HMOs) on City estates, to include data on the present number of HMOs and projected numbers into the future.
- To review the potential for a HMO licensing scheme as a means of addressing community concerns regarding the impact of HMOs on City estates.
- To consider the potential for other solutions to address these community concerns.
- To make recommendations to Cabinet on any actions that the City Council can take as a means of controlling the impact of HMOs and in managing the expectations of local communities.

## 4. Background

### 4.1. HMO definition

- 4.2. The ISG noted from the CAB2093 report that the Housing Act 2004 defines an HMO as:

- Dwellings occupied by three or more unrelated people as their only or main residence and sharing facilities
- Buildings comprising non self-contained flats
- Houses converted into self-contained flats that do not meet the requirements of the 1991 or subsequent Building Regulations and where more than one third of the flats are let on short term tenancies.

### 4.3. Condition of HMO stock

- 4.4. The ISG heard that the 2007 Private Sector Stock Condition Survey had identified that although repair conditions within the HMO sector were worse than elsewhere in the private-rented stock, general conditions were good. The management of HMOs was also assessed as good in all surveyed properties and all units were assessed as fit for multiple occupation.

4.5. As the information contained within the current Private Sector Stock Condition Survey is getting towards the end of its useful life, proposals are being investigated for it to be updated.

4.6. Mandatory Licensing

4.7. The Council has a mandatory duty to licence larger HMOs of 3 storeys or more and occupied by 5 or more tenants forming more than a single household. 81 properties are currently licensed throughout the District.

4.8. Shared housing Accreditation Scheme

4.9. The ISG was advised that since 2003, the Council in partnership with The University of Winchester has been operating a voluntary Shared Housing Accreditation Scheme. For a property to achieve accreditation status it must be in a satisfactory state of repair and decent decorative condition; free from any serious hazards and provided with sufficient kitchen and bathroom amenities for the number of occupants. The electrical and gas installations must also have been certified as being safe. Every accredited property is also fitted with mains wired fire detectors and must have loft insulation installed. 113 properties are currently accredited the majority being located in Stanmore.

4.10. University Student Accommodation

4.11. The ISG heard that the University of Winchester is in the process of increasing the number of rooms in halls for its students and 'Superunihousing', a private landlord, is also in the process of building flats for students in Sparkford Road that would equate to a total of 114 bed spaces. It is anticipated by the University that there will be sufficient purpose-built accommodation to fully provide for Year One students.

5. Current HMO numbers in the Winchester District

5.1. The exact number of HMOs in the district is difficult to accurately determine. However enquiries have been made with Council Tax records and a report has been run from data collected by Electoral registration listing properties where there are at least three different surnames. Certain properties have then been excluded if they appear not to be HMOs such as houses where it appears to be a family with a couple of lodgers, nursing homes and the university halls of residence etc.

5.2. The estimated number of HMOs in the wards where a prospective additional licensing scheme would apply are shown below:

Oliver's Battery and Badger Farm	- 35
St. Barnabas	- 51
St Bartholomew	- 88
St John and All Saints	- 98

St Luke	- 252
St Michael	- 664

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 Total            1188  
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## 6. Welfare Reform

- 6.1. The Welfare Reform Act 2012 is likely to increase the demand for rooms in HMOs, as a consequence of changes to Local Housing Allowance (LHA) rates. Previously, single individuals over the age of 25 could claim LHA for self contained one-bedroom accommodation. However, since January 2013, the age band has been increased to those of 35 years and above. Individuals under 35 years are now only able to claim a shared accommodation rate for a single room in a shared house.

## 7. Stanmore 2011 Consultation

- 7.1. The Stanmore consultation held in 2011 involved a large number of stakeholders including residents, students, landlords, University of Winchester University, The Royal County Hospital, the prison and local businesses etc. Two public meetings were held but the attendance at each event was quite low, despite widespread publicity.
- 7.2. Although additional licensing was not supported by the majority of landlords, the SLA, or the University; the overall collective response from all parties who completed the consultation survey question: *'Do you agree or disagree that landlords should be licensed'* was positive, as 'Agree' received a response of 58.3%.
- 7.3. The time lapse since the Stanmore consultation means that the results of this exercise can no longer be relied upon and a new consultation will be required

