

Cabinet Agenda

Monday, 23 March 2020 at 5.00 pm

Council Chamber, Muriel Matters House, Breeds Place, Hastings, East Sussex, TN34 3UY

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Agenda Item 3 Public Document Pack

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Present: Councillors Chowney (Chair), Forward (Vice-Chair), Batsford, Beaney, Evans, Fitzgerald, Rogers, Lee and Patmore.

243. APOLOGIES FOR ABSENCE

None received.

244. DECLARATION OF INTERESTS

None.

245. MINUTES OF LAST MEETING

RESOLVED – that the minutes of the Cabinet meeting held on the 10th February 2020 be approved as a true record.

246. LOCAL DEVELOPMENT SCHEME

The Assistant Director Regeneration and Culture presented a report to inform Cabinet of the revised timescales for the production of Local Plan since the Local Development Scheme (the timetable) was last updated Feb 2019.

This item was only to discuss the timetable of the Local Plan.

Proposed revisions to the Local Development Scheme timetable

Key Stage	LDS 2019 Date	New revised date
Consulting statutory bodies on the scope of the Sustainability Appraisal	May – June 2019	Quarter 1 2020/21
Public participation in the preparation of the Local Plan (Regulation 18)	Oct-Dec 2019	Formal consultation Quarter 2 2020/21. As far as practicable in the run up to Reg18 the Council will engage with a range of parties including residents, businesses, developers and other local groups to capture the diversity of views on key issues.
Publication of the Proposed Submission Local Plan (Regulation 19)	June – July 2020	Quarter 4 2020/21
Local Plan Adoption	October 2021	Quarter 3-4 2021/22

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Under Rule 13.3 the recommendations of the report were agreed without discussion.

RESOLVED – (unanimously)

- 1. That the content of the revised Local Development Scheme be agreed.**
- 2. That future minor updates to the Local Development Scheme (the timetable) are delegated to the Lead Officer in conjunction with the Lead Councillor.**

Reasons for recommendations:

1. To ensure an up-to-date Local Development Scheme is in place in accordance with: Section 15 of the Planning and Compulsory Purchase Act 2004, as amended by section 180 of the Planning Act 2008 and section 111 (7) of the Localism Act, and the Town and Country Planning (Local Development) (England) Regulations 2004.

247. NOTIFICATION OF ADDITIONAL URGENT ITEMS

Notice of an urgent item was given under Rule 26 of the Access to Information rules contained in the Council's Constitution.

248. REDUCING ROUGH SLEEPING

The Assistant Director Housing and Built Environment presented a report to update members on progress to reduce rough sleeping in East Sussex over the past 18 months. To seek approval to mobilise a new programme of interventions in 2020/21.

This report recognizes the work that has been undertaken regarding reducing rough sleeping and to agree the expenditure now that officers have had confirmation from the government. This report builds on previous reports. Members are asked to acknowledge the progress made. Not detailed in this report.

The Assistant Director Housing and Built Environment also highlighted that according to the most recent street count taken on the 27th February 2020, there were 12 rough sleepers recorded which is down from a high of 24 in November 2019.

Hastings Borough Council have not changed how the figures are counted, so these statistics are directly comparable. At the time the count was undertaken, the winter provision wasn't included. These numbers do also not include caravan count, which is likely to add one or two to the final count.

The council is headed in the right direction and hope that the number will continue to fall in the future.

Councillor Batsford expressed that he is pleased the officers have had emails from central government expressing gratefulness for the success in reducing rough sleeping. It is an incredible achievement by officers and all voluntary organisations.

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Because of the short-term nature of the funding from central government, these items have to be presented urgently. Ideally, in the future, they would like to see more long-term funding from government so the council can really focus on the root causes of homelessness.

Councillor Batsford proposed approval of the recommendations of the report. This was seconded by Councillor Rogers.

Councillors thanked the officers for doing such a great job to reduce the number of rough sleepers and was very glad to hear that there has been recognition from the government. They also agreed that long term funding is needed.

Councillors also thanked the volunteers who have worked tirelessly to help achieve the reduction. The council are incredibly grateful for all the work these organisations do.

Councillor Chowney said that this funding and the work is about getting people off the streets and is very thankful for all the work that has been done. The results of this funding have been a massive success, and he is glad to see the council are leading innovators. However, the underlying issue is that support services for earlier prevention are still not being funded properly and further focus should be put on prevention in the future.

RESOLVED – (unanimously)

- 1. To acknowledge progress to reduce rough sleeping over the past 18 months**
- 2. To authorise expenditure of £1,584,518 to continue the programme of services on 2020/21**
- 3. To approve a 12 month extension to the existing contract with Sanctuary Supported Living for the RSI Assessment Centre**
- 4. To grant an exemption to the council's financial rules under paragraph 21c of the Financial Operating Procedures, to enable the council to procure the outreach, day centre and Housing First service from the Seaview Project**
- 5. To grant an exemption to the council's financial rules under paragraph 21c of the Financial Operating Procedures, to enable the council to procure the Rapid Rehousing Pathway service from Southdown Housing Association**
- 6. To grant an exemption to the council's financial operating rules under paragraph 21c of the Financial Operating Procedures, to enable the council to procure a case management system from Inform**
- 7. To delegate authority to enter into a Memorandum of Understanding with the Ministry for Housing, Communities and Local Government to deliver the project to the relevant senior housing officer**

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8. To delegate authority to the relevant senior housing officer, in consultation with the lead member, to draft a joint rough sleeping reduction strategy with the local authorities in East Sussex. The draft strategy will be presented to Cabinet later in the year

9. To delegate authority to the relevant senior housing officer, in consultation with the lead member, to finalise arrangements for the mobilisation and delivery of the projects

10. To delegate authority to the Chief Legal Officer to enter into contractual arrangements for the delivery of the projects

11. To delegate authority to the relevant senior housing officer to agree adaptations to the services in 2020/21, if funding arrangements change, and to delegate authority to the Chief Legal Officer to agree contract variations as required.

Reasons for recommendations

1. Hastings Borough Council is lead partner for a programme of activities to reduce rough sleeping in 2020/21.

(The Chair declared the meeting closed at. 6.13 pm)

Agenda Item 4



Report To: Cabinet

Date of Meeting: 23rd March 2020

Report Title: Coastal Communities Economic Prospectus

Report By: Simon Hubbard, Director of Operational Services

Key Decision: N

Classification: Open

Purpose of Report

1. To introduce the draft Coastal Communities Economic Prospectus entitled “Boosting Coastal Productivity” currently awaiting adoption by the South East Local Enterprise Partnership Board (SELEP) and its federated structures.
2. To identify the possibilities of joint action with other coastal partners to bring forward projects to improve the position of the region’s coastal towns.

Recommendation(s)

1. **Cabinet welcomes the Coastal Communities Economic Prospectus.**
2. **The Council supports the development of potential projects that meet its priorities and is actively involved in their development.**
3. **The Council supports the strengthening of the coastal partnership though joint work and the development of a higher profile nationally and regionally for the huge potential of our coast.**

Reasons for Recommendations

1. The Coastal Prospectus offers a genuine opportunity for coastal communities to begin to capitalise on the real opportunities for renewed growth in coastal areas.
2. To realise the potential benefit of regional and national recognition the council will continue to need to invest time and resource in this work.

Introduction

1. Local Economic Partnerships (LEPs) are government's established partnerships to develop economic growth at the local level. Intended to be business led they have always involved a high degree of local authority involvement given the delivery of transport, housing, planning, skills and other infrastructure that business requires to grow.
2. SELEP covers the local authority areas of East Sussex, Kent, Medway, Essex, Southend and Thurrock (upper tier and unitary). It is unique by virtue of its huge geographical spread and population of over 4m. It has no "centre" other than its relationship with London.
3. Although located in the greater South East SELEP does not perform at regional averages. This is substantially (though not wholly) explained by vigorous performance close to London and very weak economic performance along much of its extensive coastline. The performance of the coast is fully 8% behind that of the SELEP region as a whole and the coastal area gross Gross Added Value (GVA) of £17,840 (Hastings is £17,763) compares with areas generally thought of as being very poor such as Middlesbrough (£18,540), Cornwall (£17,634) and Blackpool (£17,329). The LEP area GVA is £28,683.
4. In terms of potential for growth the coast already offers a fantastic environment and lifestyle for many people and this needs to be translated into a substantial case for investment in coastal economies. In many ways the coast is the opportunity for locally based growth to complement schemes like the new Thames Lower Crossing which are closely linked to the national economy, to international travel and exports facility and the expansion of London.
5. Members will be aware that the coastal challenges have recently been put on the national agenda following a House of Lords Select Committee report and the government response. There is also a significant correlation with the government's "levelling up" agenda despite its Midlands and Northern focus.
6. Hastings has long been a leading member of the SELEP coastal group. With the encouragement of the SELEP Chief Executive Officer a brief was put together to develop a coastal prospectus to encourage public and private investment on the coast and to present its sizeable attraction. This work was funded by a grant from SELEP and financial contribution or practical support from
 - Dover
 - Eastbourne
 - East Sussex
 - Essex
 - Hastings
 - Lewes
 - Maldon
 - Rochford
 - Rother
 - Southend
 - Tendring (Clacton)
 - Thanet
 - Wealden

SELEP Coastal Prospectus

7. The prospectus has been produced to support and supplement the Local Industrial Strategy (LIS) being developed by SELEP in response to the government's Industrial Strategy. Funding to LEPs will come through deals struck within the national framework. This will control access to the Prosperity Fund and other potential funding post the current UK and European programmes. Hastings Council has succeeded in obtaining funding over a long period from both UK and European sources, the latter including Fisheries Local Action Group (FLAG) centred on the fishing industry and Connecting Hastings and Rother Together

(CHART) focused on economic inclusion in the most disadvantaged parts of Hastings and Bexhill. It is not yet clear how and if LIS will influence other sources of funding like Arts Council England, or Heritage Lottery which are critical to coastal towns and this needs further development, taking into account existing culture, tourism and digital programmes.

8. The draft is yet to be formally considered by the SELEP Board but has received the active support of the Chair Chris Brodie who has signed the introduction and the Vice Chairs from each county.
9. Although this is very much a first step it is viewed as being a considerable distance in front of much work elsewhere because of both the wide coastal partnership and the development of a broad case for sustained coastal investment. The partnership is a USP which needs to be exploited and developed. A key issue is that the relatively small size of coastal towns and their dispersal makes intervention at scale challenging.
10. This council has played a leading role in this work and acted as accountable body for funding and organising the project. I would like to particularly thank Anna McCollin-Moore for the incredible amount of organisational work she undertook. Co-ordinating 13 diverse partners is an unbelievably challenging task involving organising London meetings, endless telephone conferences and most of all keeping track of the 1001 iterations this kind of partnership work entails.
11. The documentation is divided into two parts, the draft Prospectus and the supporting Data Pack. The Partnership employed Deyton Bell to produce the documents. The same company also supported SELEP in its Industrial Strategy production.

Data Pack

12. The Data Pack was produced by Deyton Bell and is likely to be the most significant assessment of the coastal economy and conditions in the South East. It has led to a wider package of information focusing on the economy of the whole SELEP area.
13. It builds upon the analysis of coastal communities undertaken by Sheffield Hallam University for the coastal group in 2012 but moves well beyond it. This documented each community according to its economic status. Clacton, Hastings, Margate and Ramsgate were identified as having substantial problems but the study usefully analysed the needs and potential of the whole coast and marked the first step in “coastal thinking”.
14. The Data Pack is accessible at www.hastings.gov.uk/content/regeneration/pdfs/coastal_prospectus_data_pack.pdf and repays study as the situation presented is mixed and varied. Key headlines are:
 - Job density where the coast lags behind the UK average of 0.86 jobs per resident, although Eastbourne just exceeds it. Hastings is 0.70 reflecting a real need for job growth.
 - High population of over 65s with Rother have highest at 32% rising to 40% in 2039. The level of older people is a challenge and opportunity.
 - High levels of people with no qualification or low qualification. Hastings and Tendring share the worst figures for no qualifications.
 - A widening wage gap with coastal employees earning an average £4,700 lower than Britain as a whole. East Sussex and South Essex perform badly in relation to the region.

- Badly performing education and lack of access to higher education HE is widely demonstrated. Poverty linked to lack of aspiration and opportunity remains a cycle to break in many places.
- Increased polarisation, an increasing number of Super Output Areas (SOAs) in coastal areas are in the worst 10%.

Local Authority	Number of SOAs in Top 10% of IMD	Number of SOAs impacted by deprivation in each district	% of SOAs in each authority with deprived communities
Hastings	16	16/53	30%
Thanet	17	18/83	21%
Swale	16	14/67	20%
Tendring	16	10/72	14%

Source: ONS – Index of Multiple Deprivation 2019

- High levels of fuel poverty and ill health, including mental and substance abuse related ill health.
- High levels of economic inactivity by those of working age.

District	Level of Economic Inactivity
Eastbourne	26.9%
Hastings	24.5%
Swale	23.7%
Rother	22.6%
Thanet	21.7%
Tendring	20.7%
South East	18.4%

Source: ONS: Local Authority Profiles

- High prevalence of housing as an issue with the incidence of poverty amongst those living in private sector accommodation is of particular significance to the coast. Members will be very familiar with these issues in Hastings and they are reflected elsewhere.
- High susceptibility to the impact of climate change caused by potential sea level rise, water shortage and sea pollution in particular.
- Many parts of the SELEP coast being at the end of very slow road and rail connections. Access to the more prosperous labour, tourist and commercial markets of the South East are a critical issue. There is some evidence that where Javelin (high speed) trains have reached the Kent coast that this has had a significant impact.

- That the SELEP area has a comparatively low level of investment in innovation centres, and much of what does exist lies to the north and west of the region. The coastal areas received only £18.6m of SELEP £177.6m innovation funds – around 10% of that available.
- Lack of higher education input to research and development in coastal areas.
- Continue potential for cultural investment and tourism, but requiring additional support to draw in hotels and opportunities to broaden the tourism offer. Increased funding for public realm is critical because it provides the “hook” to attract people and investment.
- Gross Value Added (GVA) for the South East is £28,683 with a coastal average of £17,840. Hastings is £17,763. The lowest was Dover. This points to the urgent need to attract higher value business to the coast.

Prospectus

The prospectus ranges over significant ground but can best be summarised from the executive summary:

National Support

15. Although coastal deprivation has been documented for many years, the UK is yet to see an effective approach to addressing fundamental coastal issues. Effective change will require a paradigm shift in approach. UK Government needs to revisit its definition of 'successful investment': away from city-centric, house-price driven, connection-biased decision making, towards an: economic potential, well-being based, geography-conscious model that utilises poverty reduction to generate economic growth and promote equality. We need government to develop a 'long-term' relationship with the coast. Not just across Whitehall, but also across the wider government estate and its various branches, including: Local Authorities, NHS England, Arts Council England, Homes England, National Lottery Heritage Fund and others. Better strategic partnerships with these organisations and a commitment to focus their resources will increase investor confidence and enable the sea-change in economic fortune desperately needed in coastal areas. UK Government should openly commit to closing economic performance gaps for SELEP coastal towns alongside its plans for the Midlands and the North. The Town Deal Programme offers an exciting chance to do this; an opportunity that would be foolish to miss. We think that coastal residents and businesses deserve better. For this to happen sectors that are significant on the coast need positive support to grow.

People

16. It is essential to address the disparity in social mobility between SELEP coastal towns and the wider region. Residents of towns like Margate, Ramsgate, Folkestone, Hastings, Newhaven, Clacton and Canvey Island are frequently deprived of access to good educational provision simply by virtue of their location. The best talent invariably leaves and when positive initiatives arrive from outside they often fail to take root due to critical infrastructure deficiencies. Some initiatives, such as the Opportunity Area Programme in Hastings, have begun to raise achievement, but even then, a lack of long-term commitment can easily undermine the incremental gains.

Place

17. Our coastal towns should be the first choice for housing and energy investment. Coastal geography and erosion can make the same towns susceptible to the negative effects of climate change. In parallel, the coast offers a unique opportunity to make structural improvements to the private rented sector housing market. Many seaside towns are rich in energy inefficient properties, with high levels of fuel poverty. Switching these properties from gas to alternative heat sources will require a comprehensive package of measures, including: retrofit, the use of enforcement powers, and new partnerships. As European funding streams come to an end, our coastal

towns will work with SELEP to convene a Place Shaping Board, involving partners from Arts Council England, National Lottery Heritage Fund and Historic England. This board will help to focus and coordinate key support services to effectively plan how we improve our seafronts and town centres.

Infrastructure

18. Coastal towns invariably suffer from 180° catchment areas and poor connectivity; resulting in low business productivity and skills gaps. Accordingly, the SELEP coastal towns should be the priority locations for investment in new digital and transport infrastructure. This priority status will provide coastal towns with a competitive edge, 'level the playing field' with other city regions, and attract the most exciting and innovative investors. Similarly, many coastal towns have become the 'end of the line' for transport connectivity and energy transmission. Conversely, their natural assets, topography and sector specialism make them an ideal location for energy generation.

Ideas

19. It is evident that coastal businesses have received far less research and development funding than their mainland counterparts. It is critical that this changes in what is often a low wage, low skill economy. Our higher education and further education partners can support the development of programmes that encourage innovation, productivity improvements and entrepreneurialism for coastal businesses.

Business

20. Business support is too often structured around the gravity of city centres. This re-enforces an un-level playing field for business growth. Resources to support coastal small and medium businesses need to be deployed to equalise business growth rates. We also need place-based markets and support models that fit local, potential and prospective businesses

Conclusion

21. A table showing the potential first steps is appended as Appendix 1 to this report. Both the full Prospectus and Data pack can be found at https://www.hastings.gov.uk/content/regeneration/pdfs/coastal_economic_prospectus.pdf www.hastings.gov.uk/content/regeneration/pdfs/coastal_prospectus_data_pack.pdf
22. The prospectus (if adopted) offers a platform for different work by coastal partners reflecting the different potential, for instance Hastings would have no interest in Freeport development but Lewes might.
23. It is also intended as a powerful lobbying tool intended to shift government policy, Treasury rules and other factors in favour of the type of investment, returns and indicators of success that would give the coast a level playing field.

Next Steps

24. The draft prospectus will now be presented to the LEP Federated structures and ultimately to the SELEP Board for adoption on 20th March 2020.
25. SELEP has committed to resource future joint working of the group and Hastings and Thanet councils will begin an early scoping of a retrofit project, learning and scaling up from Energise Sussex and other initiatives. However, a developed action plan and agreed programme of project development will be essential next steps.

26. The prospectus and LIS are linked to the development of the Town Deal in Hastings and Newhaven. For the first time there is recognition of the potential of the coast and tools to develop an ongoing programme.
27. The current government is committed to “levelling up” particularly in relation to the Midlands and North of England. The coastal prospectus should and could be the basis for a call for similar investment here in places that have suffered the same levels of deprivation and where significant opportunity for growth clearly exists.

Implications

28. Equalities and Cohesiveness

Economic growth and inclusion are and ought to be major drivers in producing more equal and cohesive communities. Current levels of deprivation in many seaside towns clearly produce cycle of continued exclusion

29. Environment and Climate Change

The Prospectus and LIS emphasise the significance and potential of addressing climate change. Opportunities exist to develop proposals in coastal areas around retrofit, solar and other forms of reducing carbon dependency.

30. Economic/Financial Implications/Poverty

The Prospectus is aimed at stimulating both growth and inclusion. Only through action on both issues will poverty being to be addressed and this represents the single biggest challenge facing many coastal communities. Post Brexit people who are currently economically excluded may become more important in coastal labour markets.

31. Organisational

Supporting the development at coastal action is “officer intensive” the council will need to consider how it resources this work moving forward. Hastings has made a sustained commitment to this work and this will become more challenging as resources reduce.

32. A final version of the prospectus is attached (subject to the decision of SELEP structures). It is anticipated it will be considered by the Kent and Medway Economic Partnership, Team East Sussex, Success Essex and Opportunity South Essex before being considered by the SELEP Board on 20th March.

Public Exemption

33. The report is not exempt.

Timetable of Next Steps

34. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Presentation to Federated Boards	Meetings in March	As identified	Simon Hubbard

Presentation to SELEP Strategic Board	Presentation made	20 th March 2020	CEO SELEP Simon Hubbard + other coastal group members
Draft Action Plan	Action plan considered and adopted by coastal group.	TBC	Coastal Communities Group (Hastings to convene)

Wards Affected

(All Wards);

Policy Implications

Reading Ease Score: 35%

Have you used relevant project tools: Y/N

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	Y/
Crime and Fear of Crime (Section 17)	Y/N
Risk Management	Y/N
Environmental Issues & Climate Change	Y/
Economic/Financial Implications	Y/
Human Rights Act	Y/N
Organisational Consequences	Y/
Local People's Views	Y/N
Anti-Poverty	Y/
Legal	Y/N

Additional Information

Officer to Contact

Officer Simon Hubbard
 Email shubbard@hastings.gov.uk
 Tel 01424-451753

Potential Next Steps

- Scope activity that develops both micro and macro energy systems that will increase the productivity of the sector and help us develop an “at scale” pilot with partners of regional and national significance. This would include discussing new powers and incentives in relation to the private sector.
- Rolling out the Opportunity Area Programme to other coastal towns over the course of 2020
- Working with the U9 group of universities in early 2020 to quickly develop a pilot programme connecting them to innovations in coastal towns
- Establish the Place Shaping Board which will oversee the development of our regeneration proposals including:
 - Outlining a new regeneration programme which will tackle our most deprived communities
 - Assist in creating a Housing Acquisition Programme
 - Economic Sustainability Leverage Fund
- Develop responses to the government’s Sector Deals where they align with the Prospectus, including the Tourism Sector Deal, Off-shore Wind Deal and the Creative Industries Sector Deal
- Pursuing the development of Freeports in the SELEP area
- We want to ensure that the coast is prioritised for investment in new technology such as 5G over the next two years. We will also continue to work with the South East Creative Economy Network in order to support the Creative and Digital sector
- We want to work with Transport for the South East to support the business case for transport improvements that underpin improvements to coastal economies and secure support for the investment that will lead to the implementation of new schemes
- Establish a permanent coastal group structure as part of SELEP with further political and business representation

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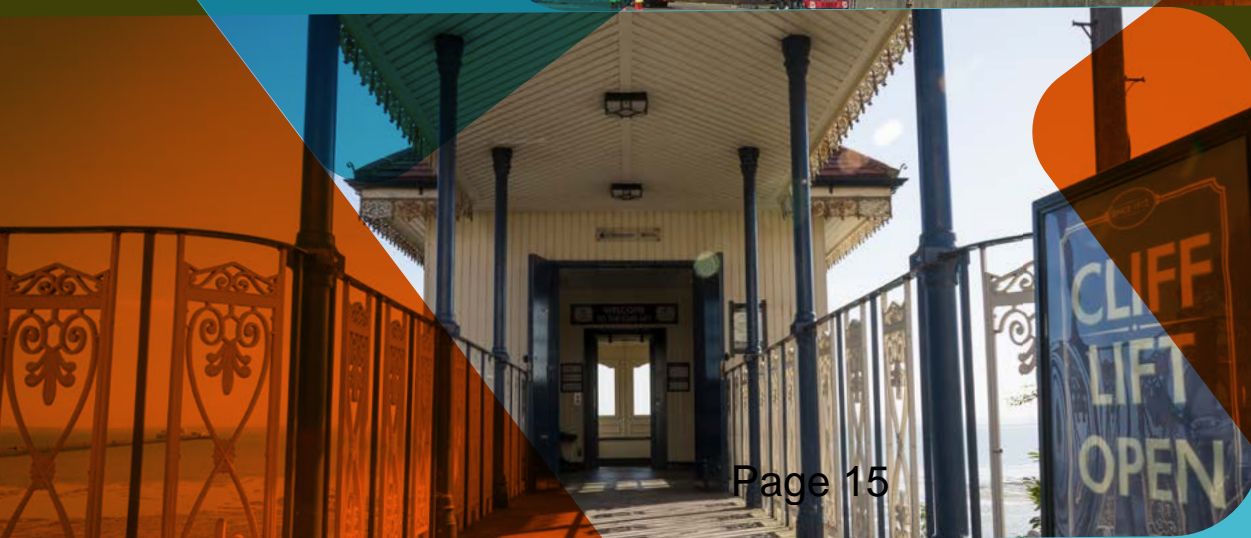
BOOSTING COASTAL PRODUCTIVITY