## 8. External Contributors

- 8.1. The Group benefitted from contributions from a number of interested parties.
- 8.2. Justin Ridgment (Director of Campus and Conference Facilities at The University of Winchester) predicted that the demand for teaching places was unlikely to rise substantially. Mr Ridgment was of the opinion that student lets are generally in good condition and introducing additional licensing for a few problem landlords would be disproportionate and a "sledgehammer to crack a nut". He considered that the introduction of an additional licensing scheme could act as a disincentive to landlords encouraging them to invest in other university cities where such schemes have not been implemented.
- 8.3. Another contributor, Rachael Reid from large private landlord, Lithend Estates, expressed concerns that the imposition of fees arising from an Additional Licensing scheme would encourage landlords to withdraw from the sector. She advised the group that her company would welcome enhanced

joint working with Council officers to help it tackle occasional instances of anti-social behaviour.

- 8.4. Rev Mike Gardner (Stanmore Combined Churches) observed that if there were 350 HMOs in Stanmore this would represent 17.5% of all properties on the estate and the reduction in the number of resident families had significantly altered the balance of the local community. He advocated action being taken when required to address nuisance as this would be likely to engender a greater appreciation amongst the student population of their responsibilities to the wider community
- 8.5. Bruce Lomax (Private Sector Housing Manager – Portsmouth City Council) explained his Authority's approach to HMOs which included additional licensing. Subsequently, in 2011, an Article 4 Direction under planning powers was adopted, with the objective of preventing the growth of HMO numbers. Mr Lomax reported that these measures were judged to have been successful although it was recognised that the scale of the HMO issue in Portsmouth is substantial, with 48% of the city's housing stock falling into this category
- 8.6. University of Winchester students Ross England and Karina Sleiman, reported that they had experienced severe difficulties finding a home to rent. They reported that property conditions are variable; generally you need to pay more to get better conditions. Experiences in Year Two (the first year out of halls) suggest that students are more vulnerable to having a bad experience of private renting, but this can often improve in Year Three. The students did express concern that student housing in Winchester is already expensive, and additional licensing could lead to further rent rises. They also made some suggestions for how things might be improved, including through the opportunity to rate their experiences of properties and landlords via an online feedback forum.
- 8.7. Officers Simon Finch and Fiona Sutherland attended the Group to discuss the role of planning in managing and controlling HMOs. Mr Finch outlined the changes in statutory guidance which currently make it easier for new HMOs to be created using 'permitted development' provisions. This could be prevented by the Council if it adopted an Article 4 Direction. Such a measure has a long lead-in time and experience elsewhere suggests it can create a surge in use changes prior to formal adoption. Mrs Sutherland advised that Article 4 should only be used in exceptional circumstances, giving consideration to the harm and impact on the area in question. If this measure was to be considered, it would require a six week consultation period, followed by a notice period of 12 months prior to adoption to avoid the possibility of compensation being sought from affected landlords. The process would therefore take some fifteen months to implement.
- 8.8. Trevor Lynas spoke to the Group about the role of the Neighbourhood Warden team. He highlighted fresher's' week as a particularly challenging time, especially regarding inconsiderate disposal of litter and bottles. Other concerns include the parking; substandard repairs; fly-posting (to a student

audience), absentee landlords and opportunist crime. Efforts are made to minimise the impact of these issues through distribution of the 'Welcome to the Neighbourhood' leaflet; attendance at Student Union functions and other partnership initiatives with bodies such as the University and the Carroll Centre. It was suggested that the broadening of the Wardens' role to become neighbourhood Support Teams, allied to the granting of additional powers would offer a more robust response to the challenges posed.

## 9. Additional Licensing

- 9.1. Section 56 of the 2004 Housing Act (the Act) provides the Council with discretionary power to introduce additional licensing for other categories of HMOs, in addition to those larger properties required to be mandatory licensed under Part 2 of the Act. Additional licensing can be implemented in specific locations, or across the whole of the Council's District.
- 9.2. Additional licensing would bring into the licensing regime those HMOs deemed to be lower risk and below the trigger point for mandatory licensing. In most instances these will be 2 storey properties and would cover the majority of those HMOs located within the council's area and particularly the Badger Farm, Highcliffe, Stanmore, Weeke and Winnall neighbourhoods.
- 9.3. Additional licensing schemes however are primarily aimed at areas within an authority's district where a *significant* proportion of the HMOs are being managed *ineffectively*. If introduced additional licensing schemes can operate for a maximum of five years. At the end of the five year period a new designation would be needed if the Council wished a scheme to continue. However, the aim would be that after 5 years any significant management problems in a particular neighbourhood would have been resolved which required the scheme to have been introduced in the first place.
- 9.4. Before an additional licensing scheme is introduced, the Council would need to ascertain that certain criteria were being met as specified in the Act. These are:
  - That a significant proportion of HMOs are being managed sufficiently ineffectively so as to give rise, or likely to give rise, to one or more particular problems for those occupying the HMOs, or for members of the public.
  - Have regard to any information regarding the extent to which any codes of practice approved under section 233 have been complied with by persons managing HMOs in the proposed designation area.
  - To consult with persons that may be affected by the designation and to consider any representations made.
  - That the Council has considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of dealing with the problem or problems in question.
  - That the Council considers that making the designation will significantly assist them to deal with the problem or problems.



- That the Council has considered displacement and housing market effects.
- 9.5. In identifying properties that may be being managed sufficiently ineffectively and having a detrimental affect on an area, the Department of Communities and Local Government (DCLG) document "*Approval steps for additional and selective licensing designations in England*" gives examples of such properties which include:
- Those whose external condition and curtilage (including yards and gardens) adversely impact upon the general character and amenity of the area in which they are located.
  - Those whose internal condition, such as poor amenities, overcrowding etc, adversely impact upon the health, safety and welfare of the occupiers and the landlords of these properties are failing to take appropriate steps to address the issues.
  - Those where there is a significant and persistent problem of anti social behaviour affecting other residents and/or the local community and the landlords of the HMOs are not taking reasonable and lawful steps to eliminate the problems.
  - Those where the lack of management or poor management skills or practices are otherwise adversely impacting upon the welfare ,health or safety of residents and / or impacting on the wider community.
- 9.6. Guidance from the DCLG stipulates that any exercise of this power is consistent with the Council's overall Housing Strategy and should seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour affecting the private rented sector as regards combining licensing with other action taken by them or others.
10. Seeking Consent to introduce Additional Licensing
- 10.1. Since 1 April 2010 councils have been able to exercise a 'General Consent' in order to designate an area, or the whole of their district as subject to additional licensing. This would be on condition of having undertaken a full 10 week consultation on their licensing proposals.
- 10.2. Although a public consultation was held in 2011 in respect of the proposal to introduce HMO additional licensing in the Stanmore district; this was solely for Stanmore and no other town estates. The responses from this consultation are also likely to be considered out of date due to the lapse of time.
11. Potential benefits of an additional licensing scheme include:
- Improvement in property conditions
  - Creating a level playing field for all landlords
  - Improvement in management standards
  - Prevention of overcrowding

- Consistent approach to Management
- Strengthen the responsibility felt by landlords for the behaviour of their tenants

12. Limitations of an additional licensing scheme include:

- Additional licensing is not a tool that can be used to control any increase in HMO numbers. This can only be achieved through the implementation of an Article 4 Direction using planning law.
- HMO additional licensing is unable to address neighbourhood issues such as parking, anti- social behaviour or other estate matters.

13. Alternative Options for addressing perceived HMO related Problems

13.1. Discussions during the course of the HMO ISG scrutiny process, considered whether significant problems exist with the HMO stock in the town area such as poor conditions, overcrowding and management. However, formal reporting provides little evidence to support these claims. During the course of the last twelve months Private Sector Housing in total received 102 formal complaints of those only 12 related to HMOs. This is despite there being 300 plus HMOs in Stanmore and more than 600 in the whole of the council's District. It should be noted that many of the former council owned properties in the city estates that were bought under 'Right to Buy' were improved and upgraded by their new owners and subsequent landlords. These properties, many of which are now HMOs, are generally of a good standard and from the low number of complaints received from tenants, it can be assumed are being satisfactorily managed.

13.2. Effective Neighbourhood Management

13.3. The ISG considered how additional licensing can not address many of the problems that exist in the City estates. Better and improved estate management can assist however and a report (Appendix 1) compiled by Robert Heathcock - Assistant Director (High Quality Environment) outlined measures to achieve this. The report recommended that the Council should trial and develop improved and better coordinated estate neighbourhood management initiatives through a strengthened Neighbourhood Warden (NHW) Team from summer 2013.