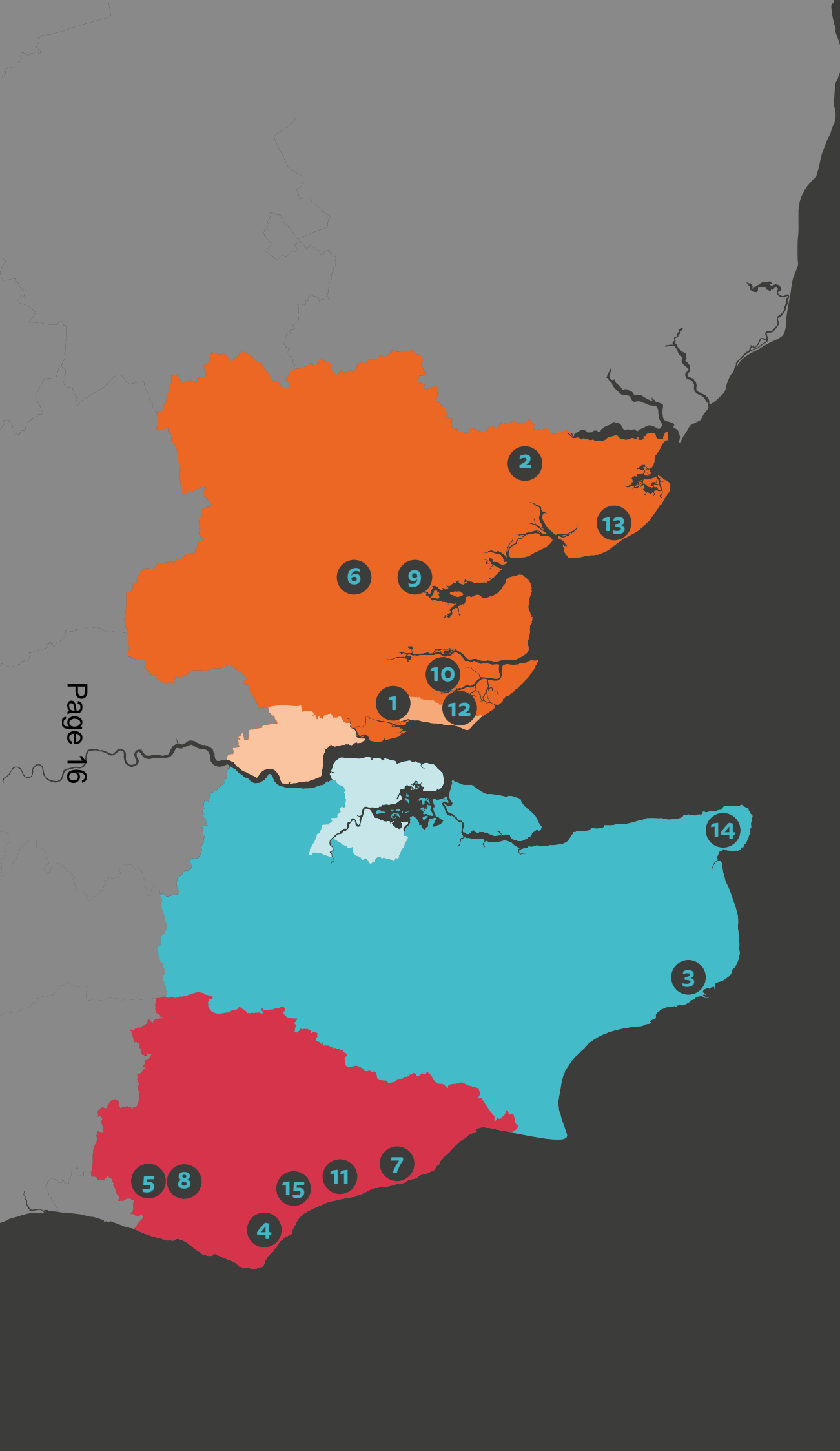


SOUTH EAST
LOCAL ENTERPRISE
PARTNERSHIP



AN ECONOMIC
PROSPECTUS
FOR THE SOUTH
EAST COAST





THE COASTAL COMMUNITIES GROUP

have a long history of working closely together to deliver improvements to the South East Coast.

- South East Local Enterprise Partnership
- Environment Agency
- Natural England
- Canterbury City Council
- Colchester Borough Council
- Dover District Council
- Eastbourne Borough Council
- East Sussex County Council
- Essex County Council
- Folkestone & Hythe District Council
- Hastings Borough Council
- Kent County Council
- Kent and Medway Economic Partnership
- Lewes District Council
- Maldon District Council
- Medway Council
- Rochford District Council
- Rother District Council
- Shepway District Council
- Southend Borough Council
- Swale Borough Council
- Tendring District Council
- Thanet District Council
- Wealden District Council

THE COASTAL PARTNERSHIP

came together to produce the Prospectus. Throughout the document the collective group is described as 'we'.

- 1. Castle Point Borough Council
- 2. Colchester Borough Council
- 3. Dover District Council
- 4. Eastbourne Borough Council
- 5. East Sussex County Council
- 6. Essex County Council
- 7. Hastings Borough Council
- 8. Lewes District Council
- 9. Maldon District Council
- 10. Rochford District Council
- 11. Rother District Council
- 12. Southend Borough Council
- 13. Tendring District Council
- 14. Thanet District Council
- 15. Wealden District Council

FOREWORD

Imagine an area of attractive coastline and countryside with great weather, superb cultural opportunities, comparatively cheap housing with close links to London and Europe. It exists and stands ready to deliver on its enormous potential for residents, the region and the wider UK. Welcome to the South East Coast.

The communities of the coast have huge development and investment opportunities. In the South East Local Enterprise Partnership area we are determined to take a positive approach that builds on closing the gap in economic performance and inclusion that exists with the rest of the region. This Prospectus is not aiming to address granular detail, but to strategically address key coastal themes. No single magic bullet exists but broadly:

- The coast's housing embraces the potential for both new build, and also developing the programmes which improve the Victorian housing stock, with opportunity to develop large scale approaches to tackle climate change and fuel poverty
- As the gateway to Europe, our ports and airports need to be properly connected to markets through good transport links and developed as centres of trade and employment
- Sun, sea and wind are here in abundance together with a willingness to play a leading role in the generation of energy that will meet emerging climate emergency targets

- The coast is an attractive place to live and work. However, imbalance in the housing market and actions taken by inland local authorities mean that local housing markets are sometimes distorted by inward migration of people who face economic, health or other problems. The coast needs to attract a balanced migration capable of powering its future sustainability
- Improving social mobility is critical if the region is to have a workforce capable of taking new opportunities. This needs sustained effort to close gaps in education and skills performance if generational unemployment is to be addressed and prosperity shared
- Coastal towns are often the centres for wider sub-regions; the benefits will ripple and be reflected back
- We will improve our physical, cultural and economic offer to attract the jobs the people need.

Coastal towns are seen as great places to live, with accessibility to the sea and countryside, character housing and leisure and health benefits. The public realm and seaside environment play a pivotal role in mental and physical well-being.

The coast is already delivering across a range of ambitious strategies to ensure a prosperous future for the district and our people. The Prospectus recognises the opportunities and the challenges faced by the South East coastal area. With support and investment we are ready to deliver on our vision.

Our vision encompasses our ambitions which in turn have defined the opportunities we wish to seize.

Investment in infrastructure is critical – often the cost against return presents a difficult challenge for the coast in competition with inland areas. The unique nature of business, with a proliferation of smaller businesses, presents a specific challenge, as do 180° markets. The coast will be a priority for better communication to link it into the region and beyond – improved opportunity is the surest way to enable coastal communities to help themselves.

Culture and tourism presents ever more potential and we will take steps to increase its value by encouraging investment in accommodation, attractions and skills to ensure this vibrant sector continues to attract new markets. Here there are very significant links to the rural and seafaring economies and the creation of a single food, viticulture, culture and “authentic” experience sought by many visitors.

Businesses and communities in coastal communities need much greater involvement with higher education to stimulate innovation and encourage local people to grow. This Prospectus seeks the commitment of higher education to develop this dialogue and for the reinforcement of the further education skills agenda to overcome considerable additional barriers to employment that significant proportions of coastal residents face.

We will work together around the South East Local Enterprise Partnership area and also develop the expertise to help other areas facing coastal challenges in England and Wales. This resonates closely with the new government's commitment to helping those communities most left behind.

The Prospectus is intended to both influence the Local Industrial Strategy and also to lay the basis for ongoing co-operation between communities. The next stage is to develop the programme that will deliver the overarching objective of celebrating our wonderful coastal area and seizing the opportunities it offers to improve the prosperity and wellbeing of its residents.

To achieve this we must begin by closing the gap in investment, performance and contribution between the coast and region.



The Economic Prospectus builds upon the work of the Government and the House of Lords enquiry into the Future of Seaside Towns in 2018. We have reviewed the recommendations to the enquiry, and based on the evidence available, have identified how we can improve our economic performance. Our analysis is underpinned by the **Data Pack** of the South East Coast, available online.

We want to act quickly to move the Economic Prospectus into delivery phase. Full details of the long term strategy to improve the economic performance and productivity of the South East Coast are set out in this document.

Our key asks are to establish a new Coastal Economic Programme, to build new partnerships, networks and develop business cases which will attract new investment from both public and private sectors to meet the ambitions we have set out.

Like the North and Midlands the South East Coast is hungry for growth, inclusion and change. Its people need the chance to contribute to a better future.

Achieving this would be a profound change for the better and we are committed to it.



Christian Brodie, Chair of the South East Local Enterprise Partnership



EXECUTIVE SUMMARY

The South East Local Enterprise Partnership (SELEP) coast has huge potential.

Nowhere else in the UK can provide an equal seedbed for economic growth alongside the opportunity to quash inequality at scale. This prospectus details the potential and provides options for how to realise the latent economic benefit available.

The scale of the opportunity is simple: the GVA performance of the SELEP coastal area is 10% below the South East average. Closing this gap will improve the lives of millions of hard-working residents and add billions of pounds to the UK exchequer.

However, it won't be easy.

Achieving real change for the SELEP coastal area will require the support and focus of a broad collective of stakeholders and an unwavering commitment to the "levelling up" investment policy currently advocated by central government.

We'll need to be brave and bold on behalf of residents and businesses.

A detailed action plan will follow the adoption of this prospectus; the SELEP Coastal Partnership will develop and deliver it.

National Support

Although coastal deprivation has been documented for many years, the UK is yet to see an effective approach to addressing fundamental coastal issues.

Effective change will require a paradigm shift in approach.

UK Government needs to revisit its definition of 'successful investment': away from city-centric, house-price driven, connection-biased decision making, towards an: economic potential, well-being based, geography-conscious model that utilises poverty reduction to generate economic growth and promote equality.

We need government to develop a 'long-term' relationship with the coast. Not just across Whitehall, but also across the wider government estate and its various branches, including: Local Authorities, NHS England, Arts Council England, Homes England, National Lottery Heritage Fund and others. Better strategic partnerships with these organisations and a commitment to focus their resources will increase investor confidence and enable the sea-change in economic fortune desperately needed in coastal areas.

UK Government should openly commit to closing economic performance gaps for SELEP coastal towns alongside its plans for the Midlands and the North. The Town Deal Programme offers an exciting chance to do this; an opportunity that would be foolish to miss.

We think that coastal residents and businesses deserve better. For this to happen sectors that are significant on the coast need positive support to grow.

First steps to driving economic growth against the five foundations of productivity

People

We need to address the disparity in social mobility between SELEP coastal towns and the wider region. Residents of towns like Margate, Ramsgate, Folkestone, Hastings, Newhaven, Clacton and Canvey Island are frequently deprived of access to good educational provision simply by virtue of their location. The best talent invariably leaves and when positive initiatives arrive from outside they often fail to take root due to critical infrastructure deficiencies. Some initiatives, such as the Opportunity Area Programme in Hastings, have begun to raise achievement, but even then, a lack of long-term commitment can easily undermine the incremental gains.

Place

We want our coastal towns to be the first choice for housing and energy investment. Coastal geography and erosion can make the same towns susceptible to

The delivery of many of these proposals is dependent upon the identification of additional future funding from sources beyond the coastal partnership.

People proposal

Proposal	Desired Outcome	Partners	Initial Target
To roll out an Opportunity Area Programme to areas of underperformance in schools and where children face poor social mobility	To develop and sustain performance from primary school to 18 years old through targeted, industry-focussed interventions To develop the processes and partnerships which enable this to be provided over a 'long-term' for each of the federated areas	DFE, Schools Commissioner, education authorities, FE colleges, academy trusts, employers	To bring forward proposals by December 2020

Place proposal

Proposal	Desired Outcome	Partners	Initial Target
To develop a programme of retrofitting and other energy efficiency interventions in partnership with the private rented sector to improve energy efficiency and improve housing stock	To improve the energy efficiency of a number of properties To develop a package of technical, legal and enforcement tools for national use to deliver both climate change and housing targets	Local authorities, Homes England, National Landlords Association, Energy Industry, University sector in terms of research and assessment and colleges leading delivery of skills programme	Pilot proposed by March 2021 with funding package to support first steps Management structure set up between lead partners. Legal structure identified if appropriate
To develop an economic and social response to the impact of global warming	That the coastal communities can integrate mitigation (budget) with economic, transport and social planning	SELEP, climate groups, Coastal Communities Group	Initial steps drafted by March 2021
To create the conditions where public realm investment is encouraged, particularly where planning will not provide this Very close links with transport and access initiatives	A public realm partnership to support the development and funding of public realm schemes UK Shared Prosperity Fund bid to support public realm investment where market failure means it cannot be obtained elsewhere Measurable increases in jobs and wealth creation in seaside communities stimulated by initial investment Drawing together of transport, cultural/heritage and infrastructure funds to stimulate investment in commercial and housing development	Local Authorities (both tiers), Homes England, MHLG, SELEP, Academy of Urbanism, Developer(s), ACE, NLHF, Historic England	Plan to stimulate public realm and infrastructure improvement in coastal towns Bid to Shared Prosperity Fund to kick start public realm investment in coastal communities

the negative effects of climate change. In parallel, the coast offers a unique opportunity to make structural improvements to the private rented sector housing market. Many seaside towns are rich in energy inefficient properties, with high levels of fuel poverty. Switching these properties from gas to alternative heat sources will require a comprehensive package of measures, including: retrofit, the use of enforcement powers, and new partnerships.

As European funding streams come to an end, our coastal towns will work with SELEP to convene a Place Shaping Board, involving partners from Arts Council England, National Lottery Heritage Fund and Historic England. This board will help to focus and coordinate key support services to effectively plan how we improve our seafronts and town centres.

Infrastructure

Coastal towns often suffer from 180° catchment areas and poor connectivity; resulting in low business productivity and skills gaps. Accordingly, the SELEP coastal towns should be the priority locations for investment in new digital and transport infrastructure. This priority status will provide coastal towns with a competitive edge, 'level the playing field' with other city regions, and attract the most exciting and innovative investors.

Similarly, many coastal towns have become the 'end of the line' for transport connectivity and energy transmission. Conversely, their natural assets, topography and sector specialism make them an ideal location for energy generation.

Ideas

It is evident that coastal businesses have received far less research and development funding than their mainland counterparts. It is critical that this changes in what is often a low wage, low skill economy. Our higher education and further education partners can support the development of programmes that encourage innovation, productivity improvements and entrepreneurialism for coastal businesses.

Business

Business support is too often structured around the gravity of city centres. This re-enforces an un-level playing field for business growth. Resources to support coastal small and medium businesses need to be deployed to equalise business growth rates. We also need place-based markets and support models that fit local, potential and prospective businesses.

Infrastructure proposal

Proposal	Desired Outcome	Partners	Initial Target
Coastal Digital Investment Plan	Business and housing investment is stimulated by the most attractive digital offer in the South East	Planning Authorities, DCMS, Virgin Media, BT Broadband, CityFibre	Digital targets for the coast identified by March 2021
To develop coastal energy projects as opportunities of climate plans Transmission coast to coast	Develop a single vehicle for coastal power generation SELEP Coast is perceived as clean, green and environmentally responsible High level of investment in energy-based projects Coastal town transport shifted from car	BEIS, SELEP, UK Infrastructure Commission, Planning Authorities	Initial steps drafted by March 2021
To bring coastal towns into the regional economy by providing good connection to London, UK and European transport links	Priority status given to train lines such as HS1 and the development of coastal trunk roads, seaports and coastal airports Dedicated investment programme to bring forward priority status projects	DFT, County Councils, business groups, rail groups, network operator	Initial targets and key projects identified by March 2021

Ideas proposal

Proposal	Desired Outcome	Partners	Initial Target
To encourage HE to direct more R&D investment to coast businesses	Initial project funded by enterprise areas and universities to help SMEs afford the costs of R&D partnership	SELEP, Growth Hubs, Town Deal, Local Authorities, U9 university group, FE sector, Innovate UK	Project designed and funded on pilot basis by September 2021
To develop commitment of U9 university group to research and development in the SELEP coastal area	Commitment to share plans as part of U9, business and social commitments, to gain a clear understanding of how other partners can support this and integrate it strategically	Universities, SELEP, Town Deal Boards, Local Authorities	U9 "committed to the coast" as part of both business and diversity models

Business proposal

Proposal	Desired Outcome	Partners	Initial Target
To encourage investment which will close GVA and job density gaps by providing extra incentive to invest and grow coastal businesses	Prioritisation of cultural and creative business right around the coast. Specific programme to encourage investment in tourism infrastructure	Growth Hubs, BEIS, DWP, Job Centre Plus, FSB, Chambers of Commerce, Institute of Directors, MHCLG	Support programme drafted by March 2021

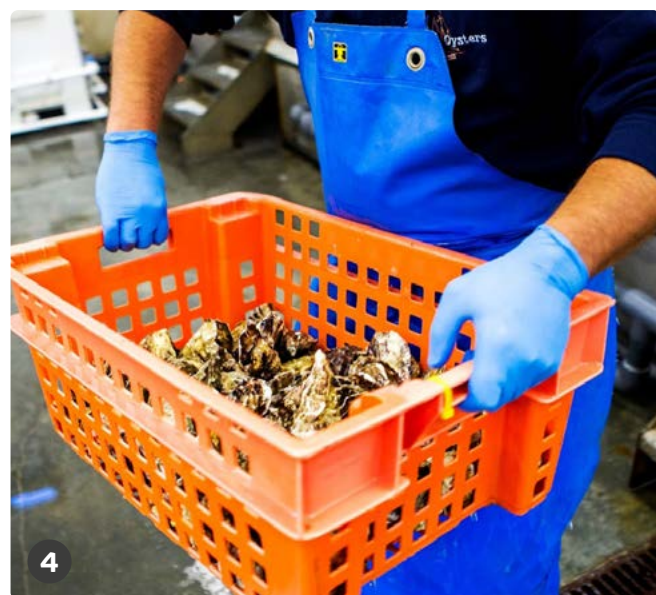
INTRODUCTION TO THE COASTAL COMMUNITIES

This Coastal Economic Prospectus sets out significant opportunities that the coast has before it. These opportunities will help drive the success of the coast. With the right investment the South East Coast will be able to enhance its economic performance and provide a high quality of life for residents and visitors.

Our towns are the South East's "crown jewels", boasting a wealth of natural capital, history, heritage, relaxed atmosphere and fresh air. Our towns offer a high quality of life and are seen as attractive places to live and work.

We need to continue to deliver economic growth in order to offer our residents new opportunities and strengthen our business environment for the private sector. Our towns have a number of significant opportunities across a number of sectors, including Creative and Culture, Energy, Maritime and Marine Engineering and Healthcare.

The Economic Prospectus has identified priority activities that will drive economic growth around the coast against the five foundations that have been identified within the National Industrial Strategy (People, Place, Infrastructure, Ideas and Business).



We believe that the coast can make a significant contribution to both the Clean Energy and Ageing Societal Grand Challenges. However, more needs to be achieved, including developing our workforce, addressing housing conditions and supporting our businesses. If we are able to address these issues, we will be able to improve coastal economic performance.

The Economic Prospectus also informs the SELEP Local Industrial Strategy and identifies how the current gap in economic performance between the coast and the rest of the region and national level can be reduced. The Prospectus therefore seeks to:

- Demonstrate our ambition to identify the priorities we intend to focus on
- Articulate the support we need to grow our economies
- Identify how the coast can make a greater contribution to UK PLC.

Our Vision

Our vision is to:

Improve the economic performance of the coast in absolute and relative terms to grow our economy and narrow the gap with the wider SELEP region.

Ensure our residents and communities benefit from inclusive regeneration and through improved skills and workforce development.

OUR AMBITIONS SEEK TO IMPROVE THE ECONOMIC PERFORMANCE OF THE COAST:

- Improve connectivity in order to improve mobility and attract new investment and business
- Work alongside the Clean Growth Group to ensure the coast is at the forefront in delivering programmes that address the climate emergency
- Provide our residents and communities with improved skills and workforce development
- Work with SELEP/Government to make policy and programmes "coast friendly"
- Attract and retain business investment and government interest in supporting growth in economic productivity
- Improve the environmental fabric of the coast including housing, seafronts and town centres
- Build on existing relationships including with our Clinical Commissioning Groups and health partners to address long term health issues which impact our communities and economies.



Our Ambition

Economic opportunities for the coast:

- Our natural environment forms a large part of the South East's attractiveness, and it embodies some of our biggest opportunities and challenges. We want to generate, use and recycle clean energy. A strong energy sector will present new employment, establish supply chains for local businesses and drive productivity.
- Culture and Creativity has been key to our improvement over recent years in a number of our towns. The sector supports our economic performance, and our ability to attract new visitors and residents. Growth in the sector has reinforced our positive reputation as economic locations to grow businesses in. We want the sector to continue to grow, supported by technology and the availability of high quality workspace.
- We are keen to support the evolution of the visitor economy into a higher value, all year proposition by helping to drive up skills and move away from low value seasonal work.
- The Maritime and Marine Engineering sector offers significant economic growth opportunities which will provide a real stimulus to the coastal and regional economy. The sector offers real potential as the region builds its reputation as a global gateway, identified as a key role for the South East in the South East Local Industrial Strategy.
- Our demographic profile reveals that we have an older community when compared to the rest of the South East. This presents an opportunity to support the Ageing Society Grand Challenge by being a location to test and embed Artificial Intelligence (AI) technology developed through the AI Grand Challenge to support our elderly community.

Overcoming these issues represents the South East Coast's biggest opportunity for sustainable regeneration and growth.



THE COASTAL ECONOMY

Our economy is largely built upon micro and Small and Medium Enterprise (SME) businesses, with many based within declining traditional industries, which are low skilled and seasonal by nature. The origins of our relatively weak economy and poor wellbeing indicators lie in the decline of our traditional industries. The persistence of these problems, despite the area's natural advantages, can be identified by the low levels of business innovation and our low productivity levels.

- The South East coastal economy currently contributes over £36bn (1.3% of UK output) per annum to the UK economy
- The coast is home to over 2m people, with anticipated future growth averaging 7.5% per annum over the next decade. Our population growth will partly consist of elderly and unskilled/unemployed inward migration which does not contribute to economy, while our economic performance is compounded by our skilled/younger people moving away from the coast. However, we have extremes, with Whitstable for example, attracting high earners who are making housing unaffordable for local people
- It is home to over 72,000 businesses registered for VAT and employs over 800,000 people

- The South East's Gross Value Added per head in 2017 was £28,683, while the coast averaged just £17,840 per head. The coastal average is close to the performance of Blackpool (£17,309), Lancaster and Wyre (£18,482), Middlesbrough (£18,540), Cornwall (£17,634) all of which are recognised as economies requiring significant investment
- Coastal economic performance rivals the most deprived communities in the north, even with further growth in the South East
- The house price to workplace-based earnings ratio for the coast reveals that prices are 13x earnings, compared to 10x earnings in the wider South East region, while some towns including Whitstable and Broadstairs are currently experiencing house prices 15x higher current average salary wages
- If the coast were able to match the predicted growth rate for the UK over the next decade the economy could grow by 15% to £43bn per annum creating a potential 48,000 additional jobs.

These indicators reveal a stark difference in economic performance of the coast to the wider region.

More needs to be done if we are to improve our economic performance and reduce the gap that exists to the South East regional economic average.