13.4. There are a number of projects/initiatives that have already been undertaken collaboratively between Housing Services, the Neighbourhood Warden Team, Environment and other external bodies within the two priority areas of Stanmore and Winnall & Highcliffe. Examples include:

- Contact lists of private landlords on the Stanmore estate are currently being established.
- Letters and welcome packs have been given out to all new students moving into the Stanmore area basically welcoming them to area, informing them of their bin collections, reminding them to be mindful of their neighbours and introducing them to the NHW for the area.

- The NHW Team usually attend the University's annual Fresher's Fair to make contact with students in advance of them arriving as residents and are currently in discussion about including additional information to the University welcome packs, rather than send out separate letters.
- The NHW Team has already good contact with two of the biggest private Landlords in Stanmore which is already showing benefits including early resolution of problems at properties.
- Regular liaison with the University to involve them in local activity volunteering opportunities.

#### 14. Potential Areas for future collaboration

14.1. There is potential to provide an expanded neighbourhood management service across other town estates by utilising a revised Neighbourhood Warden Service linked into the workload of other officers, to create a more joined up approach to deal with a wide variety of estate issues including:

- **Noise nuisance** – music / banging fire doors / late night taxis etc
- **Littering** – litter bin reviews / envirocrime / targeted enforcement
- **Fly tipping** – clearance service / skip scheme / enforcement
- **Bins left on pavements** – enforcement powers / NHW patrols
- **Unsightly properties** – NHW role / section 215 Town and Country Planning Act 1990
- **Graffiti** – prompt remove / target taggers / liaison with Police
- **Rubbish left in gardens / yards**- Enforcement powers / links to Pest Control / NHW lead role

14.2. Other estate issues including car parking, drunken students and damage to cars can be addressed through better communication and working protocols between the Police and the Community Safety Tasking and Co-ordinating Group (TCG). This is a cross agency meeting to agree the priorities for the week and line up the various resources to deal with them.

14.3. The ISG considered it likely that an out of hours response service may be required if the neighbourhood management approach is to be most effective. Opportunities for this will be considered through the course of the pilot project.

#### 15. Article 4 Direction

15.1. Supported by the Head of Planning Management and the Planning and Information Solicitor the group considered in some depth the arguments for and against the use of an Article 4 Direction as a means of restricting HMO numbers. In areas where there is a need to control HMO development, local authorities may consider use of an "Article 4 Direction" to remove these permitted development rights and require planning applications for such changes of use. There are compensation implications if such planning applications are refused, although this can be mitigated entirely by giving twelve months' notice of the introduction of the Direction.

15.2. Members of the group did not support the use of an Article 4 Direction at this stage as it was thought that the proliferation of HMOs had already reached a point where its effectiveness would be reduced

16. Conclusion

16.1. This report has set out a response to the issues around HMOs arising through the HMO ISG process. The ISG considered some actions already taking place, and recommended that a trial commence from the summer of 2013 of a broader programme of work through an enhanced Estate Management initiative in order to improve the conditions on town estates.

16.2. The group concluded that the initial work required to set up an additional licensing scheme should be commenced including a consultation exercise so this can be pursued in the event that the enhanced estate management approach proves insufficient on its own.

16.3. The group did not recommend use of an Article 4 direction at this stage as a means of limiting any further growth in HMO numbers, but this could be considered further as part of the 6 month review.

17. Recommendations

- 1) That the Assistant Director (High Quality Environment) commence a one year pilot of the Enhanced Neighbourhood Management approach in localities with a significant number of Houses in Multiple Occupation; the pilot to commence on 1<sup>st</sup> July 2013.
- 2) That the success of that approach be reviewed after six months to determine its effectiveness and consider whether an additional licensing scheme or other measures are needed. A further review of the pilot scheme will take place after a full year of operation.
- 3) That consultation be undertaken about the possibility of an additional licensing scheme being introduced in the Winchester town area (a three mile radius from the city centre)
- 4) That officers work in partnership with the University to support students to set up a means of recording and publicising feedback on the quality of private rented accommodation and the service offered by landlords.
- 5) That officers extend the coverage achieved by the 'Welcome to the Neighbourhood' booklet
- 6) That the University of Winchester and the University of Southampton be encouraged to provide more purpose-built accommodation for their students
- 7) That the Council commission an update of its 2007 Private Sector Stock Condition Survey and revise its Private Sector Housing Strategy
- 8) That officers be requested to review the local planning approach to HMOs
- 9) That officers work in partnership with the University of Winchester and University of Southampton to find ways to foster effective community cohesion between students and their neighbourhoods