Our challenges are very real:

The challenges facing the coast are interlinked and manifest in a number of our communities. They are the result of a number of factors, including economic decline and the housing market being used to relocate communities who have health conditions, are vulnerable and lack both the ability to work and the skills our economies require. Our challenges are significant:

- The coast has significant numbers of Super Output Areas in the worst 10% nationally. This number has been increasing in the past decade and widening the gap in economic performance. Hastings (30%), Thanet (21%) and Swale (20%) stand out, as does Jaywick Sands in Tendring, which is the most deprived ward in the country
- Significant levels of deprivation exist around the coast, particularly in places like Eastbourne, Camber, Folkestone and Dover
- Our towns are amongst the most underperforming economies of the country. Our communities suffer from low productivity with coastal output levels currently 8% lower than the SELEP average
- Our productivity reflects the coast's reliance on traditional seaside industries which are low skill/low wage and have a high level of seasonality
- Our economy is dominated by SMEs based in traditional sectors which have been declining due to the collapse of the domestic holiday sector and reduction of port-related heavy industry
- Our average wage levels are lower than regional and national averages and our economies lack innovative businesses offering high value, high skilled employment opportunities
- Some coastal towns lack connection from the major road network and fast, reliable trains, which creates isolation, reduces mobility and restricts business growth and productivity
- House prices are between 9x and 13x local earnings levels around the coast
- Private rented housing numbers are double the national average in some communities and we are still experiencing rapid growth in the number of Houses of Multiple Occupation



- The private rented sector is over 30% of housing stock in a number of areas; this is over twice the national average; in our most deprived areas this figure is even higher. In some communities, such as Cliftonville, Thanet, this figure rises to over 70%. This exacerbates the problem coastal communities have with market failure and in tackling the impact of concentrated landlord ownership of properties
- We have become destinations for London Boroughs and the wider South East to relocate members of their community, including vulnerable groups
- We have a mental health crisis in our communities. NHS indicators reveal that the coastal population has the highest incidence of mental health issues in the country
- The health of the local population is poor, with indices for mental health, drug and alcohol abuse above the regional and national average. These conditions are a significant barrier for employment
- In the majority of towns, residents on incapacity and disability benefits are over 50% of those out of work
- Successive generations have never entered the employment market and our skills levels trail behind the regional average at every level. Our school's performance lags the regional average by 3%
- There is a lack of aspiration towards jobs and qualifications which serve as a fundamental barrier to people reaching their potential.



PEOPLE

We want to ensure that greater numbers of our residents are ready for work and address the current lack of social mobility and ensure that our businesses can access the skills they need.

We want to fundamentally tackle deprivation that has led to intergenerational worklessness and a benefit claimant culture which is linked to a high incidence of complex health issues.

We believe we can encourage more members of this community to make a contribution to the economy, using their skills and knowledge to support future generations. We wish to encourage flexible and agile working to ensure that work/life balance is beneficial to our communities.

Recent thinking has been a “rising tide lifts all ships”. On the coast some ships have risen. A sustained approach to inclusive regeneration will provide the buoyancy to lift far more.

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Skills levels within the coastal communities reveal real underperformance against their inland neighbours at all NVQ levels.

The greatest gap in performance compared to the rest of the SELEP area is at the lowest skills levels.



To realise our potential, we need to

Where appropriate funding and opportunity is identified, we want to develop a clear pathway between all levels of education, which continues to inspire, raise aspirations and retain young people, providing them with opportunities to stay on the coast in the long-term. We want to build on existing best practice by:

- Exploring with the Department for Education how the Opportunity Area Programme can be expanded to all coastal towns, building on the success of the national programme
- Developing a long term programme which increases the number of businesses supporting work in schools to inspire our young people. We also want to pilot new curriculum approaches with a vocational focus on our core sectors, including Creative, Energy and Maritime and Marine Engineering
- Developing pre-employment programmes that support our communities to become work ready and prepared for work, while also improving business skills for potential entrepreneurs
- Seeking greater control, joint ownership and targeting of the skills system by retaining funds that have been secured through the Apprenticeship Levy to enable investment in our skills infrastructure, which will deliver improved outcomes
- Working with our colleges and universities to develop a coastal programme which ensures that our residents and businesses can receive new skills and qualifications
- Working across the public and private sector and region's universities to develop AI to meet resident's needs.

We want to develop programmes which increase the employment rate of local residents and provide high quality workspace units to meet existing demand and provide space for residents to develop new business ideas. We also want to ensure our older residents have access to digital infrastructure to help improve economic activity and develop the use of new AI in supporting our residents.

Opportunity

We believe there are opportunities to strengthen existing support systems and networks further. Key areas that require additional resource and focus include:

- The national Opportunity Area Programme has demonstrated how a targeted programme can help raise aspirations, engage communities and tackle issues such as mental health
- Utilising retained Apprenticeship Levy funds that have accumulated to invest in our skills infrastructure
- Increased dialogue between young people and businesses through a long term programme
- Lifelong learning and reskilling older generations
- Develop further and higher education programmes to support our high growth sectors, such as Energy, Creative and Maritime
- Develop alternative curriculums to engage the most at risk in schools

We want to attract higher value jobs in order to begin to increase economic performance. The coast offers a high quality of life and a strong sense of community underpinned by cultural, sporting, religious and community groups. These are important in helping to retain people in smaller communities, which supports improvements to labour supply.





PLACE

Our unique coast includes our historic seafronts, maritime towns, stunning beaches and geographies. However, deprivation is significant in many of our towns and investment is needed if we are to improve our long term performance. Our restricted 180° geography limits our access to markets, land availability and connectivity. Our housing is largely Victorian and Edwardian in nature and we are restricted in the amount of land available for further growth.

Housing is an area where we want to make real changes. Significant numbers of our houses are empty or in poor condition while the private rental sector is most evident in coastal towns.

We have an important place-shaping role to ensure that our towns are vibrant and welcoming. Our high streets have been hit hard with recent changes in retail trends. While we also have an important role in delivering new Garden Communities at Otterpool Park, Folkestone and Tendring Colchester garden community.

The most acute concentrations of deprivation can be seen in and around Hastings, the Isle of Sheppey, Jaywick, Clacton-on-Sea and Margate. These areas together all fall within the 10% most deprived areas in the country.

Opportunity

The Coastal Space pilot project supported by SELEP in Hastings, Thanet & Tendring has demonstrated the benefits of capital investment in faltering or failing housing markets. Acquiring and renovating poorer quality housing to meet either market or affordable housing needs provides an opportunity to stabilise and strengthen those existing communities and achieves wider environmental, training and employment benefits. With progress being made with Modern Methods of Construction and Green Buildings, we want to explore how the coast may be an area that can benefit from new technology.

We want to take a strategic and evidence-based approach to the appropriate scale of population growth for each coastal community, in line with economic prospects. We would like to discuss with SELEP and government how we can develop a “coast friendly” funding framework and with policies which recognise the current uneven playing field in terms of land value, return on investment and addressing market failure.

The need for the development of homes is recognised by Local Plans, but in some coastal areas needs to be further stimulated and supported in a broader’ strategically planned way with investment levels and delivery on a major scale. As a consequence, much of the delivery of new homes has been carried out by SMEs rather than major builders. Without scale, cost efficiency and innovation there is a threat to viability and ultimately the prevention of development being realised.

We want to maximise opportunities from the Future High Street Fund and Town Deal initiatives. The Town Deals announced in Newhaven, Hastings, Margate and Colchester are a positive start, but we need to do more if we are to enhance our economies.



To realise our potential, we need to

Establish a Housing Acquisition Programme, which would be targeted at empty and run down property in areas of higher deprivation, lower values and historic under-investment; due to the low returns on investment. We will use the collective might of the coastal partnership to work with others in driving this forward.

The programme could also be extended to retrofitting homes on a larger scale and assist in meeting Climate Emergency targets.

Discuss new powers with government which would strengthen Selective Licensing Regulations, to ensure that landlords are committed to improving their stock to the Decent Homes Standard and supporting large scale regeneration.

Work with MHCLG and Homes England alongside Housebuilders to explore potential advantages of allowing a grant to be deployed on the S.106 affordable housing element of sites where this will increase viability and accelerate the delivery of homes on sites that would otherwise remain undeveloped.

Establish a Place Shaping Board for the coast which would enable partners such as the Arts Council, Historic England, National Lottery, SELEP and local authorities to work more closely and identify initiatives that will enhance place-making on high streets and employment areas and initiatives that lead to housing market renewal.

Town Deals and Future High Street Funds provide an opportunity to join up policy, particularly with an increased higher education presence. We want to explore new and best practice that is improving high streets and share our learning as it emerges.

INFRASTRUCTURE

The South East Coast is the UK's closest link to Europe. Post Brexit it will provide an enduring gateway for tourism and trade.

We are seeking support to improve our connectivity to key economic centres with further investment in place-based initiatives, on a long-term strategic basis. This is a key element required to raise productivity of the coast. Current assessment methodology is predicated on high job growth and value for money based on user numbers.

Improved infrastructure will help open up new markets and improve the movement of people to better employment and educational opportunities. The impact of this would increase our productivity and improve the social mobility of our communities.

We want to ensure that business demands for advanced technology can be met.

However, a number of our towns have evidence of technology not meeting business requirements. We need to ensure that we have infrastructure, both physical and digital to encourage more businesses to invest in the coast.

We want to create economic opportunities / mitigate economic risks around flooding, coastal erosion risk management and improve bathing water quality.

Opportunity

Improved transport routes will provide the coast with access to regional economy and new markets for our businesses, attract new inward investment and provide our communities with greater mobility and access to new employment opportunities.

A leading digital infrastructure would help our economies grow our creative sector further, supporting existing businesses to scale up and grow, and attract new talent to set up new business or relocate existing companies. A leading digital infrastructure coupled with our low operating costs would attract new investment. Some of our communities such as Rother have just 3% coverage for High Speed Digital infrastructure when compared to Cornwall (30%) and London (80%).

'Poor connectivity is seen to restrict opportunities within the coastal communities...it also reduces the size of workplace catchments from which individuals can seek employment.'

- Transport for the South East

To realise our potential, we need to

Establish how the current funding methodology can be updated to ensure that investment can benefit coastal areas. This is necessary if we are to change the performance of the coast. Investment is required in road, rail and digital infrastructure. Should requisite funding become available, our ambitions are clear.

We want to improve access to our major ports to deliver on the promise to be the national gateway to the continent.

We want to secure the extension of High Speed Rail (HSR) from Ashford to Hastings, Bexhill and Eastbourne. Work with partners to improve access for coastal residents and businesses to major employment, such as improvements to the branch line between Clacton-on-Sea and Colchester and continue to support Thanet Parkway, a connectivity and business development hub.

Ensure that the coast has access to a reliable high speed digital network which exceeds the requirements of business if we are to boost productivity. The coast needs to be a priority for future investment.

Continue to grow the work of the South East Creative Economy Network in supporting the Creative and Digital sector. We want to ensure that our towns provide the correct environment for the sector, with links to the Thames Estuary Production Corridor and working with creative partners from the Brighton region where this is mutually beneficial, to ensure that we can meet future demand that the creative sector has.

We want to ensure that investment in new technology, from whatever available funding source, is targeted towards delivery on the coast.

We want to effectively mitigate the economic impacts of flooding and coastal erosion risk. We also want to deliver initiatives which improve bathing water quality.



IDEAS

Our natural capital offers the opportunity for diversification of our economy, in providing new job opportunities. Research and Development (R&D) expenditure is however lower in coastal areas, as is the overall number of project applications submitted to Innovate UK.

We have high growth potential within our key economic sectors. We have three Coastal Enterprise Zones; Discovery Park, Sandwich, is home to globally focused businesses, while Rochester Airport and Newhaven Enterprise Zones are progressing well. All of our zones are providing opportunities to business and are beginning to have a positive impact on the coastal economy. Other key employment zones will play important roles in supporting business growth including Clacton, Harwich and Southend Airport Business Park.

The coast currently has limited connection with the region's higher education institutions and is therefore unable to exploit research and innovation opportunities.

With new partnerships, the coast could develop its innovation assets and strengthen its ability to attract investment in R&D and venture capital.

Innovate UK data reveals that the coastal communities receive only 10.4% of innovation and research funding accessed within the SELEP region.

Opportunity

Where we are enabled to do so through freedoms and funding routes, we want to address the low skill, low wage economy on the coast and replace it with a more technology driven economy providing high skilled opportunities. We want to work with our further education and higher education institutions to establish programmes that encourage entrepreneurialism on the coast.

We have an opportunity to drive the implementation of programmes to enable a coast-wide approach to innovation; with the coast serving as a testbed for AI technologies which could assist in addressing our challenges concerning our ageing community and limited social mobility.

The region has a strong university offer, however little of this reaches the coast. A focused long term programme would engage our residents and businesses in a more consistent and outcome focused way.

To realise our potential, we need to

Work with SELEP and its U9 group of universities and further education institutions to develop a coast-wide approach to innovation.

Develop a strategy that enables the coast to operate as a testbed for new AI technology that can help us address key challenges.

Work with partners to identify new opportunities that integrates coastal businesses into activity that boosts R&D spending, scale up innovation projects and share information between sectors, partners and universities more effectively and more systematically.

Work with all partners, including central government to develop and establish new set-piece funding processes and support structures which encourage collaborative, business-orientated innovation. This will support business growth and help tackle our current productivity deficit.



BUSINESS

The scale of the climate emergency has been widely recognised by our local authorities and business. We will take steps to address the short and long term impacts climate change will have on the coast. We want to work closely with the Clean Energy Working Group to identify programmes and actions that will help address the challenge and mitigate its impacts. A number of the actions will help tackle the climate emergency and provide economic opportunities to the coast.

The coast has a number of sectors which offer significant potential that we believe can deliver growth and address our productivity challenge and improve our GVA per head from amongst the lowest quartile in the UK.

The energy sector is a major opportunity with potential for both micro and macro energy schemes. We are committed to delivering a carbon neutral economy. We want to be clean users and generators of energy and drive our local agendas with our communities.

The maritime sector is one that is currently under-developed on the South East Coast when compared to other UK regions.

We are seeking to develop a bespoke programme to support both the energy and maritime sectors and marine engineering in partnership with our businesses and stakeholders.

The wider UK coast is currently collaborating and co-developing a series of activities to mark 2021 as the Year of the English Coast. This work will help underpin further work with the tourism sector to increase the number of visitors and the length of stay in our towns.

Opportunity

We will champion a green and clean economy which is environmentally responsible, whilst looking for the economic opportunities within the sector which will help stimulate further growth.

We also want to raise the South Coast's visibility as a port and maritime driver and work with other maritime locations, both in the UK and internationally.

Although local authorities provide support to coastal SMEs, at present many continue to find it difficult to access the funds they require, principally as they do not have the time or resource to submit speculative applications. We will work to establish a way of providing capacity and signposting to businesses to help them benefit from any support that is available to them.

The creative sector is pivotal for the next phase of economic growth and productivity improvements along the coast. We welcome the Creative Open Workspace Masterplan and Prospectus and are keen to explore how we can ensure that workspace is available to businesses, such as the Thames Estuary Production Corridor.

We want to use opportunities such as the Year of the English Coast in 2021 to promote our towns and improve the economic productivity of the Tourism sector.

To realise our potential, we need to

Work with SELEP and the energy industry to develop a response to the Offshore Wind Sector Deal and develop the coast as a major energy generator. We want to support growth using our planning powers and regulatory functions to encourage large scale delivery of solar farms, wind turbines and tidal energy farms. We want to support the nuclear industry to be highly productive where growth plans are being implemented, such as at Bradwell B or as opportunities arise in the future, such as Dungeness. Investment in the nuclear sector will provide an economic boost for the coast. Stakeholders will need to support the sector if benefits are to be achieved.

Deliver a major retrofitting housing programme that takes advantage of the new energy being generated. Delivery of the programme will ensure new, highly skilled jobs for our residents and supply chain opportunities for our businesses.

Review the wider potential of the maritime sector to drive new economic opportunities and the role Freeports could play, particularly the importance of our port related activities in the post-Brexit economy. We want to work with the Thames Gateway and East Coast to explore best practice.

We want to address seasonality in our economies by creating new patterns of demand for tourism and promote unique selling points and distinctive market niches in the visitor economy. We want to benefit from the Tourism Sector Deal. Our proposals include establishing a grant fund that encourages new investment in accommodation provision and de-risking

the sector to encourage growth. We want to attract new visitor accommodation and explore how our communities can benefit from Government's ambition to become Europe's leading hub for hotel investment.

Examine and develop models to address SME financial exclusion and lack of lending including evaluating the impact of existing Community Banks and Social Impact Bonds that are in operation.

Establish an Economic Sustainability Leverage Fund which could be deployed when a strategic heritage or tourism asset is under commercial threat.

Ensure the continued success of the creative sector identifying where investment ensures that flexible workspace is available at a reasonable price. We want to benefit from the Creative Industries Sector Deal and create three Creative Enterprise Zones which would help deliver economic growth to the coast.

Gross Value Added per head across SELEP is currently £28,683, while the coast averages just £17,840. A stark difference in economic performance which we need to address.

The coastal average places us within the lowest quartile of locations in the UK.



HOW THE COAST WILL WORK TOGETHER

The South East coastal local authorities have a long history of working together and have robustly agreed during the development of the Economic Prospectus to drive the growth of the coastal economy across the South East region in order to improve our economic performance and productivity. Working together we will:

- Share best practice and learning on a more formal basis across our councils
- Build a joint programme with support from our business communities and residents that tackles the climate emergency and improves economic improvement around the South East Coast.

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The Coastal Partnership will aim to achieve the following ambitions by 2039:

- The gap in GVA performance will have closed by 1% by 2025 and 3% by 2039 and by 2050 it will be eradicated
- We will grow the coastal economy by 15% to £43bn per annum and create an additional 48,000 jobs. With intermediary targets of 3% growth by 2025 and an additional 8,000 jobs
- We will have increased the employment rate in coastal areas to match the rest of the region
- We will have increased job density in each local authority to match the wider SELEP average.



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SELEP will be appointing a senior officer to help coordinate the programme of activity set out in this Prospectus. Additional support is crucial and would work closely with regional stakeholders. This would strengthen our partnership, and provide capacity to build key relationships which will help transform our economic performance and deliver the priorities set out in this Prospectus.

The senior officer will interact across all of the regional partnerships and submit proposals through appropriate SELEP structures.

We also believe our work can be a learning point for other parts of the country and position the South East as the UK's leading coastal area. We will proactively work with other coastal regions, sharing best practice and knowledge where this is appropriate.

The Economic Prospectus has been led by the coastal districts and boroughs who have a track record of cohesive partnership working and are well-placed to drive an economic renaissance around the South East Coast.

These authorities are well positioned to continue to deliver at the right level to make this step change.

DELIVERING THE COASTAL ECONOMIC PROSPECTUS

The Economic Prospectus sets out a long term strategy to improve the economic performance and productivity of the South East Coast. The programmes set out in this Prospectus need to be implemented if we are to be successful in raising the coast's performance from amongst the lowest GVA per head performance in the country. We want to act quickly to move the Economic Prospectus into its delivery phase.

Albeit contingent on the availability of funding from government and other sources, with the ongoing support of SELEP, we will be able to build new partnerships, networks and develop business cases which will attract new investment from both public and private sectors which will meet the ambition we have set out. Our priority actions that we are seeking to undertake in 2020 includes:

- Convening discussions with the energy sector to enable us to begin to scope activity that develops both micro and macro energy systems that will increase the productivity of the sector and help us outline a major retrofitting programme of our existing housing stock
- Rolling out the Opportunity Area Programme to other coastal towns over the course of 2020
- Working with the U9 group of universities in early 2020 to quickly develop a programme that connects coastal businesses and residents with higher education and explore with further education partners how we can engage residents more effectively and support local business needs

- Establish the Place Shaping Board which will oversee the development of our regeneration proposals including:
 - Outlining a new regeneration programme which will tackle our most deprived communities
 - Assist in creating a Housing Acquisition Programme
 - Economic Sustainability Leverage Fund
- Develop responses to the government's Sector Deals where they align with the Prospectus, including the Tourism Sector Deal, Off-shore Wind Deal and the Creative Industries Sector Deal
- We will bring stakeholders together to explore how we can develop a Maritime Sector Group that will develop a programme to support the sectors growth by 2021
- We want to initiate discussions with government to discuss new powers which would strengthen Selective Licensing Regulations and develop a dialogue with MHCLG and Homes England to explore potential advantages of allowing a grant to be deployed on the S.106 affordable housing element of sites
- We want to ensure that the coast is prioritised for investment in new technology such as 5G over the next two years. We will also continue to work with the South East Creative Economy Network in order to support the Creative and Digital sector
- We want to work with Transport for the South East to revisit the business case for transport improvements that underpin improvements to coastal economies and secure support for the business case that will lead to the implementation of new schemes.





SOUTH EAST
LOCAL ENTERPRISE
PARTNERSHIP

Project Management Group: Tendring, Southend, Rother, Thanet, Hastings Councils and SELEP, in collaboration with Deyton Bell Limited, who also produced the supporting **Data Pack**. (www.hastings.gov.uk/content/regeneration/pdfs/coastal_prospectus_data_pack.pdf)

For more information, please contact:

Simon Hubbard
Director of Operational Services
Hastings Borough Council
shubbard@hastings.gov.uk
01424 451753

Tom Gardiner
Head of Regeneration
Tendring District Council
tgardiner@tendringdc.gov.uk
01255 686102

Front cover

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Consultants

Deyton Bell Limited
enquiries@deytonbell.com

Designer

Luke Herriott
Studioink.co.uk

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Agenda Item 5



Report To:	Cabinet
Date of Meeting:	23 March 2020
Report Title:	Selective Licensing 2020
Report By:	Andrew Palmer, Assistant Director Housing and Built Environment
Key Decision:	Yes
Classification:	N/A

Purpose of Report

Following statutory consultation, to consider proposals for designating a Selective Licensing Scheme for private rented homes in six wards in the borough which contain higher than average levels of privately rented dwellings and which are suffering from poor property conditions.

Recommendation(s)

1. That Cabinet considers the evidence base and outcome of the consultation on a replacement selective licensing scheme as set out in Appendix 1 & 2 of this report
2. That subject to Secretary of State approval, a new 5-year selective licencing scheme (as designated under section 80(7) of the Housing Act 2004) covering all privately rented dwellings in the 6 wards of Braybrooke, Castle, Central St Leonards, Gensing, Old Hastings and Tressell is introduced on completion of the current 2015 selective licencing scheme in October 2020.
3. That the rationale for a replacement scheme is supported on the grounds of the higher than average levels of privately rented accommodation and the poor property conditions that exist in those wards
4. That Cabinet delegate to the Assistant Director Housing and Built Environment responsibility for agreeing the final document requesting confirmation of the selective licensing designation from the Ministry of Housing, Communities and Local Government (MHCLG) in consultation with the Chief Legal Officer.
5. That the licensing conditions proposed in Appendix 5 of this report are agreed.
6. That the proposed fee structure in Appendix 3 of this report is adopted.

Reasons for Recommendations

1. The current Hastings Borough Council Selective Licensing Scheme 2015 is due to end on the 25 October 2020. Following a review of the 2015 Scheme (the "2015 Scheme") it has been determined that whilst there has been a reduction in anti-social behaviour in the 7 wards subject to licensing, there remain wards in the borough that have a large proportion of private rented properties in poor condition. Following a review of the available evidence,

consultation has been carried out on the option of declaring a further scheme on (completion of the current scheme in October 2020).

2. It is now proposed that a further selective licensing scheme is introduced covering a reduced geographic area; that being the wards of Braybrooke, Castle, Central St Leonards, Gensing, Old Hastings and Tressell (the proposed “2020 Scheme”). As the proposed new scheme will cover more than 20% of all private rented accommodation in the borough it will require confirmation by the Secretary of State.
3. In all the six wards selected for the proposed 2020 Scheme the proportion of the private rented sector homes is greater than the national average. In three of the wards (namely Castle, Central St Leonards and Gensing) more than half of the properties are privately rented. Whilst the evidence from the review of the 2015 Scheme has identified an improvement in anti-social behaviour in those wards, there remain serious issues with regards to housing conditions in the private rented sector within those wards. Over 31% of homes in the area covered by the 2015 scheme do not meet the decent homes standard and almost 14% have a category one hazard (that being a hazard to the occupants of the property that would require the council to intervene).
4. Applications to the Secretary of State for confirmation of a selective licensing scheme are required to be made in a prescribed form.
5. The Housing Act 2004 allows the council to include conditions on licenses that regulate the condition, contents, management, use and occupation of the house concerned.
6. As with the 2015 Scheme it is proposed to charge a fee to cover the cost of running the new scheme. The proposed fees have been set to achieve a balance between ensuring that the council can operate a successful, properly funded and adequately resourced scheme whilst keeping fees to the minimum level for landlords. The Council cannot by law profit from the scheme and proposes to apply the principle of full cost recovery.

Background

1. The Council currently licenses all rented properties in the 7 wards of Braybrooke, Castle, Central St Leonards, Gensing, Old Hastings, Ore and Tressell under its 2015 Selective Licencing Scheme. The existing 5-year scheme comes to an end in October 2020 and officers have been reviewing the impact of the scheme to date and examining the case for a replacement scheme. The Selective Licensing Scheme is complemented by the borough-wide mandatory HMO licencing scheme and the additional licencing scheme covering larger HMOs in four wards adopted in 2018.
2. Selective licensing of private rented property is governed by Part 3 of the Housing Act 2004 (the Act). The legislation is supplemented by guidance on introducing selective licensing from the Department for Communities and Local Government: 'Selective Licensing in the private rented sector', which was updated in March 2015
3. Selective licensing requires that all private rented property within a defined area is licensed with the Council. It is the landlord's responsibility to license the property and keep it well maintained and managed. A landlord will need to be 'fit and proper' to hold a licence. A landlord is not permitted to evict tenants if they haven't licensed the property.

Review of the Hastings Borough Council Selective Licensing Scheme 2015

4. At its meeting of the 30 March 2015 Cabinet approved a selective licensing scheme of all privately rented dwellings in Braybrook, Castle, Central St Leonards, Gensing, Old Hastings, Ore and Tressell (the "2015 Scheme"). The scheme came into force on the 26 October 2015 and was to last for a period of 5 years. Local authorities are required to review any discretionary licensing schemes from time to time. The 2015 Scheme was reviewed after two years of operation and reported to Cabinet on 9 October 2017. To further review the scheme as it nears its completion, the council commissioned RJFP Resourcing Ltd to undertake an exit strategy review of the scheme and consider options for the private rented sector post the end of the scheme (Appendix 1).
5. At the time of the exit strategy review (August 2019) the council had issued 7,882 licences which is higher than the number originally anticipated at the start of the scheme. The high number of applications is due to good publicity and promotion of the scheme and a robust enforcement stance with regards to unlicensed properties. Warning letters have been sent to landlords with regards to over 1,700 unlicensed properties with many subsequently applying for a licence; 31 landlords, however, have been prosecuted and 35 civil penalties have been issued.
6. The scheme has been assessed against the following key outcomes;
 - **Reduction in anti-social behaviour**
7. The main ground for the 2015 Scheme was significant concern regarding the high levels of anti-social behaviour (ASB) in the 7 wards. When Hastings was compared to 13 other similar coastal towns it had the 3rd highest level of ASB.
8. The exit strategy review has identified that since 2015 there has been a significant reduction in ASB. Overall, ASB recorded by the police across Hastings and St Leonards has reduced by 43.7% with all 16 wards experiencing a reduction. The area covered by the 7 selective licensing wards has seen a slightly larger reduction of 44.7%.

9. Whilst the reduction in ASB across Hastings and St Leonards cannot be solely attributed to the 2015 Scheme, licensing alongside the strong partnership working across the private rented sector has clearly contributed to the reduction.

- **Improvements in housing conditions for private tenants**

10. The most recent Private Sector Stock Condition Survey (undertaken in 2016) identified that 31% of dwellings in the private rented sector in Hastings fail the decent homes standard and 14% have one or more category 1 (the most serious) hazards.

11. At the beginning of July 2019 officers had undertaken licensing audit visits to over 2,600 licensed properties. These visits have identified 834 properties with category one and / or category 2 hazards which have required action. This accounts for 32% of properties inspected. This suggests that the Private Sector Stock Condition Survey has underestimated the extent of the issue. In Central St Leonards every audit visit identified at least one category 1 or 2 hazard.

12. Not all properties identified with hazards required formal enforcement action however 175 were issued with a formal improvement notice under the Housing Act 2004. The appendix to the RJFP report includes some case studies of some of the enforcement interactions that have occurred through licensing.

13. It is estimated that taking into account the proportion of private rented homes that could have a category one hazard (as determined by the 2016 stock condition survey) and the work undertaken by the licensing team to date in tackling poor housing conditions in licensed properties there could still be in the region of 1,000 properties in the licensing area with one or more category one hazards.

14. In addition to the existence of category one hazards and homes failing the decent homes standard the review has looked at the proportion of properties in the private rented sector that are thermally inefficient. In addition to contributing to the significant proportion of households in Hastings that are living in fuel poverty thermally inefficient properties also contribute significantly to the carbon emissions in the borough.

15. Although licensing has facilitated significant enforcement in the private rented sector concerning poor housing conditions there is still a significant problem across the licensing wards.

- **Improved management standards**

16. To measure improvement in management standards a tenant satisfaction survey was undertaken as part of the 2016 stock condition survey. The same questions have been asked through the recent consultation process on a new scheme and have shown improvements in some areas, e.g. working smoke alarms, written tenancy agreements and protected deposits. However, the questions have also shown that tenants have continuing concerns about the carrying out of routine maintenance and landlords responding to problems in a reasonable period.

17. In addition to tenant satisfaction, the number of complaints made to the council about poor housing conditions in the private rented sector has been used as a measure of management standards. Over the lifetime of the licensing scheme, 90% of all complaints about poor housing conditions were received in respect of properties in the wards subject to licensing. 2017/18 saw the highest number of complaints ever received in a year by the team (1,670).

18. It has been difficult to determine if management standards in the private rented sector have improved as a result of licensing. The increase in complaints may be due to an improved confidence of tenants to complain as a result of licensing however this is difficult to evidence.

- **Reduction of empty properties**

19. Although there is evidence that the number of empty homes increased by some 10% between 2013 and 2019 when the rate of empty homes is looked at for the most recent period between 2017 to 2019 there has been an overall decrease across the borough.
20. Empty homes are to an extent a function of the wider housing market and tend to reflect national, regional and local market conditions. There is no evidence that the selective licensing scheme has either led to an increase or decrease in the number of empty homes in the licensing area or the borough as a whole over the life of the scheme.
21. In summary, it is pleasing to note the reduction in the incidences of anti-social behaviour across the wards covered by the 2015 Scheme. The proportion of private rented accommodation suffering from poor housing conditions, however, is still a major concern.

Options Appraisal

22. To introduce selective licensing in an area the council must demonstrate that the proposed area has a high level of privately rented accommodation (as determined by the most recent census data) and that one or more of the following conditions are met;

- That the area is suffering from low housing demand
- That the area is experiencing a significant and persistent problem caused by anti-social behaviour
- That the area is suffering from poor property conditions
- That the area has high levels of migration
- That the area has high levels of deprivation
- That the area has high levels of crime

23. The review of the evidence in the exit review identifies that the designation of a further Selective Licensing scheme would lead to an improvement in general housing conditions in a chosen area. On this basis, it is appropriate to seek a Selective Licensing designation on the ground of poor housing conditions.

24. Using the 2011 census information there are 9 wards in Hastings with a high level of private rented accommodation (high level determined as being above the national average of 19%). When the evidence on stock conditions in these wards is reviewed 6 of the 7 wards previously subject to the 2015 Scheme are identified as areas suffering from poor housing conditions.

25. An options appraisal has been carried out following the exit review strategy as to what courses of action are available to the council in tackling substandard and 'problem' privately rented properties when the 2015 Scheme ends in October 2020. More detail on the options is available in Appendix 1. The options considered were;

- **Do nothing**

26. 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.

- **Do the minimum**

27. 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.

- **Continue the existing selective licensing scheme**

28. Although the option to simply continue the existing scheme is not available this option envisages designation of a new scheme covering the same properties as the previous scheme.

- **Introduce a borough-wide selective licensing scheme**

29. This option would require the licensing of all privately rented accommodation across the borough.

- **Introduce a limited area selective licensing scheme**

30. This would involve 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

31. The full options appraisal is set out in part 6 of Appendix 1. The options appraisal concluded that the preferred option was to consult on a new limited area scheme based on the evidence of poor housing conditions.

Consultation

32. A full public consultation was carried out on the draft proposals between 13 December 2019 and 6 March 2020 to obtain the views of key stakeholders, including landlords, letting agents, tenants, businesses and other stakeholder organisations (including health representatives).

33. The consultation consisted of an online survey, available on the council's website, and was available as a printed copy at the town hall. Several open consultation events were held with landlords and information was distributed in local supermarkets and shopping centres to the public. Publicity of the consultation involved press releases to local newspapers and a social media campaign through the council's social media channels together with emails targeted at known landlords, agents and tenants from current licensing records.

34. Just over 170 responses were received during the consultation, mostly from the online survey. Although this number is not enough to be statistically significant the responses do provide useful information and have helped shape the final proposal, particularly concerning issues raised by landlords about fees and licensing conditions. Over 65% of responses came from landlords, landlord associations and letting agents. A full analysis of all the consultation responses has been undertaken by RJFP Resourcing Ltd Appendix 2). A summary of the headlines from the survey are set out below;

- 50% of private tenants supported the proposed scheme (32% were against with 18% undecided)
- 13% of landlords supported the proposed scheme (73% were against with 14% undecided)
- 67% of letting agents supported the proposed scheme (33% were against)

- 41% of owner-occupiers supported the proposed scheme (41% were against with 18% undecided)
- 57% of all respondents who were in support of licensing expressed a preference for a borough-wide scheme compared to 32% who favoured the proposed 6 ward scheme
- 59% of private tenants believe poor housing conditions are a problem in Hastings with 93% of tenants that responded to the consultation reporting problems with regards to dampness and disrepair.

35. Several themes have emerged throughout the consultation period which has led to significant changes to the proposed scheme which is recommended. Changes proposed are:

- **Scheme coverage**

36. Some consultees expressing support for a replacement licencing scheme, particularly those currently outside of the proposed areas to be covered, have raised concerns that proposals are not borough-wide and exclude some wards where private renting is above the national average.
37. A full review of the evidence currently available has identified that whilst wards such as Maze Hill and Silverhill meet the criteria of having a private rented sector greater than the national average, the evidence for poor housing conditions in these wards is not considered enough to recommend a scheme in these areas at present.
38. It is not recommended that additional wards are included within the proposed scheme. It is an option for the council to further review this matter should the evidence base change later. In this respect, Cabinet may wish to consider at an appropriate point in time, the commissioning of further stock condition data to better measure the collective impact of licencing, enforcement and investment in the private rented sector. Further data collection or analysis could be undertaken on a borough-wide basis or focus on selected areas. To be clear, any proposal to extend selective licencing to additional wards (or subsets of wards) would need to be treated separately and not as an adjunct to the current proposals.

- **Fee Structure**

39. Many landlord responses referred to the proposed fees the council would seek to levy for the scheme. Several expressed a desire to be able to pay fees by instalments and some landlords previously licensed under the 2015 Scheme were of the view that the fee should be reduced for them as the council already possessed much of the information relevant to applications.
40. Having taken account of this feedback two main changes are proposed. The proposed fee structure has been adjusted to make allowance for the reduced amount of time it will take to process a licence where the property had previously been licensed under the 2015 Scheme.
41. Officers have also calculated the cost of enabling landlords to pay by instalments. It is now proposed that this facility is offered but that should landlords wish to make use of the facility there will be a small charge to ensure that the additional cost to the scheme is not passed onto smaller landlords who pay the fee in full.

- **Success measures**

42. Many landlords perceived a lack of transparency in how the success of the previous scheme was measured. Taking this on board it is proposed to develop a full set of performance

outcomes for the new scheme. These will be detailed and published once the scheme has been approved by the secretary of state.

- **Transitional arrangements**

43. Several landlords asked for clarification on the transition between the 2015 Scheme and any new scheme. Following advice from counsel it is proposed that all properties licensed under the 2015 Scheme will be passported into any new scheme until their 2015 Scheme licence was originally due to expire.

Proposed Fee Structure

44. As with previous schemes, it is proposed to charge a fee to cover the full cost of running the new scheme. The proposed fees have been set to achieve a balance between ensuring that the council can operate a successful, properly funded and adequately resourced scheme whilst keeping fees to the minimum level for landlords. The Council cannot by law profit from the scheme and proposes to apply the principle of cost recovery
45. A recent report to Cabinet on HMO Licensing Fees in January 2020 reported on the supreme court case of R (Hemming, t/a Simply Pleasure Ltd) v Westminster CC (3 February 2020) and set out the requirement that licence fees in future are required to be charged in two parts. Part one a fee levied at the point of application, to cover the costs of the scheme's 'authorisation procedures and formalities', i.e. the costs of processing the application; and Part two (if the application is successful) a further fee to cover the costs of running and enforcing the scheme. This new scheme will reflect this.
46. As mentioned previously the fee structure has been adjusted to take account of the cost of administering licence applications where the landlord had previously licensed the property.
47. Regarding the part one element of the fee (payable on application), it is proposed that two charging levels are applied for the reason stated above. In cases where the landlord is applying for a licence for a property that was previously licensed by them under the 2015 Scheme the part one fee will be £ 125. If the property is a new landlord or an existing landlord seeking to license a property new to them or not previously licensed under the 2015 Scheme the part one fee will be £ 538.
48. The part two element of the fee (payable upon the issue of licence) remains consistent regardless of whether a property was previously licensed under the 2015 Scheme. This reflects the full cost of scheme implementation once the processing of an application has taken place. It is proposed the Part 2 fee will be £ 160.
49. The option of staged payments for landlords with significant numbers of properties to license has been considered as a result of the consultation findings. The administrative burden associated with managing staged payments will be greater and necessitates a higher fee. Under the principles of the Hemmings supreme court case, a local authority is not legally allowed to use licensing income to subsidise other council functions or other licensing fees.
50. It is not appropriate therefore to apply a flat level increase to all landlords to cover the cost to those large portfolio holding landlords seeking staged payments. The cost of administering staged payments has been calculated and it is proposed that should a landlord wish to pay for their licences by instalments there will be an extra charge of £ 59 per licence application.

51. Normally licences are awarded for the length of the scheme (5 years). The 2018 Additional HMO licensing scheme has adopted a process of issuing shorter licences in instances where applications are incomplete, or landlords are not able to self-declare they are meeting all statutory requirements as to the management of their properties. This has already proved to be an effective tool for improving HMO conditions and management and it is proposed to adopt the same practice for a new selective licensing scheme.

52. The full fee structure is set out in Appendix 3.

Scheme Cost

53. As per the 2015 Scheme, the financial modelling of any new scheme builds in assumptions on the number of licences and at which rate. However, the 2015 Scheme has provided the council with more confidence in making these assumptions.

54. As a new scheme is proposed to tackle poor housing conditions the main resource required for the scheme will be inspection and enforcement officers. It is proposed to inspect 100% of properties which are licensed under the new scheme, but which were not licensed under the 2015 Scheme. Of the properties previously licensed under the 2015 Scheme, it is proposed to inspect 50% of these (as a large proportion would have already been inspected).

55. A full breakdown of the business plan can be found at Appendix 4. In summary;

Expenditure	
Staffing	2,135,807
Supplies and services	502,250
Departmental recharges	600,000
Total Expenditure	3,238,057

Estimated Income	
Fees and charges	3,103,095
Total Income	3,103,095

(Under) / Over recovery (£) (134,961)

(Under) / Over recovery (%) (4.3%)

56. Cost recovery has been set slightly below the full cost of the scheme over the 5 years. An allowance of 4.3% has been made which would be compensated by a redundancy liability held within the Council redundancy reserves for the 2015 Selective Licensing scheme. This is to reflect the position that the existing licencing staffing would likely continue into the new scheme and therefore there would be no need to draw upon that redundancy reserve until a later date. Should this position change following adoption of the scheme and a review of staffing levels then overall scheme costs will need to be adjusted accordingly.

Licence Conditions

57. In addition to the specific mandatory licence conditions set out in the Housing Act 2004 additional discretionary conditions can be applied. These discretionary conditions reflect more generic issues around management, maintenance, landlord and tenant practices and anti-social behaviour. The licensing conditions for the proposed new scheme are detailed in Appendix 5.

Conclusion

58. The six wards in the proposed area all have a private rented sector above the national average of 19%. The average for the area is more than double this at 44% and it ranges from 30% in Old Hastings ward to above 50% in each of Castle, Central St Leonards and Gensing wards.
59. The most recent Private Sector House Condition Survey shows a significant number of properties with Category 1 and 2 hazards across the six wards. Some of these properties have been identified under the 2015 Scheme and action is being taken to address the poor conditions but the scale of the problem and the resources available has meant that only approximately 30% of properties will have been inspected at the end of 5 years. Experience of running the scheme confirms strong evidence of Category 1 & Category 2 hazards across all six wards and suggests that the overall numbers are likely to be significantly higher than the house condition survey estimates. Based on the house condition survey estimates alone and taking account of the 300 or so properties improved to date, there are an estimated 1,000 homes with Category 1 hazards remaining to be identified.
60. The proposed designation meets statutory requirements in that all six wards have a higher proportion of private rented homes than the national average, the majority are let on assured tenancies or licences and there are a significant number of private rented properties needing inspection to determine whether they contain Category 1 or 2 hazards. To complement this, the council has a robust enforcement policy and a clear plan for taking action and addressing non-compliance under Part 1 of the Housing Act 2004, where Category 1 and 2 hazards are identified, as evidenced by the current 2015 Scheme. Consequently, officers are confident that making a further designation will contribute to an improvement in general housing conditions in the proposed six ward area

Legal Implications

61. The legal framework regarding selective licensing is found in Part 3 of the Housing Act 2004 which gives local authorities the discretionary power to introduce a scheme of selective licensing of privately rented properties in the whole or part of its area imposing conditions on landlords for minimum standards of management.
62. Section 80 of the Housing Act 2004 and the Selective Licensing of Houses (Additional Conditions) (England) Order 2015 sets out the criteria and considerations that the Council must be satisfied are met when considering designating a selective licensing area. Any scheme which would cover more than 20% of the Council's geographical area or that would affect more than 20% of privately rented homes in their area as subject to selective licensing must have the approval of the Secretary of State of that designation. Although it only covers six wards, the proposed scheme affects more than 20% of privately rented homes and thus the designation will require Secretary of State approval. If the designation is confirmed by the Secretary of State it cannot come into force until the expiry of three months from the date of confirmation
63. Under the Secretary of State General Approval 2015, any consultation undertaken must be for a minimum of 10 weeks with persons likely to be affected by the designation. The consultation took place over 12 weeks fulfilling the above requirements fully
64. Before making any decision, the council must have due regard to the responses received through the consultation undertaken and take those into account when making its' decision. The council must also have due regard to the matters set out in the 'MHCLG Guidance:

Selective licensing in the private rented sector – A guide for local authorities’ and in particular consider whether there are any other courses of action available to it that would achieve the same objective or objectives as any proposed schemes without the need for the designations to be made.

- 65. Failure to take into full account the legislative requirements for adopting a new scheme would leave the Council open to successful legal challenge. Experience from our previous schemes and other local authorities suggests that some landlords will remain hostile to further licencing and therefore the threat of challenge through judicial review cannot be ruled out. Every effort has been made to ensure that Secretary of State advice and guidance in respect of the legislation has been followed on all aspects of preparing the case to minimise the risk of any successful challenge.
- 66. Early discussions have taken place with civil servants at the MHCLG regarding the proposed scheme and the evidential requirements for any submission to the Secretary of State. As a result of these discussions, ward profiles have been developed for the six wards subject to any new scheme to present the evidence in a more focussed manner for consideration by the Secretary of State. These ward profiles are included at Appendix 7.

Climate Change Implications

- 67. Residential dwellings account for approximately 49% of carbon dioxide emissions in Hastings. Much of this is as a result of the age of the housing stock which is particularly evident in the wards identified in this report. Poor thermal efficiency of dwellings will be used as a proxy in the scheme for risk assessing poor housing conditions and therefore will be prioritised for inspection and improvement. Therefore, the scheme will contribute positively to climate change.

Timetable of Next Steps

- 68. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Designation of the Hastings Borough Council Selective Licensing Scheme 2020	23 March 2020		Simon Hubbard
Application to Secretary of State for confirmation of the Hastings Borough Council Selective Licensing Scheme 2020	6 April 2020		Andrew Palmer
Revision to online application and	24 October 2020		Matthew China

operational procedures required to administer a new scheme			
Commencement of Hastings Borough Council Selective Licensing Scheme 2020	24 October 2020		Matthew China

Wards Affected

Braybrooke, Castle, Central St Leonards, Gensing, Old Hastings and Tressell

Policy Implications

Reading Ease Score: 34.7

Have you used relevant project tools? ~~Y/N~~

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	Y/N
Crime and Fear of Crime (Section 17)	Y/N
Risk Management	Y/N
Environmental Issues & Climate Change	Y/N
Economic/Financial Implications	Y/N
Human Rights Act	Y/N
Organisational Consequences	Y/N
Local People's Views	Y/N
Anti-Poverty	Y/N
Legal	Y/N

Additional Information

Appendix 1 – Selective Licensing in Hastings & St Leonards Report on progress and future options – RJFP Resourcing Ltd.

Appendix 2 – Report of consultation responses – RJFP Resourcing Ltd.

Appendix 3 – Proposed fee structure

Appendix 4 – 2020 scheme business plan

Appendix 5 – 2020 scheme licence conditions

Appendix 6 – Draft Designation of an area for Selective Licensing

Appendix 7 – Ward Profiles

Officer to Contact

Matthew China
mchina@hastings.gov.uk

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Selective Licensing in Hastings & St Leonards

Report on progress and future options

Report for Hastings Borough Council

November 2019

Richard Peters - RJFP Resourcing Limited



Version Control

Version	Comment	Date
V5	Final version for Consultation	14/11/19

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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.
- 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.

• **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**

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.

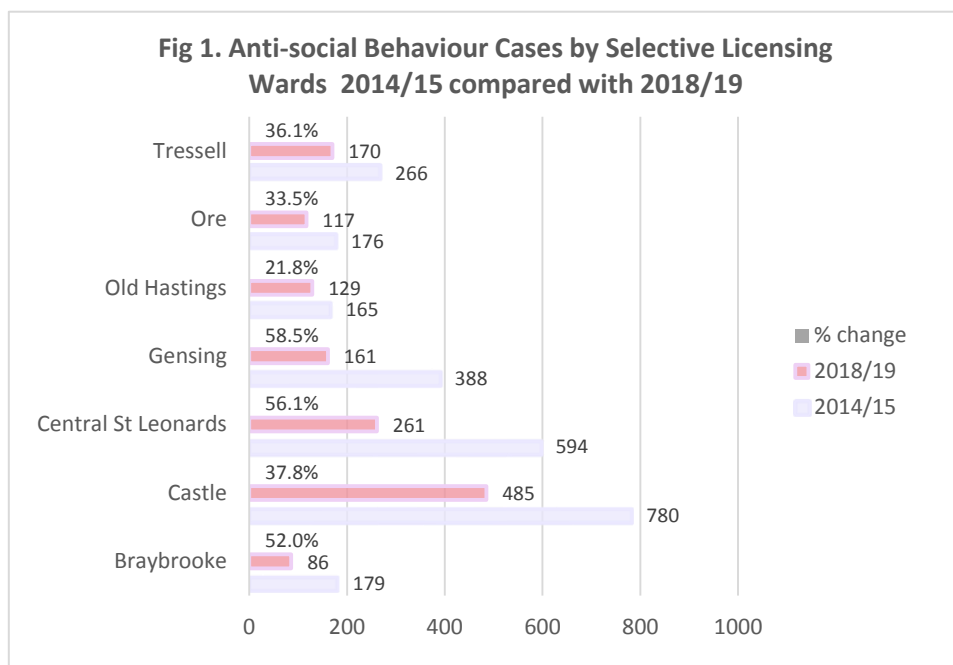
In Hastings:

- 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).