## 18. OTHER CONSIDERATIONS

### 18.1. Risk Management Issues

18.1.1. There are no significant risk management issues associated with this report.

### 18.2. Resource Implications

18.2.1. If an additional licensing scheme were to be introduced, additional staff resources would be required to deal with the significant number of inspections and administration. This would be a growth item in general fund expenditure which would need to be incorporated into the budget setting and charging process. The proposals for the implementation of a neighbourhood management approach are included within existing budgets. However, it is possible that provision of an out of hours service will be limited unless external funding sources can be identified.

18.2.2. Based on the work required to implement an additional licensing scheme for 1188, it is estimated that the Council would need to employ an additional 3 Environmental Health Technicians and 1 additional administrator at an estimated cost of £130,000 for year 1 rising to £143,000 per annum by 2017/18 (£738,000 over the five year life of the licence). If the scheme were to be cost neutral these costs, and any other direct and Overhead costs, would have to be recovered in full from the licence fees which would equate to a minimum of £621 per property (£124 per annum). If this charge was deemed unacceptable, the difference between the charges levied and the costs of operating the service would need to be met from the General Fund.

## 19. Background Documents

19.1. The Stanmore Community Plan 2010 -2015 can be accessed via the Stanmore Combined website at:  
[http://www.stanmorecombined.org.uk/community\\_planning/](http://www.stanmorecombined.org.uk/community_planning/).

### 19.2. APPENDICES

Appendix 1 - Neighbourhood Management Approach for Dealing with HMOs

## APPENDIX 1

**Neighbourhood Management Approach for Dealing with HMOs****Report of Assistant Director (High Quality Environment)****1. Background Introduction**

- 1.1 During 2012 I have been developing a neighbourhood based approach to the delivery of some City Council functions including HMOs using neighbourhood warden team as a 'first response' support to other teams. Every opportunity is also being used to draw in officers from other teams to support the approach where this made operational sense. This summary described the new areas of proposed development which will build upon the existing approach.
- 1.2 An initial scoping exercise previously carried out identified services delivered across the district. This helped to highlight which services had the potential to be picked up as a 'first response' service through neighbourhood management Team.
- 1.3 In April 2011 the Neighbourhood Wardens merged with the Community Safety Team as part of the corporate structure changes. This has provided the Head of Community Safety with the opportunity to
  - review the NHWs current work patterns,
  - ensure that their workload makes them directly accountable to corporate change plans,
  - identify potential expertise within the team and
  - consider the potential expansion of their remit into new areas such as enforcement.
- 1.4 In the summer of 2011 the Head of Environmental Protection secured agreement with the Police, PCSOs and the County Council ACSOs that they would support the delivery of an out of hour's noise nuisance monitoring pilot in the Stanmore area. The aim being to find a way to address the lack of an out of hour's response service. This process has continued and following a recent meeting with the Police a wider shared protocol of dealing with noise nuisance issues across the District is now being developed.
- 1.5 Part of the noise protocol will mean that patrolling officers will be informed about 'hot spot' addresses so they could monitor activity, provide a professional witness statement and, if necessary, deal with incidents as the need arises. Tasking of such activity can be actioned via the Community Tactical and Co-ordinating Group (CTCG) on a monthly basis. In return the City Council will take enforcement proceedings about known problem addressees using noise nuisance provisions and provide pre-arranged noise patrol services but not a response service.