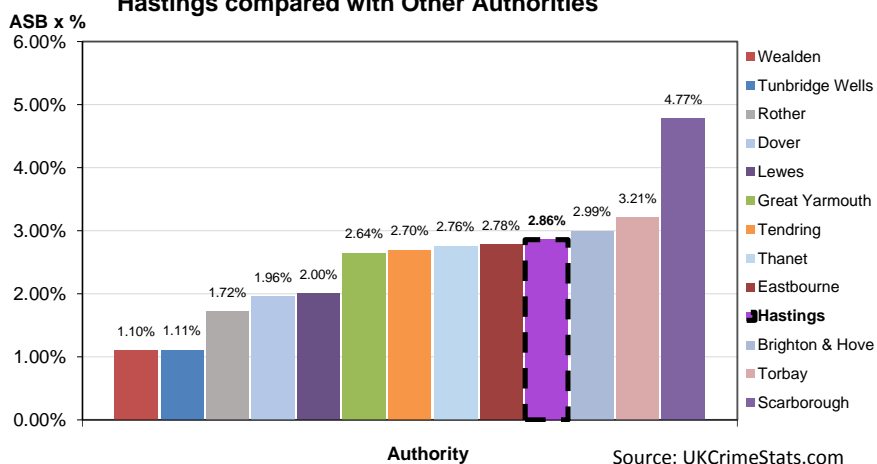
Table 1: Anti-Social Behaviour incidents as % of all residents - Hastings compared with other authorities - July 2018 to June 2019			
Authority	ASB	Population	ASB as % of Population
Wealden	1,634	148,911	1.10%
Tunbridge Wells	1,275	115,061	1.11%
Rother	1,559	90,574	1.72%
Dover	2,189	111,676	1.96%
Lewes	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.

- **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**

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.

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.

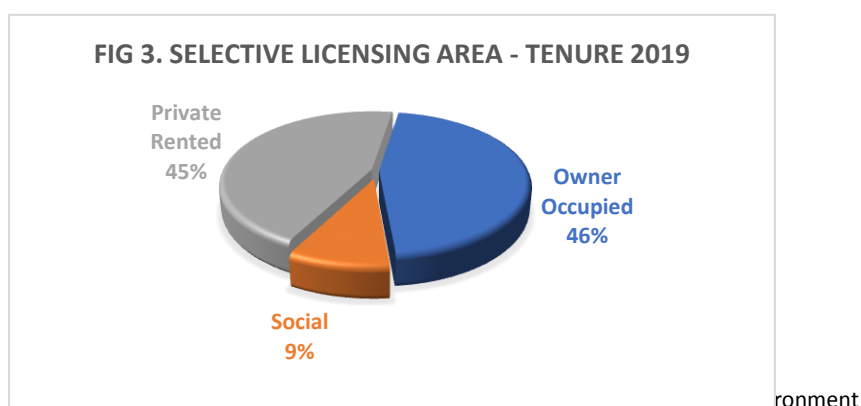
3. Issues Arising from the Review

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

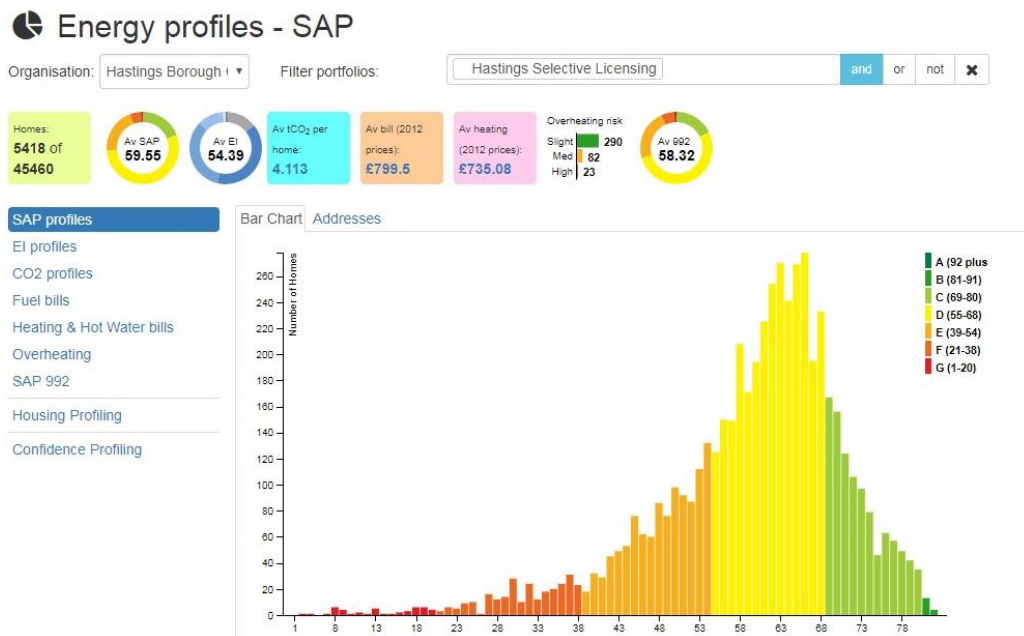
4.25 Since 1 April 2018, regulations require privately rented homes to have a minimum energy performance rating of E where the tenancy is new or renewed, (unless there is an applicable exemption). The regulations will apply to all other tenancies with effect from 1 April 2020. The HSCS shows that 12.9% 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

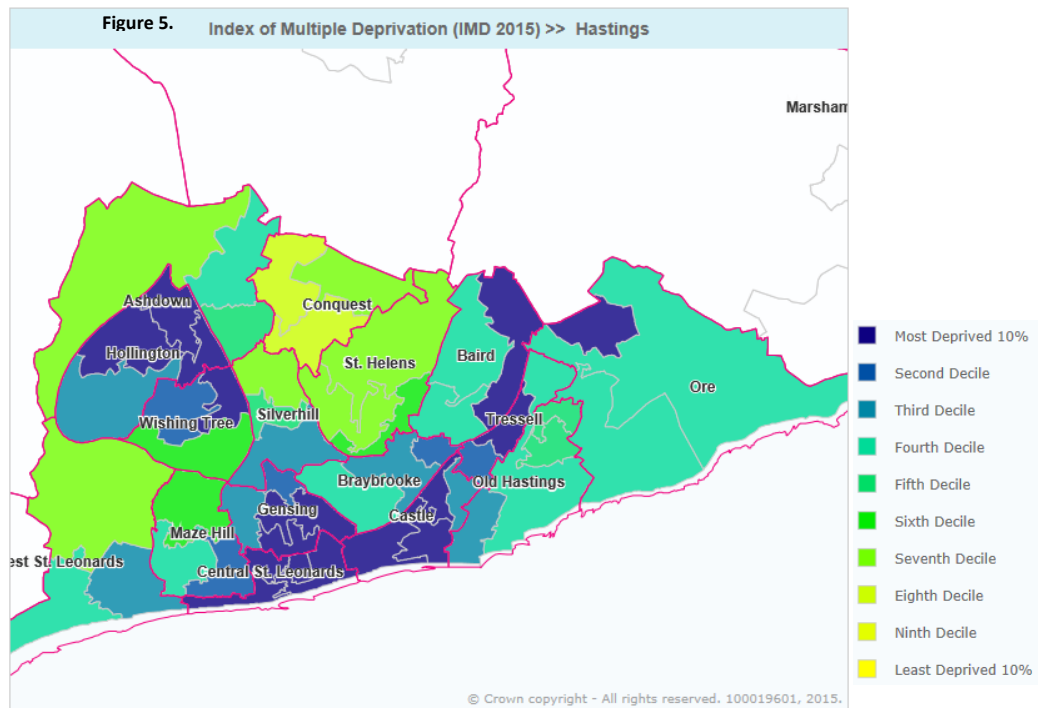
²¹ 2018 Annual Survey of Hours and Earnings

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

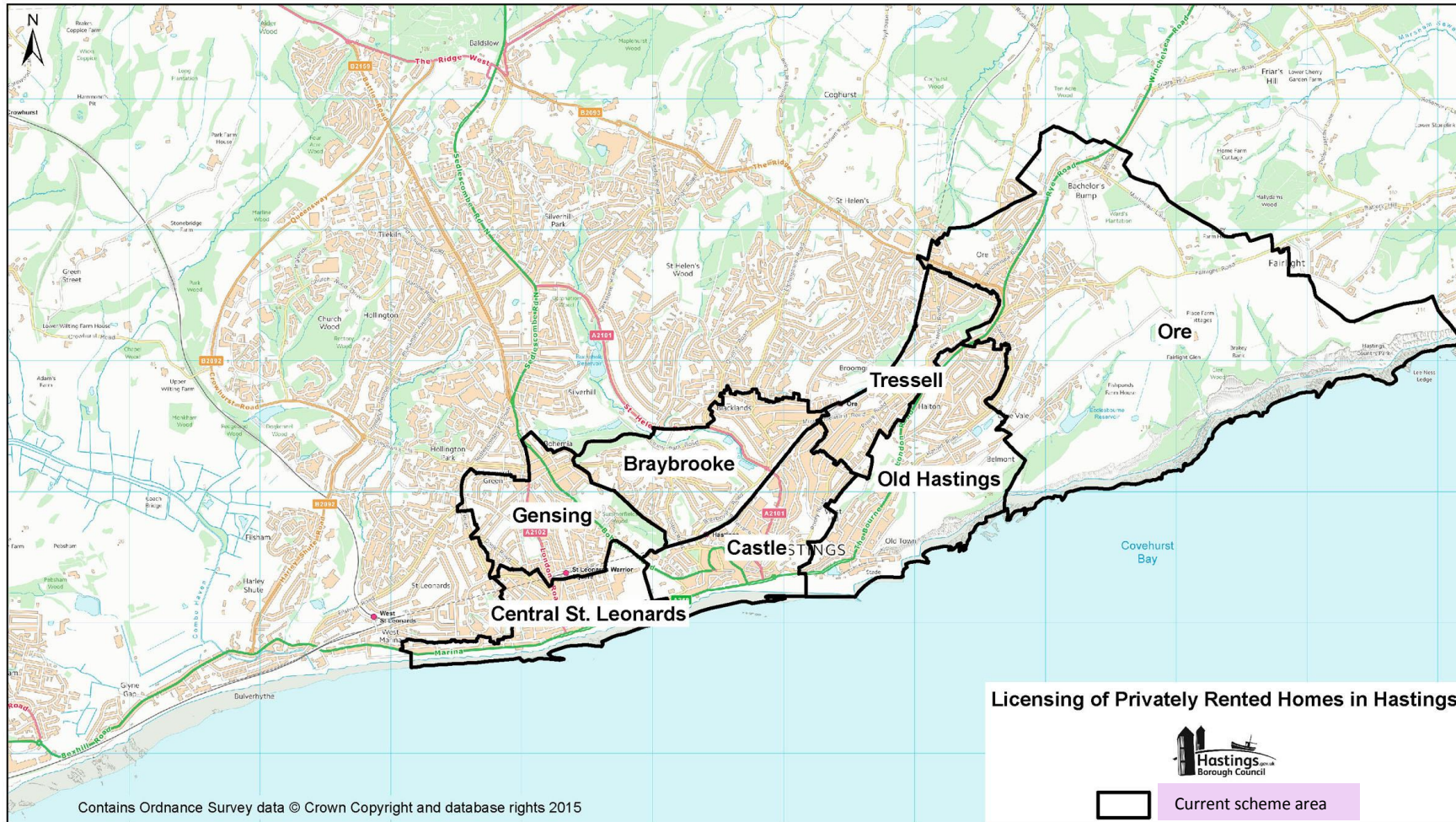
6 - Key Deprivation Statistics

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

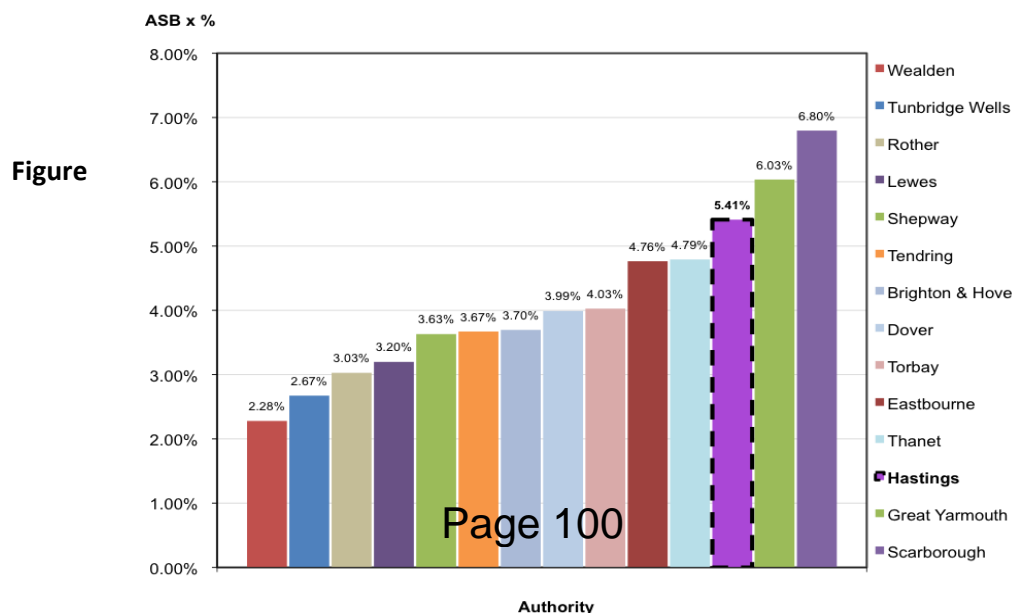
1. Anti-Social Behaviour

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 Housing & Built 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

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

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

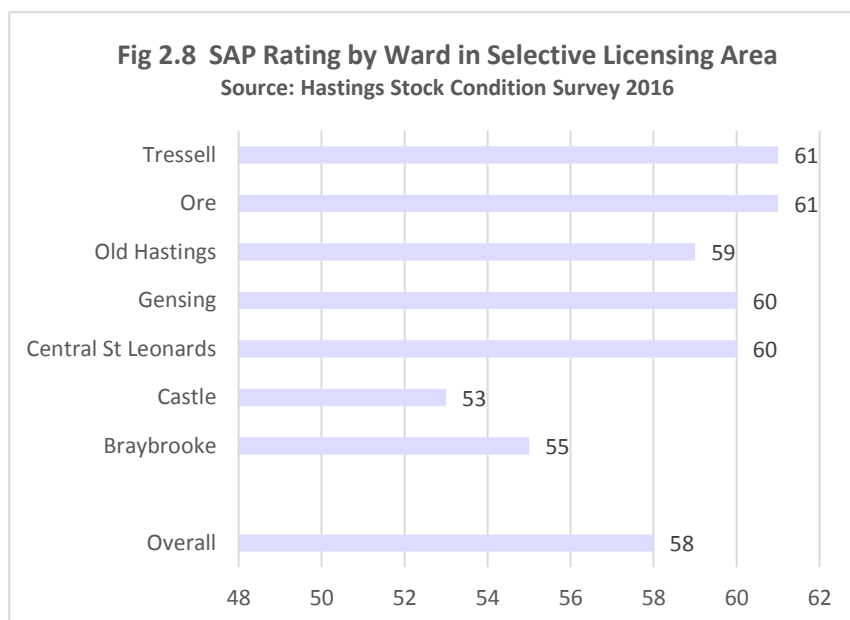
Source: HBC Housing & Built Environment

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.

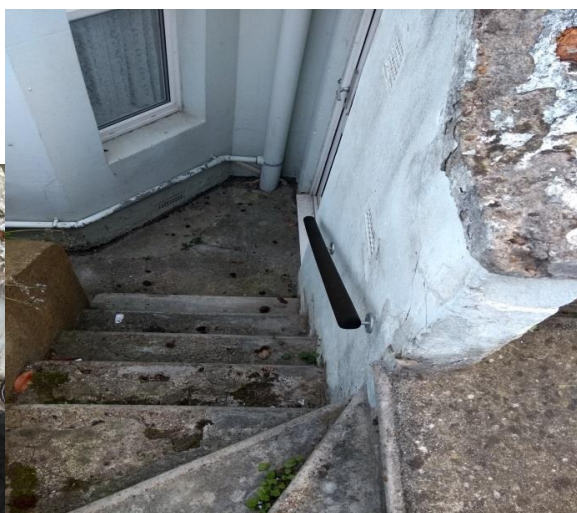
Furthermore, since the inspection the family with the child have moved out of the property and another adult relative has moved into their room.

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)



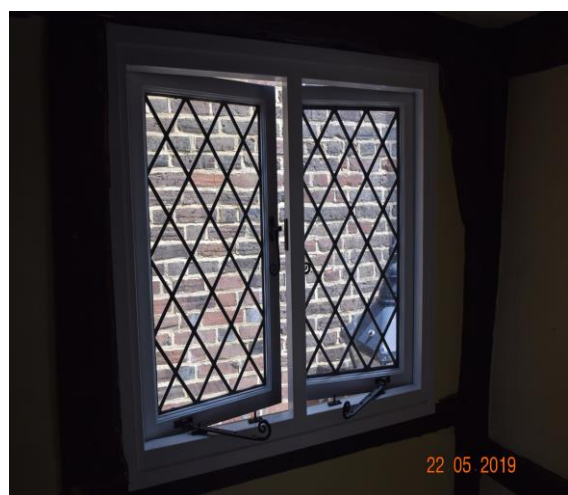
Bedroom window at final inspection (right)



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.

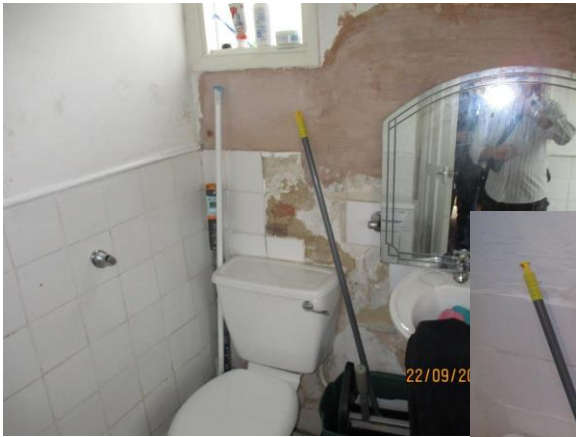


Front door frame before (above)

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

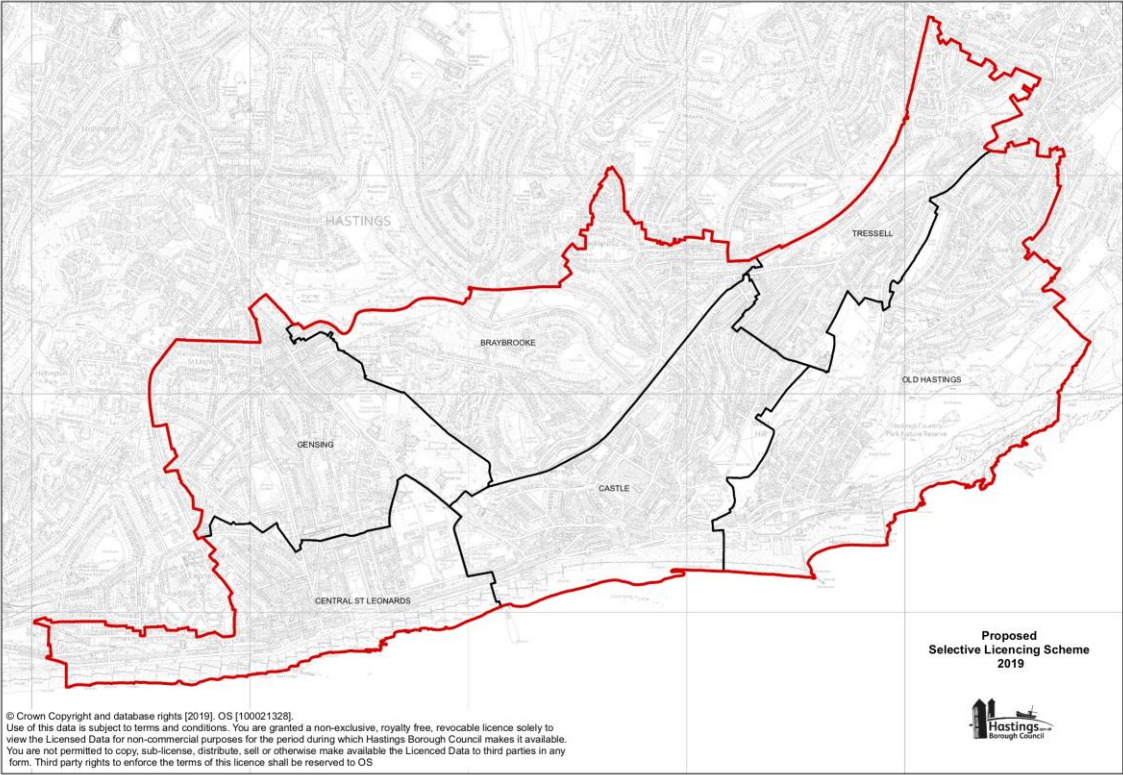
A summary of the Panel's averaged total scores from the appraisal exercise is set out below for each option and ranked according to their total score:

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

Selective Licensing in Hastings & St Leonards Consultation Report

Report for Hastings Borough Council

March 2020

Richard Peters - RJFP Resourcing Limited



Version Control

Version	Comment	Date
V1	Interim draft	23/2/20
V2	Updated draft	08/3/20
V3	Draft for Cabinet	11/3/20
V4	Revised draft for Cabinet	11/3/20

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1. Introduction

- 1.1 Hastings and St Leonards has a growing private rented sector (PRS) and at 38% of the total housing stock is now twice the national average. In at least three wards the PRS exceeds 50% of all housing in the area. Across the town there are an estimated 14,500 privately rented homes.
- 1.2 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. The scheme started on the 26 October 2015 and lasts five years finishing on 25 October 2020. The purpose of the scheme is to help secure a reduction in anti-social behaviour (ASB) associated with private rented homes, whilst at the same time driving up the management of the private rented sector (PRS) and improving housing standards.
- 1.3 Following a review of progress against the agreed outcomes and a review of future options for the scheme¹, Hastings Borough Council (HBC) has reached the conclusion, that although ASB levels have reduced significantly across the Selective Licensing area, there remains a significant problem of poor housing conditions across the area. A combination of survey information² and experience from running the scheme for four years is that in six of the seven wards there remains a significant number of PRS dwellings with Category 1 and 2 hazards requiring inspection to secure housing improvements. Consequently, HBC is considering the designation of a further Selective Licensing scheme, once the current scheme ends, to secure an improvement in general housing conditions, when combined with other measures being taken by the Council. The proposed scheme would cover the following six wards:
- Braybrooke
 - Castle
 - Central St Leonards
 - Gensing
 - Old Hastings
 - Tressell
- 1.4 A consultation programme on the proposal was commenced on 13 December 2019 for a period of 12 weeks in order to obtain the views of landlords, letting/managing agents, tenants, residents and stakeholder/representative organisations. Inevitably the different stakeholder groups will have different perspectives on the proposals and there is no methodology available for combining results to yield a single outcome that will reconcile the differences in order to recommend a best way forward. As such there can be no right answer and it will be for HBC to base its policy decisions in respect of the proposed licensing scheme on the consultation outcomes and an

¹ https://www.hastings.gov.uk/content/housing/landlord/new-licensing-scheme/pdfs/Selective_Licensing_Progress_Review_v5_-_141119.pdf

² Hastings Stock Condition Survey 2016 - Opinion Research Services

assessment of the relative merits of the various points of view from different stakeholders.

- 1.5 It is important to note that under the legislation governing Selective Licensing the local authority is required to consider any representations made in accordance with the consultation.
- 1.6 The outcome of the consultation programme and the feedback received is summarised in this report without making any recommendations to HBC about specific policies. The report summarises the views of key stakeholders based on individual submissions and written responses to the online survey alongside the quantitative results from the online survey questionnaire. It also provides a summary of the key issues raised for HBC to consider should it decide to proceed with the proposed Selective Licensing scheme.

2. The Consultation

2.1 The consultation programme commenced on 13 December 2019 and continued for 12 weeks until 6 March 2020. HBC's proposals were summarised in a consultation document that was made available in the consultation pages of the Council's website. Responses to the proposals were invited via an online survey questionnaire and through individual written reply by letter or email.

2.2 The consultation was publicised in a number of different ways:

- Email sent to all landlords and letting/managing agents of licensed properties
- Letters sent to landlord organisations such as the RLA and NLA and to the Leaseholder Association
- Email sent to private tenants in licensed properties
- Flyers given to housing benefit enquirers at HBC Contact Centre
- Information posted on HBC web site
- Email and briefing sent to private tenant organisations: Generation Rent and Tenants Union UK
- Email to voluntary organisations such as Brighton Housing Trust, Citizen's Advice Bureau, Hastings Voluntary Action, Hastings & Rother Mediation service and Homeworks
- Email and briefing sent to statutory agencies such as Sussex Police, East Sussex Fire and Rescue, Public Health, East Sussex County Council and Rother District Council
- Email to registered providers of social housing, Optivo and Orbit
- Consultation briefing for HBC councillors
- Email banner attached to all housing service emails
- Flyers emailed to all schools in the area for inclusion in newsletters
- Press release and adverts in Hastings Observer
- Promotion via HBC Facebook pages and Twitter
- Information days at Priory Meadow and a local supermarket in the proposed area

2.3 Despite the wide-ranging publicity, there was a relatively low response to the consultation. A total of 171 responses were received - 156 from the online survey and 15 separate responses were received by email or in writing. 67% of all responses were from landlords, agents or landlord organisations. The number of responses by category of respondent was as follows:

- 110 - landlords - ranging from small to very large portfolios
- 4 - letting/managing agents
- 20 - owner-occupiers
- 22 - private tenants
- 1 - social housing tenant
- 4 - businesses
- 2 - landlord organisation
- 1 - advice agency/housing support service

2 - registered provider/housing association

5 - other local authorities/statutory agencies

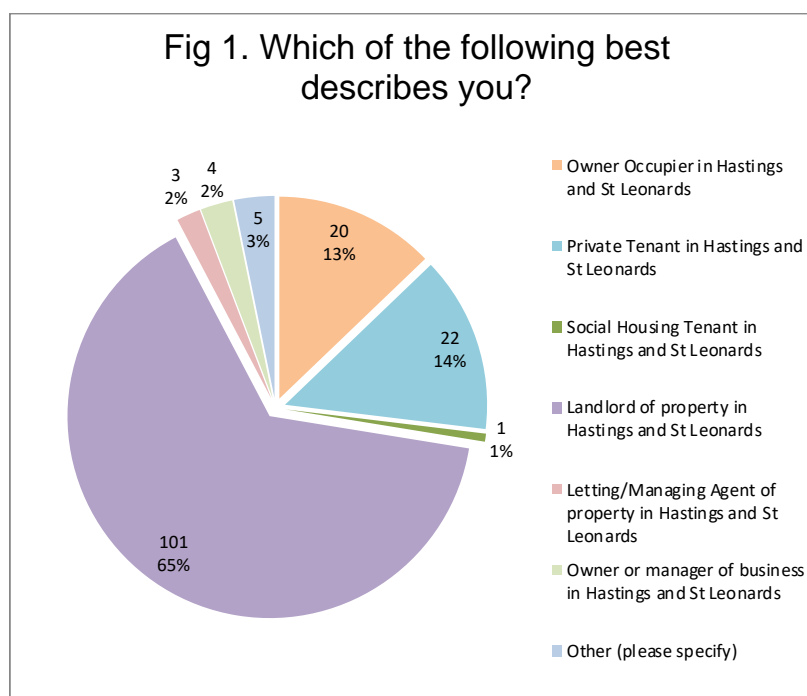
The majority of responses were received via the online survey questionnaire. Within the online survey, in addition to quantitative answers, general comments were received in open text fields.

2.4 HBC officers arranged two public meetings (daytime and evening) and attended a meeting called by the National Landlord Association to present information about the proposals and answer specific questions. The meetings were reasonably well attended and reached out to in excess of 120 people.

The Online Survey

2.5 Residents, landlords, managing/letting agents and businesses were all invited to respond to an online survey. The survey questionnaire was sub-divided into questions for all respondents and some sections to reflect the different categories of respondent. It was not possible to analyse the responses to all questions by respondent type due to the structure of the questionnaire.

2.6 156 full responses were completed. The breakdown of respondent types is set out below (Fig 1). The largest number of responses came from landlords and agents (67%). A relatively small number of responses were received from owner-occupiers (13%) and private tenants (14%). Significantly, more landlords responded to the survey than private tenants, other residents and all other respondents combined.



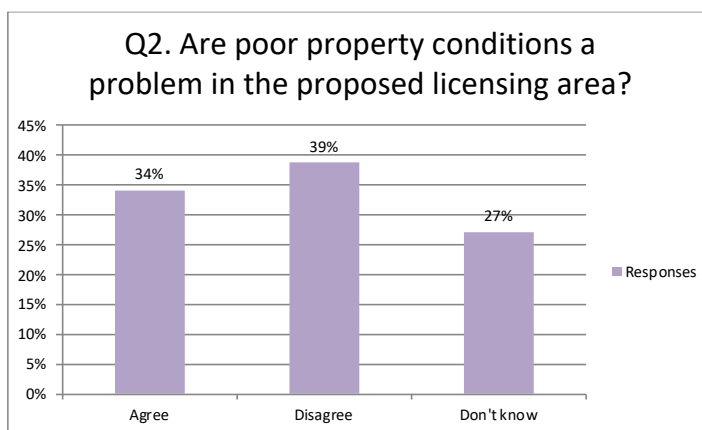
2.7 The online survey sought peoples' views on a range of issues:

- Property conditions, anti-social behaviour, health and deprivation
- Whether or not a further selective licensing scheme was supported and, if so, the scope of the area
- The level of fees and licensing conditions if a scheme were to be designated

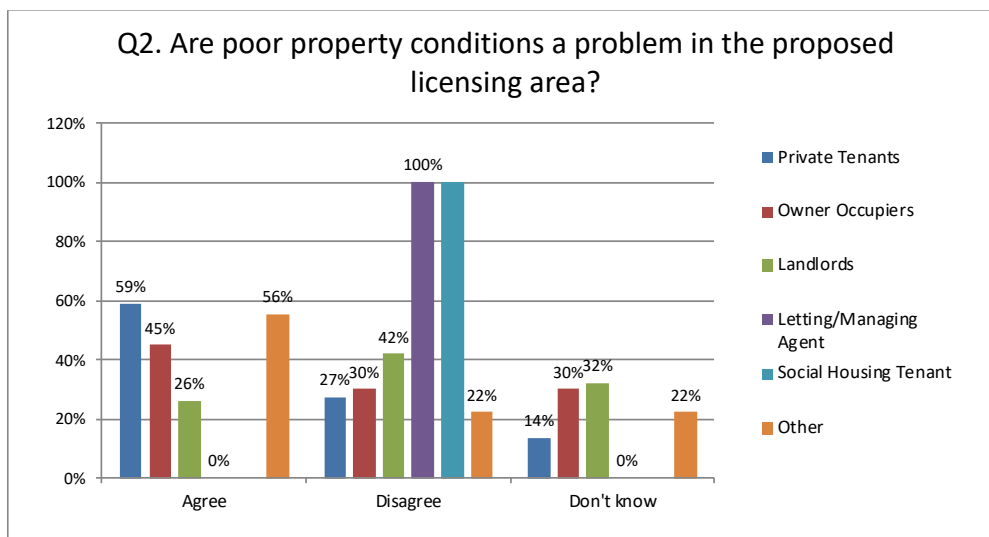
- 2.8 Private tenants were asked to respond to a number of questions about letting practices and tenancy management issues to enable comparison with similar questions asked in the Hastings Stock Condition Survey 2016 (HSCS 2016).
- 2.9 All respondents were invited to complete standard questions on equalities issues and the responses are attached at Appendix 6.

Property conditions, anti-social behaviour, health and deprivation

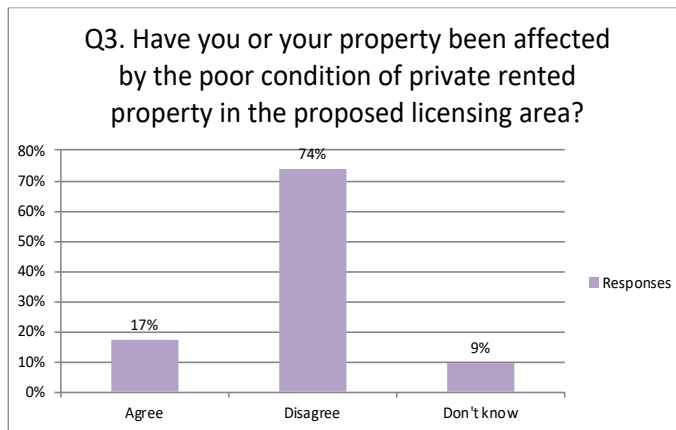
2.10 When asked whether poor property conditions posed a problem in the proposed area, 39% of respondents disagreed. 34% agreed but 27% didn't have a view.



2.11 Analysis by respondent type provides a slightly different picture. Significantly, 59% of private tenants and 45% of owner-occupiers agreed that poor conditions were a problem. By contrast, 42% of landlords and 100% of letting agents disagreed and only 26% of landlords agreed poor conditions were a problem.



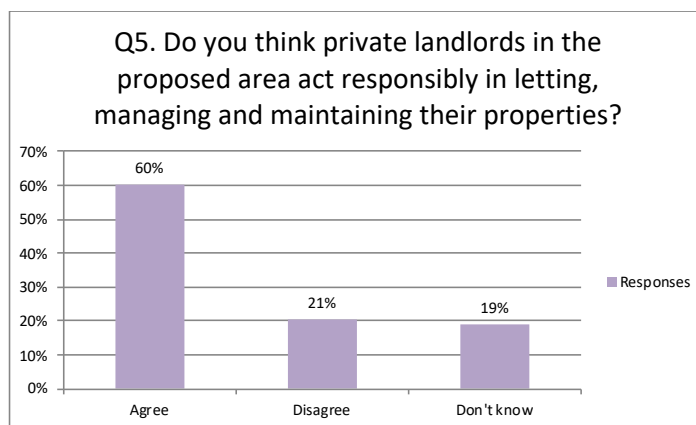
2.12 When asked whether they or their property had been affected by the poor condition of private rented property in the proposed area (Q3 below), 74% of respondents disagreed; 17% agreed and 9% didn't have a view.



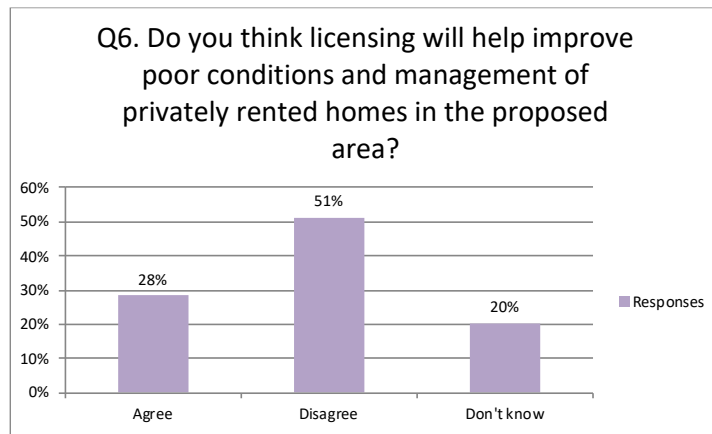
2.13 Respondents were asked whether private landlords maintain their properties in the proposed area to a good standard (Q4 below) and 52% agreed this was the case; 19% disagreed and 28% were not sure.



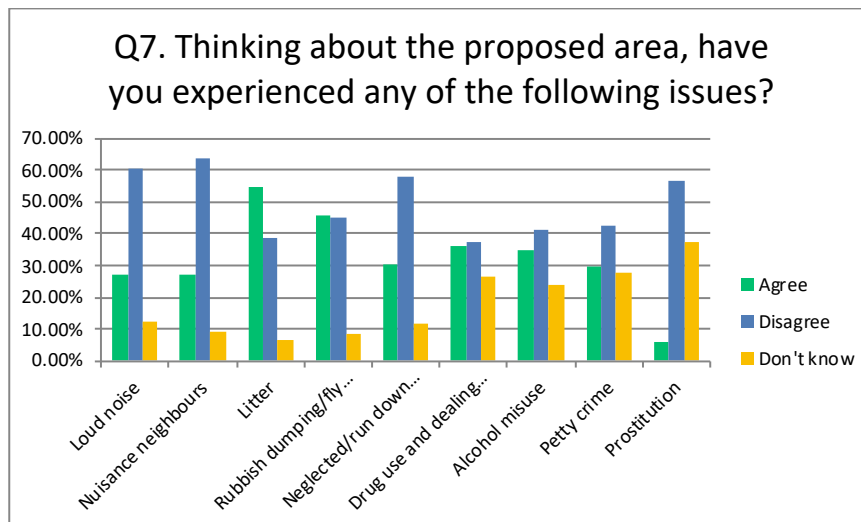
2.14 When asked whether private landlords in the proposed area act responsibly in letting, managing and maintaining their properties (Q5 below), 60% of respondents agreed they did; 21% disagreed and 19% didn't have a view.



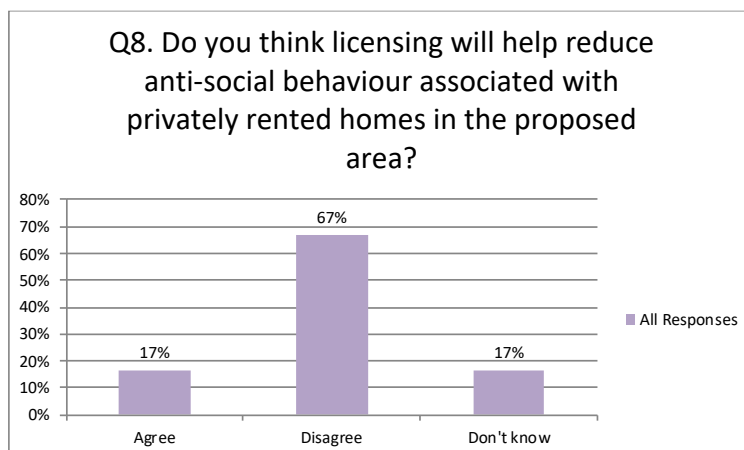
2.15 Respondents were asked whether they thought licensing would help improve poor conditions and management of privately rented homes in the proposed area (Q6 below). 51% stated that they didn't think it would; 28% agreed it would and 20% didn't have a view.



2.16 Respondents were asked whether they had experienced any of a range of issues associated with anti-social behaviour (ASB) (Q7 below). The majority disagreed that loud noise, nuisance neighbours, petty crime, prostitution and neglected/run down properties were a problem in the proposed area. This may reflect the overall reduction in ASB in the current scheme area and progress being made to deal with empty properties. A greater proportion of respondents felt that litter and rubbish dumping were problematic than those who didn't. Roughly even numbers of people agreed and disagreed that alcohol misuse and drug use and dealing were an issue in the area.

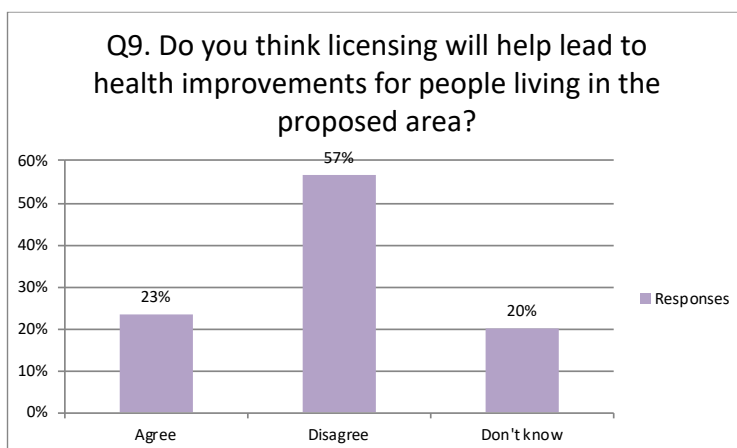


2.17 Respondents were asked whether they thought licensing would help to reduce ASB associated with privately rented homes in the proposed area (Q8 below).

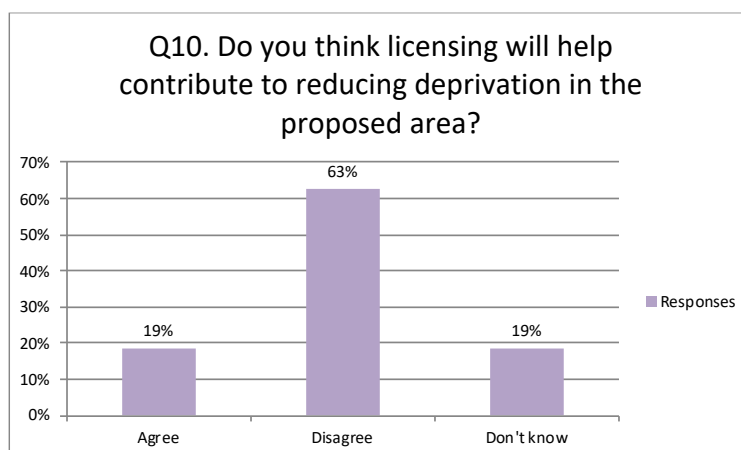


67% disagreed that licensing would achieve this; 17% agreed and 17% didn't have a view.

2.18 When asked whether licensing would help lead to health improvements for people living in the proposed area (Q9 below), 57% of respondents disagreed; 23% agreed and 20% didn't have a view.



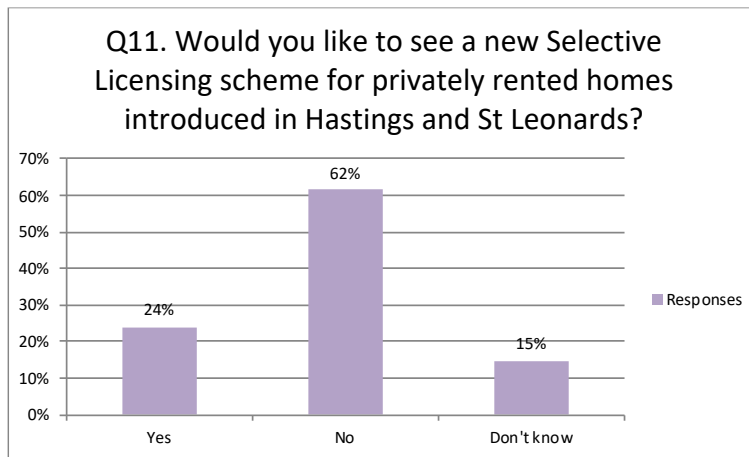
2.19 Respondents were asked to indicate whether they thought licensing will help contribute to reducing deprivation in the proposed area (Q10 below). 63% disagreed that licensing would achieve this; 19% agreed it would and 19% didn't have a view.



2.20 Overall, the majority of respondents disagreed that licensing would help improve poor housing conditions, health and deprivation, or reduce anti-social behaviour. However, it should be borne in mind that 65% of all respondents were landlords the majority of whom are opposed to licensing as shown in the next section.

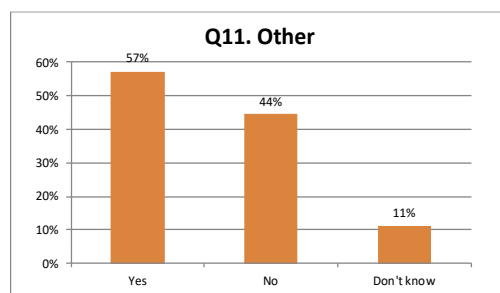
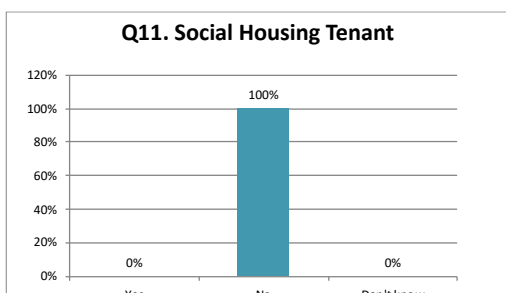
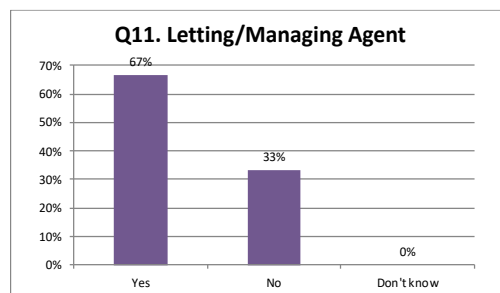
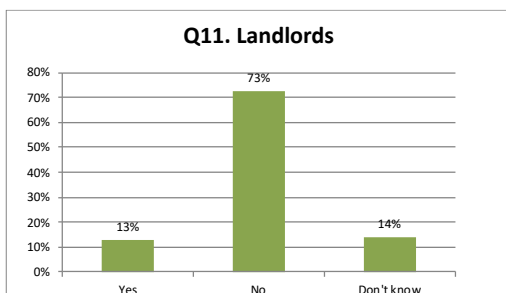
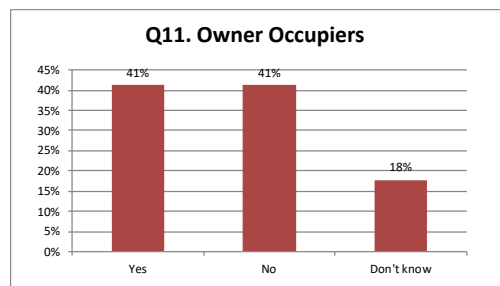
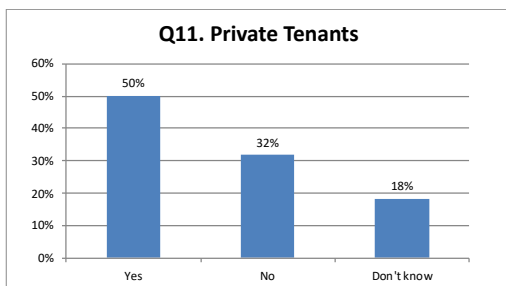
Views on the proposed Selective Licensing area

2.21 When all responses are aggregated, 62% of respondents did not support the introduction of a new Selective Licensing scheme (Q11 below); 24% of respondents supported the proposal and 15% were unsure.

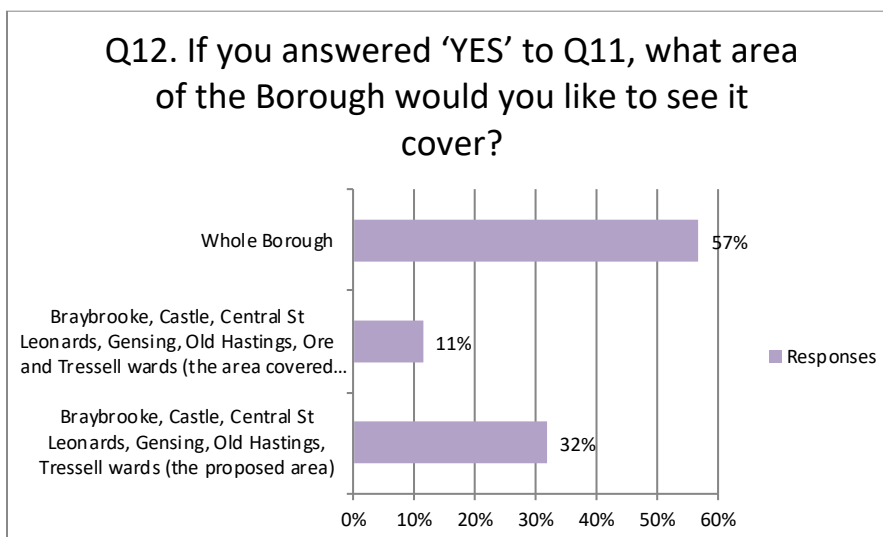


2.22 The apparent overwhelming lack of support for a scheme may well be explained by the disproportionate representation of landlords (65%) in the online consultation responses. As indicated in the charts below, when broken down by respondent type, 73% of landlords oppose the licensing scheme; 13% support the proposal and 14% didn't have a view. By contrast 67% of letting agents support the proposal and 33% oppose it. 50% of private tenants support the proposed scheme; 32% of tenants were against it and 18% didn't have a view. The response from owner-occupiers was evenly split at 41% for the proposal and 41% against with 18% of respondents uncertain.