## 2. **Current areas of collaboration**

2.1 Within the two priority areas of Stanmore and Winnall/Highcliffe there are a number of projects/initiatives that have already been undertaken collaboratively between Landlord Services, the NHW Team, Environment and other external bodies. Examples include:

- EVA's in conjunction with Landlord services
- Cover to the animal welfare service on a day per week + holiday/sickness cover basis (informal protocol in place)
- Contact lists of private landlords on the Stanmore estate are currently being established
- Letters and welcome packs have been given out to all new students moving into the Stanmore area basically welcoming them to area, informing them of their bin collections, reminding them to be mindful of their neighbours and introducing them to the NHW for the area
- Use of Contract Monitoring staff when required to deal with bins left out on pavements
- Prompt removal of graffiti by the NHW or Street care Teams
- NHW Team usually attend the annual Fresher's Fayre to make contact with students in advance of them arriving as residents and are currently in discussion about adding info to the University welcome packs rather than send out separate letters
- Trevor Lynas (NHW) has already good contact with two of the biggest private Landlords in Stanmore which is already showing benefits e.g. getting problems with the property sorted out
- Regular liaison with the University to involve them in local activity volunteering opportunities
- Agreement for the use of NHWs to carry out initial assessment on 'low level' planning enforcement cases

## 3. **Potential Areas for future collaboration**

3.1 There is potential to provide a neighbourhood management service (first response) to a number of services across the council. Table 1 outlines the areas of work that could be undertaken within a revised neighbourhood warden service. The table also shows those areas that can be linked to the workload of the CEO as described above.



Table 1

General	Enforcement
Evidence/information gathering	Graffiti
Reconnaissance visits: <ul style="list-style-type: none"> <li>• Planning enforcement</li> <li>• Landscape monitoring</li> <li>• Environmental Visual Assessments</li> <li>• <b>Rural car park issues*</b></li> <li>• Empty properties</li> </ul>	Fixed Penalty notices: <ul style="list-style-type: none"> <li>• Fly posters</li> <li>• Litter</li> <li>• Dog fouling</li> </ul>
Single Point of Contact for the priority areas	Noise complaints
Stray dog – pick up and drop off service	<b>Parking*</b>
<b>Contract Monitoring - rural areas*</b>	TPO Monitoring
Monitoring HMOs	Fly Tip investigation

**Note: shaded areas marked in bold relate to CEO's**

Progressing these areas would require reconfiguration of the existing services as described below.

#### 4. Neighbourhood management development

4.1 Following the work carried out to date it is considered that there are opportunities to improve the quality of services across the district using the existing resources and staffing levels whilst at the same time increasing the possibility of efficiency savings in the future. The following package of measures will therefore be implemented.

- Use of Neighbourhood Wardens to take enforcement proceedings under the City Council's scheme of delegation – the team are already accredited through the police so this measure is merely the authority to act.
- Each Officer will have a specific Geographical area of responsibility (a 'patch') in order to ensure full district cover and clear accountability/point of contact for enquiries.
- Each officer will have a lead role on a specific topic - these include the following areas
  - Antisocial behaviour
  - Fly Tipping Investigations
  - HMOs
  - Rural issues
  - Enforcement legislation

#### 5. Enforcement Powers

- 5.1 The use of enforcement powers is a change of role for the NHW service but is felt to be necessary for a number of reasons:
- To create a deterrent against offences
  - To demonstrate commitment and respond to the expectation that the City Council should deal with envirocrime issues
  - To increase the possibility of budget savings through a reduction in the amount of remedial work such as graffiti and fly tip removal
- 5.2 The areas that would be covered include the following
- Litter
  - Dog Fouling
  - Graffiti
  - Fly tipping
  - Fly posting
  - Cycling on footpaths
- 5.3 The process for dealing with these offences is through the issue of Fixed Penalty Notices (FPNs). There is considerable guidance on the use of FPNs including the approach to be taken with juveniles and young people and enforcement policies would be developed to set out the criteria and procedures.
- 5.4 The NHW Team are already eligible for a number of Powers already given to them under Community Safety Scheme Accreditation but these require specific authorisation from WCC including
- Power to require name and address.
  - Power to require name and address for anti social behaviour.
  - Power to stop cycles.
  - Power to photograph persons away from police station.
- 5.5 In addition they have accredited powers under Community Safety scheme to issue Fixed Penalty Notices including
- Power to issue penalty notice for dog fouling
  - Power to issue penalty notice for cycling on footpath.
  - Power to issue penalty notice for fly posting.
  - Power to issue penalty notice for littering.
- 5.6 In addition to these powers it would be sensible to add the following power when it comes into force (it is not yet in force)
- Power to issue fixed penalty notices in relation to offences against certain bye-laws: power of an authorised officer of an authority to give notice under section 237A of the Local Government Act 1972 where the accredited person has reason to believe an individual has committed an offence against a relevant byelaw.