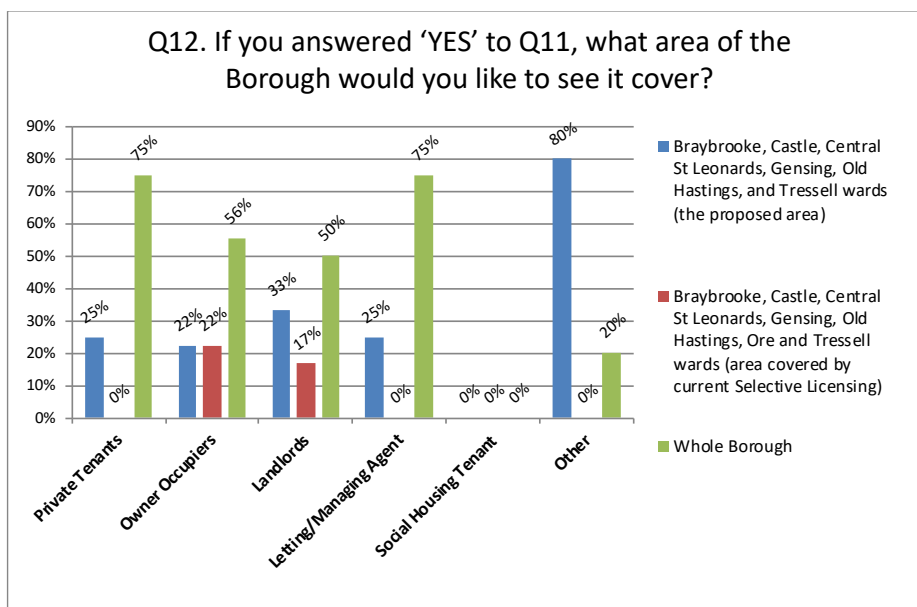
Q11. Would you like to see a new Selective Licensing scheme for privately rented homes introduced in Hastings and St Leonards?



2.23 57% of respondents in favour of a scheme expressed a preference for a Borough wide scheme (Q12 below). 32% favoured the proposed six ward area. At 11% the least preferred option was to continue the existing 7 ward scheme.

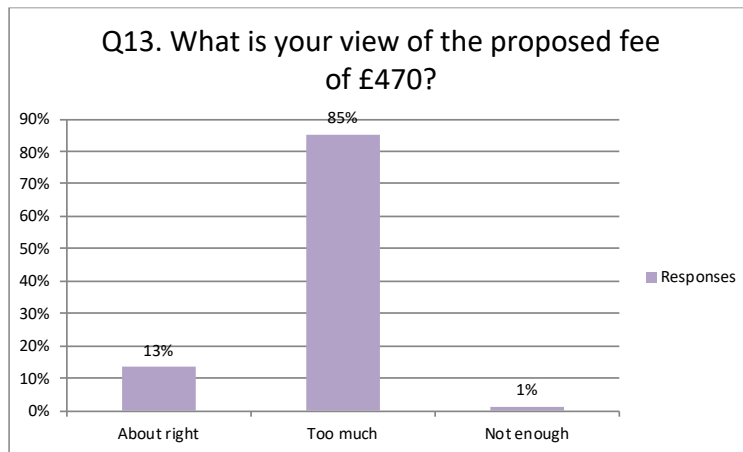


2.24 As the chart below shows, for those supporting a scheme, the preference for a Borough wide scheme was shared by all respondent types, with the exception of those in the 'other' category, the majority of whom preferred a scheme covering the proposed six ward area.

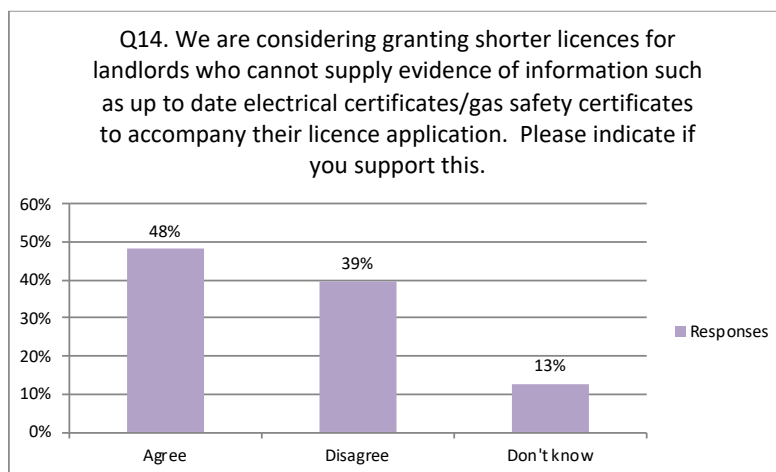


Licensing fees & conditions

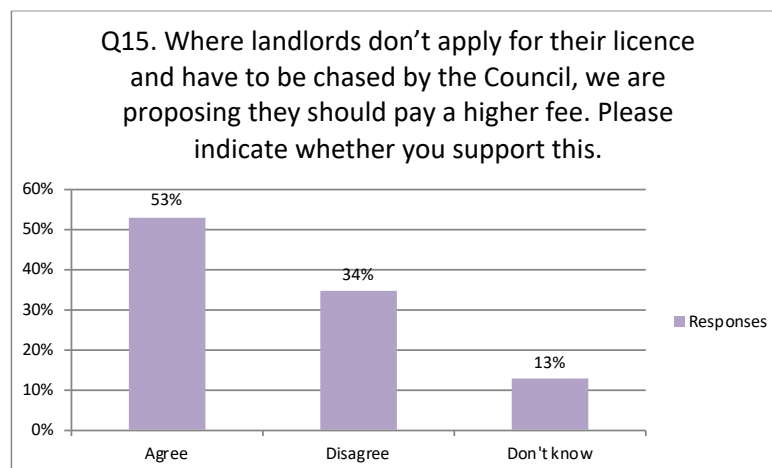
2.25 85% of respondents felt that the proposed fee of £470 was too much (Q13 below). Only 13% felt it was about right.



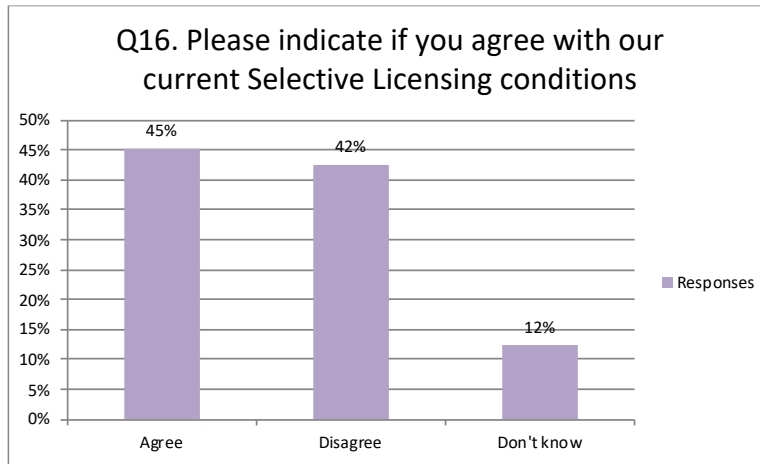
2.26 There was support for granting shorter licences to landlords unable to supply all the required evidence to accompany their licence application (Q14 below). 48% of respondents agreed with this; 39% disagreed and 13% were unsure.



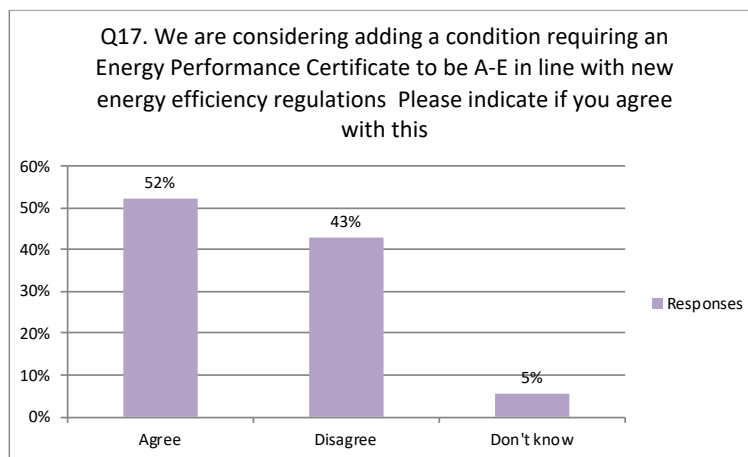
2.27 Likewise there was support for charging a higher fee where landlords fail to apply for a licence and have to be chased by the Council (Q15 below). 53% of respondents agreed with this; 34% disagreed and 13% were unsure.



2.28 Respondents were asked whether they agreed with the proposed Selective Licensing conditions (Q16 below); 45% agreed with the conditions; 42% disagreed and 12% didn't have a view.



2.29 Respondents were asked whether a new condition should be added requiring an energy performance certificate to be A-E in line with new energy efficiency regulations for the private rented sector (Q17 below). 52% of respondents supported the proposal; 43% disagreed and 5% didn't have view.



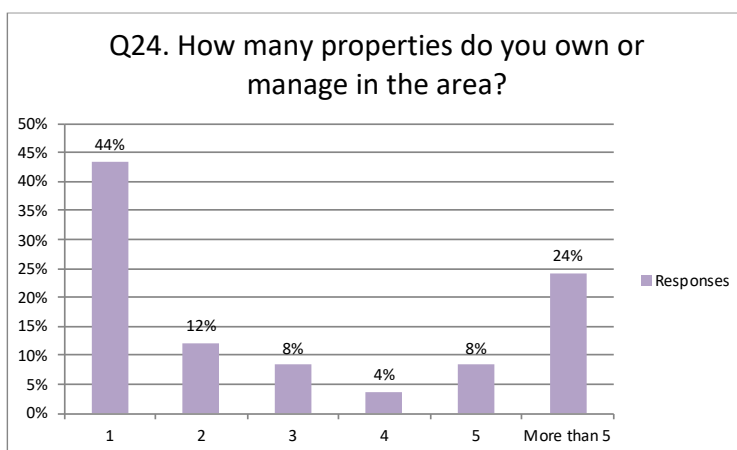
Landlords, agents & property ownership

2.30 There were 101 responses from landlords, 4 from letting agents and 2 from managing agents (Q23 below).



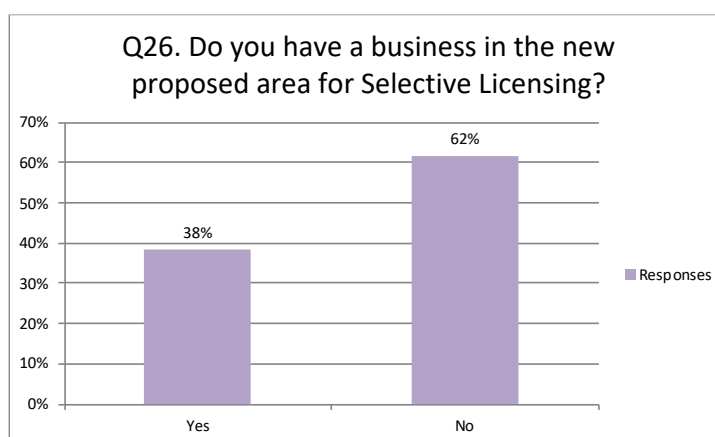
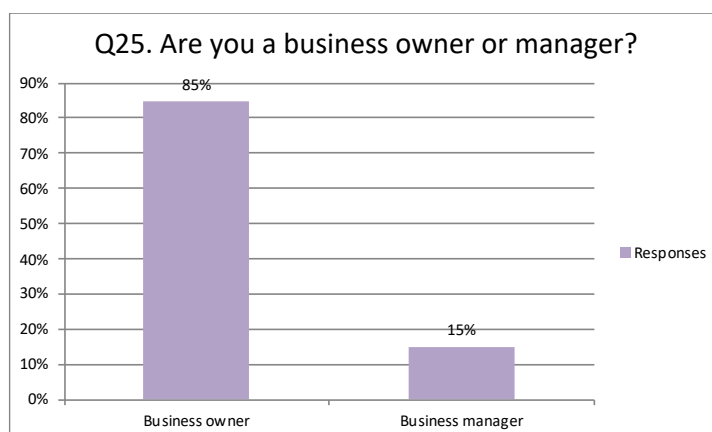
2.31 The majority of respondents were small landlords. 56% stated that they owned or managed one or two properties in the proposed area (Q24 below). 44% indicated

that they owned or managed three or more properties in the area and 24% indicated more than five.



Business responses

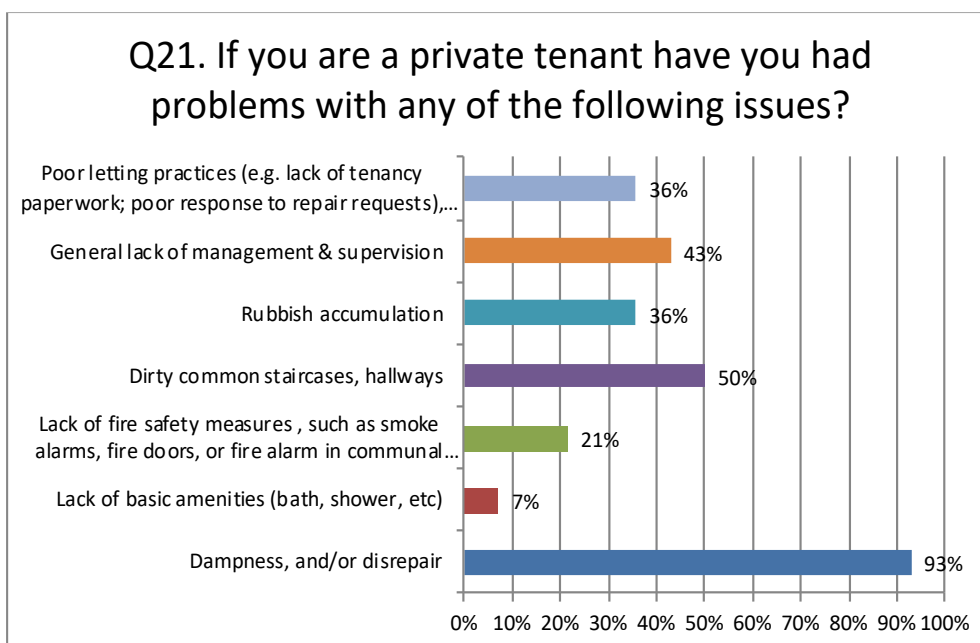
2.32 There were 20 responses from businesses; 17 from business owners and 3 from business managers (Q25 below). 38% were involved in businesses within the proposed Selective Licensing area (Q26 below).



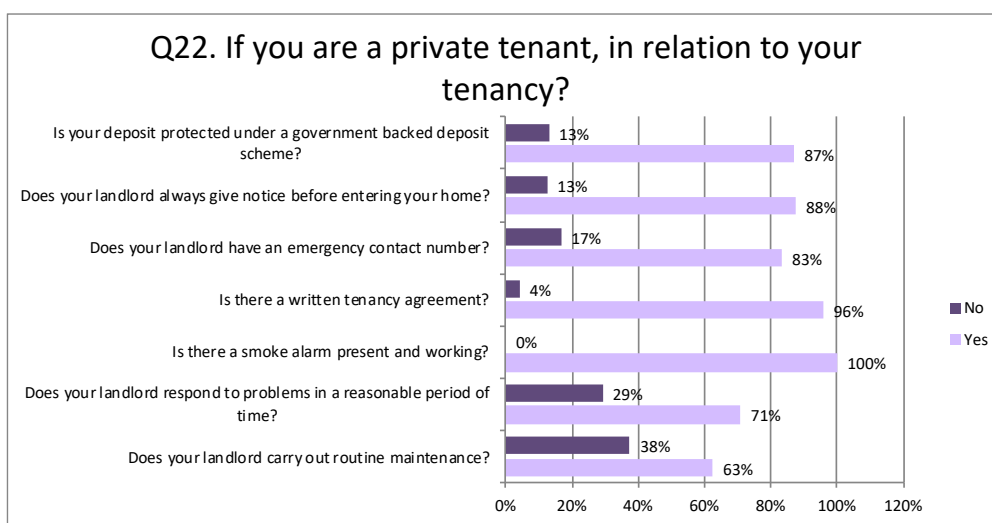
Private tenants' views

2.33 An improvement in management standards is a desired outcome of the 2015 Selective Licensing scheme and the measurement of tenant satisfaction with their

living conditions is one means of assessing this. The report on progress and future options³ prepared for the consultation exercise considered information about tenant satisfaction with their living conditions from the HSCS 2016 stock survey. This provided a useful baseline in 2016 and the report recommended that questions included in the stock condition survey be repeated at an appropriate point to help inform the decision about any future Selective Licensing scheme. The consultation questionnaire provided an opportunity to achieve this and thus private tenants were asked similar questions about housing conditions and letting practices concerning their current accommodation. The response to Q21 below shows that 93% of private tenants reported problems of dampness and disrepair, 21% reported lack of fire safety measures, 43% reported a general lack of management and supervision and 36% expressed concern about letting and management practices.



2.34 The response to Q22 below shows that with the exception of working smoke alarms, where all tenants were satisfied they had one, to varying degrees landlords were



³ Selective Licensing in Hastings and St Leonards - Report on progress and future options - November 2019 - RJFP Resourcing Ltd

falling short on other issues. In particular, 38% of tenants felt that their landlord didn't carry out routine maintenance, 29% felt that their landlord didn't respond to problems in a reasonable period of time and 17% had no means of contacting their landlord in case of emergency.

2.35 The table below (Fig 2) compares responses from the recent consultation survey with those from the 2016 stock condition survey. Although the sample size of the consultation survey is quite small, the answers to the questions broadly mirror those of the 2016 survey. Notably, the responses suggest improvements in some areas, e.g. provision of smoke alarms, written tenancy agreements, government backed deposits and giving notice before entry. However, the position regarding carrying out routine maintenance and responding to problems in a reasonable period of time appears to remain broadly the same or if anything marginally worse. Regrettably, given the small sample size, it is not possible to reach firm conclusions.

Fig 2. Private rented sector - Tenant satisfaction with living conditions		
Issues arising	Private tenants who answered 'Yes'	
	Stock Survey 2016	Consultation 2020
Is there a written tenancy agreement?	91%	96%
Was deposit NOT protected under a government backed deposit scheme?	20%	13%
Does the landlord respond to problems in a reasonable period of time?	78%	71%
Does the landlord have an emergency number?	85%	83%
Does the landlord carry out routine maintenance?	65%	63%
Does the landlord always give notice before entering the property?	78%	88%
Is there a smoke alarm working and present?	82%	100%

Source: Consultation Questionnaire 2020 & HSCS 2016

Online survey comments

2.36 Survey participants were invited to leave written comments on a number of issues, such as future licence conditions, potential impact of licensing on poor property conditions, management, anti-social behaviour, and deprivation and general comments about the proposed scheme.

Future licence conditions

2.37 The comments made about licence conditions are set out at Appendix 1. In summary, the key points made are as follows:

- Rethink annual PAT testing
- Electrical wiring inspections
- Evidence of compliance with fire safety
- Sound proofing between flats
- Child safety - window catches
- Regular (quarterly) property reviews by landlords

- Energy efficiency requirements hard to achieve
- Include leasehold requirements re noise, rubbish, etc., in licence conditions

2.38 Many respondents used this field as an opportunity to give general comments about the scheme and on the whole these mirror comments made by others in the general comments section, so are not repeated here.

Impact of licensing on poor property conditions, management, anti-social behaviour, and deprivation

2.39 The comments made on the likely impact of licensing are set out at Appendix 2. In summary, the key points made are as follows:

- Property conditions and management
 - Inspect more properties to check on quality and that information provided is correct
 - Tougher fines needed for poorly managed properties
 - Freeholders of apartment blocks need to be more responsible
 - Make tenants more aware of their rights and flag up poor condition properties so tenants are aware that they are unsuitable
 - Reduce Council Tax on empty properties to help improvement works
- Enforcement
 - Be more pro-active at identifying landlords with poor condition properties
 - Prosecute and fine non-compliant landlords rather than make all landlords pay for licensing
 - Prevent non-compliant landlords from renting out property
 - Focus on larger scale landlords rather than small landlords
- Anti-social behaviour
 - HBC needs to demonstrate how they plan to enforce the scheme to address ASB
 - Better education, life opportunities and support for vulnerable people to help prevent ASB
 - More support needed for landlords to deal with tenant ASB from HBC and the police
 - Greater police presence and get outlets selling all-day alcohol to contribute
- Rents
 - Licensing just pushes rents up - promote opportunities for tenants to communicate issues
 - Increase level of housing benefit to cover the full rent
- General comments
 - Make more accommodation available for the homeless to help avoid rough sleeping

General comments about the proposed Selective Licensing scheme

2.40 The general comments made about the proposed scheme are set out at Appendix 3. In summary, the key points made are as follows:

- Proposed Scheme Area
 - Taking Ore ward out of the scheme is sensible
 - Remove other less problematic wards from the scheme, e.g. Old Hastings
 - Not fair that only some parts of Hastings have licensing
- Fees & Scheme Costs
 - Proposed cost of a licence is way too expensive
 - Why no 'early bird' discount as for current scheme
 - Cost of renewing an existing licence way too high given amount of work involved
 - Renewals should involve a smoother process
 - Unlicensed landlords should pay a higher fee
 - Scheme doesn't give enough capacity to inspect all properties
 - No charge if a property complies with all the rules and was licensed under the current scheme
 - Discounts needed for good landlords
 - Not fair to offer discounts to those who are members of professional associations
 - Concession needed for landlords who own the freehold and all the flats in a building
- Impact on Rents
 - Landlords will pass the cost on to tenants. Concern of tenants and confirmed by some landlords
 - Better for licence costs to be used to carry out maintenance
- Harmonising with HMO Licensing
 - If a building has an HMO licence separate licences should not be required for each flat
- Alternative approaches
 - Inspect PRS properties and take action
 - Target poor landlords and charge them a fee
 - Tougher penalties for rogue landlords
 - Fees being paid to managing agents so perhaps they should be licensed
 - Get landlords to sign up to a code of conduct with serious consequences if they let poor condition or unsafe properties
 - Encourage landlords on environmental issues
- Communication about licensing
 - Many landlords do not know about the current scheme, better publicity and targeted information is needed for landlords and agents
 - Perhaps a joint venture with estate agents to ensure properties are licensed before renting them out
- Properties being withdrawn from the PRS

- Licensing will result in more landlords switching to holiday lets and Airbnb
- A discount for good landlords might stop them selling up
- Ultimately loss of properties to the PRS will create a housing shortage
- Opposition to Selective Licensing
 - Licensing penalises good landlords, concentrate on the bad ones
 - Rogue landlords will avoid licensing
 - Just a money-making scheme as paying for a licence doesn't mean the property will be inspected
 - Another tax on landlords
 - All the money spent on licence fees could be spent on maintenance
- Impact of licensing
 - Number of properties inspected, action taken and improved is very low
 - Noticeable improvement to properties in the area due to the scheme
 - No apparent difference between Hastings and Ramsgate where there is no licensing
 - Scheme is a good idea but the cost to good landlords with well above standard properties is too high
- Anti-social behaviour
 - HBC statistics show that licensing has no effect on ASB it is probably making things worse
 - Inadequate policing of ASB
- Other issues
 - Rethink annual PAT testing
 - Ward boundary changes have brought some properties into the scheme area e.g. from Maze Hill ward - owners should not have to pay full licensing fee
 - Licensing is affecting trust between HBC and private landlords
 - Owner-occupiers renting out basement flats should not be covered by the scheme

2.41 Two landlords used the general comments field to make individual reasoned submissions. One states that they represent a group of landlords and agents who between them own/manage 7,500 properties in Hastings and St Leonards. They challenge the view that 'licensing does not appear to be having a negative effect on the PRS, which continues to grow'. They make the point that landlords have not seen a negative effect as they have increased rents to cover costs but this and the high demand for rented accommodation is having a negative impact on tenants and the costs associated with homelessness. Their position is that good landlords are not against licensing, but HBC should reduce the cost of the licence so that rents do not have to be increased above inflation. In the event that licensing costs cannot be brought down they urge HBC not to bring in the scheme and instead use its Housing Act powers to deal with rogue landlords and the Police for anti-social behaviour. The

other submission is from an individual landlord who challenges the rationale and the need for the scheme and urges the decision makers to vote for 'Option 1: Do nothing'; by this is meant that the Council should continue in its work to assist tenants, as it does in other areas of the borough, without Selective Licensing. Both submissions are included in full at the end of Appendix 3.

Consultation Public Meetings

2.42 Two consultation public meetings (daytime and evening) were held in January and HBC officers attended a meeting called by the National Landlord Association in February to present information about the proposals and answer specific questions. The meetings were well attended and reached out to in excess of 120 people. The vast majority of attendees were either landlords, managing agents or letting agents.

2.43 The meetings enabled detailed discussion of many of the concerns and issues raised in comments left on the online survey. A summary of the discussion and key issues raised at the meetings is available at Appendix 4. Much of the discussion focused on the cost of running a future scheme and the level of fees, particularly where properties were already licensed and had met the required licensing conditions and housing standards. For the most part the discussion was constructive and provided HBC officers with the opportunity to provide clarification on key points but also to take on board feedback from landlords with both large and small portfolios for further consideration.

2.44 A list follows of the main issues discussed:

- Fees and cost of running the scheme
- Streamline fees for compliant landlords with current licences
- Charge higher fee for those landlords who avoid licensing
- Payment of fees by instalment for all landlords
- Impact of licence fee on rents and vulnerable tenants
- Abolition of Section 21 ground for possession and effect on homelessness and ASB
- Adverse impact of benefit rent cap and avoiding overcrowding if landlord offers smaller accommodation
- Energy efficiency and difficulties in achieving new Band E requirement in older buildings
- Harmonising HMO Additional Licensing with Selective Licensing
- Leaseholders with shared freehold
- Impact of licensing on anti-social behaviour and support for landlords
- Effect of ward boundary changes
- Improvements in housing conditions lower than might be expected
- Impact of licensing on Empty homes
- Tenancy management data only from tenants' perspective
- Success measures and outcomes - better targets required
- Unlicensed properties need to be HBC's first priority
- Holiday lets and Airbnb likely to grow as a way round licensing

3. Key Stakeholder Views

- 3.1 15 separate written submissions were received during the consultation as follows:
- 10 - landlords
 - 2 - landlord organisations
 - 1 - letting agent organisation
 - 2 - statutory organisations, e.g. Police, Director of Public Health
- 3.2 Responses from individual landlords on the whole mirrored comments from the online survey and these are covered by chapter 2 and in appendices 1, 2 and 3. However, important submissions were received from two landlord organisations, the Residential Landlords Association and the National Landlords Association. A written submission was also received from 'safeagent' an organisation that licenses letting and managing agents.
- 3.3 Submissions were also received from the East Sussex Director of Public Health and Sussex Police.
- 3.4 Copies of the detailed submissions are attached at Appendix 5. The key points raised by each organisation are summarised below:

Residential Landlords Association (RLA)

- Electrical and PAT testing conditions are unlawful and should be removed if the scheme is approved
- Little evidence that licensing improves housing conditions. Scarce resources should be directed at using Housing Act powers to identify PRS dwellings and take action where necessary.
- Landlords may become risk averse to the type of tenants they let to and this could lead to increased homelessness and pressure on other statutory services
- There are over 150 acts of parliament and more than 400 regulations affecting private landlords available to the Council to deal with problems and these powers should be fully used.
- The Council has access to the Controlling Migration Fund and this provides resources to help tackle rogue landlords and drive up standards.
- New legislation is also becoming available to provide guidance and support to local authorities in dealing with letting agent requirements.
- The Council should look at alternatives to licensing such as using Council Tax records as a means of more effectively identifying and targeting properties owned by criminal landlords to root them out of the sector.

National Landlords Association (NLA)

- Landlords have very limited authority when dealing with matters related to anti-social behaviour, especially if it happens outside the curtilage of the property.
- The scheme should take into consideration the proposed changes to Section

21. A tribunal service to solve issues before they escalate.

- The interaction between adult social care/children's services will have to involved as many tenants have mental health, alcohol, or drug related illnesses. How will this work – we would like to work with you on this issue?
- The Council should establish a system to prevent malicious claims of poor property being made, which could result in high costs for the landlord and the Council.
- The Council should publish a strategy for dealing with chaotic and antisocial tenants. This should run in conjunction with the current proposal.
- An issue for landlords is tackling waste left by tenants. Access to removing this will prevent conflict between parties
- The Council should work with landlords on tackling rent-to-rent and subletting, including Airbnb.

East Sussex Director of Public Health

- Supports the Council's proposal to introduce a new Selective Licensing scheme for privately rented homes in parts of the town.
- Housing is one of the major determinants of health; one cannot maintain good health without good housing, and we all have a role to play in ensuring that everyone has a decent home that meets their needs.
- Poor and unsafe housing can occur across all forms of home ownership and occupancy, but in general, and in East Sussex, the private rented sector has the highest rates of poorer housing. Homes in the private rented sector also have higher levels of damp than other sectors, are twice as likely to be in poor condition and one in five households within private rented accommodation are fuel poor.
- A growing proportion of the population now live in privately rented properties. Tenants often feel insecure in their housing due to the shortness of contracts and seeming lack of legal protections.
- The 2017 East Sussex Community Survey showed that 7% of respondents in Hastings reported dissatisfaction with the quality of their housing, which was significantly higher than the rates in Rother (3%), Wealden (3%) and East Sussex as a whole (4%). Importantly, the survey also found that people who rent privately were most likely to be dissatisfied with the quality of their housing (14%).
- Need to aspire for better conditions in private sector housing because the quality of housing impacts so significantly on the health, wellbeing and overall life experiences and opportunities of its occupants.
- Impact of poor housing on the health of East Sussex residents is such a concern that the Director of Public Health's Independent Annual Report for 2019/20 is dedicated to this issue (www.eastsussexjsna.org.uk/publichealthreports).
- Recently published independent review of the use and effectiveness of selective licensing has indicated that selective licensing can be an effective policy tool, with many schemes across the country achieving demonstrable positive outcomes.

- Collaborative working on fuel poverty reduction is just one example of how the scheme has supported the health and social care system more widely. Selective Licencing has enabled better promotion of initiatives that help residents keep warm and well at home, e.g. East Sussex Warm Home Check service and the NHS project funded to offer new heating systems for vulnerable households in target wards within the borough.
- Better collaboration has enabled the challenge of poor practice and provided a useful lever for improvement.
- The proposed new scheme will strengthen this ongoing work to improve the estimated 1,000 privately rented homes within the borough that fail current housing standards and up to 1,000 homes that fall below the minimum Band E rating required under the domestic private rented property minimum energy efficiency standard.
- The proposed focus of the new scheme is supported and its intention to address the significant numbers of private rented homes that have poor housing conditions is welcomed.

Sussex Police

- Welcome the renewing of Selective Licensing and placing of greater responsibility on landlords to ensure that the properties they are offering are decent and fit for habitation.
- Would welcome a mechanism for making referrals to HBC licensing team
- Give consideration to enforcing security on derelict or empty properties undergoing renovation as youths gaining entry is an ongoing issue for the police and the fire service.

Safeagent

- Supportive of initiatives such as Selective Licensing, providing they are implemented in a way that takes account of the Private Rented Sector's own efforts to promote high standards.
- Positive engagement with voluntary schemes and the representative bodies of landlords and agents (such as **safeagent**) is essential to the success of initiatives such as Selective Licensing.
- Lettings and management agents have a key role to play in making licensing, accreditation and other, voluntary regulatory schemes work effectively.
- Welcome the targeted nature of the licensing proposals
- Flexibility needed on the fixed 5-year term fee - not reasonable to charge the full fee where landlords and agents take on properties part way through the life of the scheme.
- Support shorter licences for landlords unable to supply required supporting documents but only if a pro-rata fee is introduced for compliant landlords or agents
- Support higher fees for landlords who do not apply for a licence and have to be chased by the Council but only if a pro-rata fee is introduced for compliant landlords or agents
- The proposed licence fee is reasonable

- HBC urged to offer fee discount of £100 for agents who are members of **safeagent** where they are the licence holder or for landlords who engage agents that are members of **safeagent**
- Waive the licence fee where a landlord is assisting HBC by offering accommodation to meet homelessness duties
- Support the proposed licence conditions but would welcome other conditions, e.g. related to tenant referencing, tenancy management and training for agents.
- Support HBC's drive to improve property standards and the inclusion of a condition requiring an EPC to be in line with the new energy efficiency regulations.
- It is not reasonable to expect agents and landlords to play a disproportionately large part in tackling anti-social behaviour as the causes are many and varied; landlords and agents have clear responsibilities to manage their properties professionally but cannot reasonably be expected to tackle wider social problems.
- It is important that lettings and management agents belong to recognised accrediting bodies who themselves apply a 'fit and proper' person test and appropriate complaints procedures.
- HBC's extensive evaluation of the existing scheme is welcomed. Regular information in a clear and consistent format should be provided for landlords, agents and other key stakeholders.
- Discounted fees for **safeagent** members would be a significant incentive to positive engagement by agents. In return, the Council would experience reduced administration and compliance costs.

4. Key Issues for the scheme arising from consultation

4.1 The following table provides a summary of the key issues raised that will need consideration if the proposed Selective Licensing scheme were to go ahead.

	Issue
1.	Reduced fee for those landlords who already have a property licence under the current scheme
2.	Enable fees to be paid by instalments
3.	Discount for 'early bird' applications
4.	Discount for members of landlord or letting/managing agent organisations, e.g. RLA, NLA, 'safeagent'
5.	Transitional arrangements need clarification for landlords with licences under the current scheme
6.	More transparent success measures are needed to show whether or not the scheme is being effective, with regular progress reporting for key stakeholders
7.	Harmonise HMO Additional Licensing with Selective Licensing and clarify the position where the freeholder also owns all the flats in an HMO
8.	Prioritise identifying and inspecting unlicensed properties
9.	Charge a higher fee for those landlords who have avoided licensing their property
10.	Remove electrical inspection and PAT testing from licence conditions
11.	Do not include achieving Band E energy efficiency rating in licence conditions, as covered by other legislation
12.	Penalise non-compliant landlords where their property is found to be below standard and levy increased fees to cover costs of investigation and enforcement
13.	Provide support for landlords and agents to help tackle ASB and develop a partnership approach with HBC and the police
14.	Provide clarity for the position of leaseholders who share the freehold
15.	Improve publicity and information about the scheme for landlords and tenants; make tenants more aware of their rights and good properties
16.	Consider action to deal with the increase in holiday lets and Airbnb

5. Conclusions

- 5.1 The relatively low level of responses to the consultation exercise from private tenants and other residents is disappointing but nonetheless the consultation has highlighted a broad range of views together with a lack of consensus about the likely effect of licensing on improving housing conditions. The majority view of private tenants (50%) who support the scheme contrasts with strong opposition from private landlords and landlords' associations, 73% of whom oppose licensing. By contrast 67% of letting agents were in favour of a scheme. Many are critical of licensing in principle as in their view it penalises good landlords unfairly and is tantamount to an additional tax on the sector. Some question the impact of the 2015 scheme and whether it has contributed to the reduction in ASB or delivered significant improvement in housing conditions. Landlords and agents felt they should not be held responsible for the actions of tenants in causing problems of ASB, because they were unable to control their behaviour.
- 5.2 Concerns were expressed by landlords and tenants alike that the cost of licensing would be passed on to tenants, many of whom are vulnerable and on low income. Those on benefits affected by the cap on rents would need to pay for this additional cost out of other benefit income.
- 5.3 It is unsurprising that no overall consensus about a new licensing scheme emerged in the consultation, but it has identified a range of important issues for HBC to consider based on those who have experienced the operation of the current scheme. Landlords and agents criticise the costs and the unfairness of charging good landlords as well as bad and would prefer a scheme that is funded by higher penalties for those who deliberately aim to evade licensing. Many are suspicious that licensing is a money raising exercise for the Council.
- 5.4 The separate written submissions and wide-ranging comments from the online survey, all make important contributions to the debate about the merits of licensing. Some respondents have made suggestions to make the proposed scheme more palatable for them should it go ahead, and these are listed in section 4 above. These suggestions are welcome, and it is important for HBC to give them full consideration. Submissions from the RLA and the NLA focus on the legality of the licensing proposals and alternatives to licensing. They urge HBC to look at alternatives to licensing as in their view it does not work and to consider developing a partnership approach with landlords to help achieve improvements in the PRS.
- 5.5 The East Sussex Director of Public Health wholeheartedly supports the proposed focus of the scheme and its intention to address the significant numbers of private rented homes that have poor housing conditions because the quality of housing impacts so significantly on the health, wellbeing and overall life experiences and opportunities of its occupants. Sussex Police also welcome the proposed scheme as it will place greater responsibility on landlords to ensure that the properties, they are offering are decent and fit for habitation. All of these differing views clearly raise important issues for the Council to consider.

6. The way forward

- 6.1 It is not appropriate for this report to make recommendations to HBC based on the consultation exercise. The consultation has highlighted opposing opinions on licensing. Tenants largely support licensing, although some do have reservations or oppose it. Whilst landlords on the whole are opposed to it the majority of letting agents who responded support the proposed scheme. Other residents are split evenly on support and opposition to the scheme. However, the sample size of respondents to the consultation, especially from residents and tenants, is relatively small and it would not be appropriate to simply base a decision on a majority view. The strength of the arguments and the evidence put forward by both sides needs to be appropriately considered and the merits of different positions given careful consideration. Consequently, the role of this report is to present an analysis of the information, views and opinions expressed during the consultation but not to recommend any particular option or way forward.
- 6.2 HBC will need to base its decision on whether or not to proceed with the proposed Selective Licensing designation in the six wards, having regard to its understanding of the law, the strength of the evidence concerning poor property conditions and the PRS weighed against the outcome of the consultation process. Senior officers and elected members must review the issues that have emerged from the consultation while taking account of other relevant evidence. This will inform the final decision by HBC Cabinet members who will need to assess the relative merits of the Selective Licensing scheme before adopting or rejecting it.

Appendices

1 - Comments on Selective Licensing scheme conditions

2 - Comments on dealing with poor property conditions, management, anti-social behaviour and deprivation

3 - General comments about the Selective Licensing scheme proposal

4 - Key issues raised at consultation public meetings

5 - Submissions from key stakeholders

6 - Equalities Information

Appendix 1 - Comments on proposed Selective Licensing scheme conditions

Question 18: Please suggest any other conditions you think should be included in the licensing scheme.

Issue	Comment
<p>Comments on conditions</p>	<p>You should re-Think need for annual PAT testing, no foundation for this - just a burden.</p> <p>Remove Annual PAT testing, no basis for such regular testing - most items, fridge, freezer, washing machine, dishwasher supplied by my landlord do not have plug handled and annual checks not substantiated. I don't want an intrusion for a low value test each year</p> <p>Ensure all properties are in line with statutory requirements well maintained with gas and electrical checks, that properties have to have tenancy contracts, register deposits, fire and carbon monoxide tests as a bare minimum and enforce these basic requirements!</p> <p>Evidence of compliance with fire safety - Fire Risk Assessment carried out</p> <p>Electrical wiring needs to be checked - many buildings have not been checked for a very long time and wiring may need to be replaced</p> <p>I think the managing agents for the common parts of the building should also have a licence. Although I keep my flat OK the common parts are dreadful, and being one of 18 flats in the block they do not take much notice of me. Also they never have an AGM to discuss problems.</p> <p>An adequate amount of sound proofing between flats.</p> <p>Conditions need to go further to ensure properties are maintained to a reasonable standard.</p> <p>Child safety - window catches</p> <p>Regular (quarterly?) property review by landlord. This might help prevent properties slipping into disrepair and any potential issues.</p> <p>It is nigh on impossible for some properties to achieve a rating of A-E , certainly without significant expense. Given that landlords are losing tax relief on mortgage interest, and forever having additional costs, such as this waste of time scheme to pay for, how do you expect them to be able to afford to increase EPC ratings further?</p> <p>Requesting feedback from neighbouring properties about the rented property.</p> <p>Consequences to the landlord for not fixing and maintaining their property as in the tenancy. In 2 separate properties now, the landlord has left me in damp cold conditions leading to my health deteriorating and having to fund yet another move.</p> <p>The Council also need to work with Residents' Management or Right to Manage Companies in purpose built blocks where there are a mixture of owner-occupied and privately rented flats and include lease conditions required to be met by all residents in the block as part of any selective licencing agreement - these will often include references to noise nuisance or inconsiderate disposal of rubbish.</p>

	<p>Single licence for flat owners who also own the freehold</p> <p>Overgrown gardens that endanger buildings, brambles in particular</p>
<p>Other comments</p>	<p>Do not extend it, it's caused increased rents. Introduce a licensing scheme for tenants, whereas they can prove they are fit to live in these areas. Check their behaviour background.</p> <p>Good landlords should be allowed to claim a rebate for maintaining the right level as many good landlords do; thereby penalising the real problem landlords who have created this problem.</p> <p>Dont agree with the licensing, i have already paid this</p> <p>Don't agree with the licensing scheme.</p> <p>The L.A. reps. are not qualifier to comment.....</p> <p>How much money did the council make off the scheme in the last 5 years and how much went back into tackling the anti social behaviour?</p> <p>We were charged £665 in October 2018, we will not be paying for a new license until the five years license period has expired.</p> <p>Some homes can not meet this grade.</p> <p>Its an absolute disgrace its just a money making scheme when our flats are let they are totally refurbished any problem that arises are handled immediately as our tenants would agree I have had in the past 3 separate lets where the flat has been totally trashed so the condition makes absolutely no difference to the quality of person you get one tenant was recommended by social services who inspected the property the lady that came enthused about the flat saying she would like to live there this tenant paid only 1 months rent and when she left the plumbing was badly damaged toilet smashed radiators ripped off wall and rubbish everywhere including used tampons another tenant turned the flat into a cannabis factory which we found on a routine inspection and yet another tenant in fact the first one we had who had taken the flat when everything was brand new cost us 10000 pound to refurb the flat after he left it was just after one of these tenants had left that we were first clobbered for 450 pounds for a licence can you wonder how angry this scheme makes me the crass stupidity of the hypothesis that is you get a flat licenced you will get a better type of person is in line with the idea that under the universal credit scheme rent allowance is paid to the tenant not the landlord because the poor will learn to manage their money better result mass evictions and hardly any landlords will take tenants in receipt of universal credit thus costing local councils a fortune in emergency housing costs I have absolutely no problem that there should be a law whereby landlords should be required to email gas and electric safety certificates to the council at the start of a tenancy but the rest of the stuff is ridiculous and the charge is onerous for the small landlord often like us oaps.</p> <p>The licence offered my landlord nothing of value. My landlord is good and does everything right first time and quickly. They were forced to buy a licence and my rent went up to cover the cost of this, but also again to cover the standard increase. The landlord had no choice and I'm annoyed the council made them get one in the first place.</p>

If I caused ASB issues, the licence wouldn't help the landlord sort it out, so it's not right to say that a licence would help with these issues.

I believe the licensing scheme should only apply to landlords that do not use management agents as many of the issues that are outlined above are not relevant to responsible landlords or those that are employing reputable management agents. I feel like this is a financial penalty for the behaviour of others. Whilst I understand the desire to improve conditions for tenants of irresponsible landlords, there should be some way of making it apply to only those that are problematic. I am paying simply to be on a list held by the Council. I see no added value as there have been no checks on me or my property that I am aware of.

I did not find it at all easy to find the key points of the new selective licensing scheme within the report, so could not respond with informed answers to those questions here. Could these be provided in short summary points on your website? It isn't easy to understand how the scheme might be changing...

I've already been told to expect another rent increase to cover the cost of legislation for the building and I'm on low income (but can't get any social support).

Social landlords have loads of ASB issues but don't have to licence! It's a rigged system to tax people more.

Penalties and higher rates for regular landlords with out licenses.

Penalties and higher rates for landlords who have several properties in disrepair.

I don't believe the existing scheme has been effective, and as proposed I don't have any reason to believe the new one will be either. With improvements in landlord/tenant legislation and legislation to improve property quality, licensing schemes simply duplicate existing legal provisions for no additional benefit and extra costs to landlords. This is expenditure by landlords that could be directed into property improvement

I think you should give a discount to Landlords who have had a Selective Licence previously.

Selective licensing discriminates against good landlords financially. I pay a property management team to upkeep my property and then I pay again. Why? Another tax that's why. Your not interested in people only money. More red tap and bureaucracy you love that. Basically if do a good job you don't pay but that's not what this is about. Control and tax. That's what this is about.

I think you should take action against those who do not have a licence.

What about licensing tenants? In the block where I live it's the behaviour of tenants and not the state of the rented flats that's the issue!

Financial penalties should be imposed on landlords, who do not complete the licencing process once they have been identified and those that do not comply with ant requirements within a period of time (say 3 months).

That those properties that are currently licenced and have no adverse conditions and have an EPC of E or above should pay a reduced fee for renewal of a licence.

I think the council should look to take action on ANY building owner that causes problems, regardless of being a landlord or not.

Under the current licensing scheme, serious disrepair and anti-social behaviour, including criminal activities and behaviour including sexual harassment and discrimination by landlords is not being taken into account. All it's done is increase the rental costs in the area.

Seems like you've already decided. Putting the CON in consultation. No doubt this shall be passed over.

I am a good landlord and always have been, yet I'm being punished by an extortionate licence fee and additional paper work. It's like charging everyone for speeding, when of course, most people are innocent. Charge a fee for those with properties in poor condition.

I think the entire cost of rent needs to be reviewed and far across the board. People are living on the bread line whilst landlords benefit.

How can the same house cost £1000 to rent and only £400 social housing. If this was regulated people would be in a much better situation . The government penalise you for trying to buy but quite happy pay housing benefit to greedy landlords.

No tenant should be discriminated against for ethnicity or anything else.

Tenants have a right to go to council to request a review of the licence if landlord does not maintain property to a suitable standard.

There should not be a license. You are charging good landlords a great deal of money to carry out the enforcement of standards you are supposed to carry out and do not. Licensing just sets staff to issuing licenses and administering them instead of finding and dealing with sub standard properties as you are supposed to do and for which taxpayers pay their Council Tax. This is an unfair supertax on landlords who do the right thing and obey the law

Actually doing something to the Landlords who do not have a licence.

Landlords with selective licences already in place AND properties in good condition should be "rewarded" by only paying an admin charge for renewal NOT a whole new licence

1. The whole proposed scheme is an unnecessary bureaucratic biased intervention.
2. Enviomental Health previously dealt with complaints of property condition.
3. Antisocial behaviour is a Police matter- who can remove people, and close the property.
4. Why selective, if you require more revenue increase council tax and close this extra department.
5. Tenants and Landlords are capable of negotiation their own requirements. (Historically the government decided I should live in a tent with day clothes a sleeping bag and a hole in the ground as a toilet at minus 15 deg C. I had a democratic choice - LEAVE)

A READABLE MAP WOULD BE USEFUL

All landlords should be "fit and proper persons" as per Taxi and Private Hire drivers and operators.

Appendix 2 - Comments on dealing with poor property conditions, management, anti-social behaviour and deprivation

Question 19: Do you have any suggestions for alternative ways the Council can address poor property conditions and management, anti-social behaviour and deprivation in private rented homes in Hastings & St Leonards?

Theme	Issue/Comment
Property Conditions & Management	<p>Get the grot busters off their backsides and pay them on results, there are many privately owned properties, in disgusting conditions.</p> <p>Inspect more premises when issuing licences to ensure information provided is correct</p> <p>By having tenants complaining and paying a visit to the property, no need to tax all landlords who are honest and considerate.</p> <p>Well as our flats are not in poor condition I cannot comment but I would think housing officers should inspect the flats one warning if the flats are not repaired in say two weeks have enormous fines that are transferred to pay for repairs and the salary of the housing officers if you could find something to make the tenants behave like not re housing them if they are evicted for non payment of rent or unsocial behaviour and that includes people with children</p> <p>Inspection regime to check on quality of housing provided</p> <p>The freeholders of apartment blocks need to be made more responsible. It is often the case that leaseholders try to get the freeholders to address repair and maintenance issues within the building which are ignored and delayed by the freeholder making the conditions for tenants worse. When asked for assistance the councils response is that it is the landlords responsibility, - however the leaseholders have no real means of forcing the freeholders to act. The council also needs to address the behaviour of certain tenants who carryout the antisocial behaviour, and the fact that some tenants choose to live in a deprived state. The only reason that landlords require deposits is because a small minority of bad tenants have no respect for the home that live in and damage it, and there is no real means for landlords to get the true cost of the damage repaid.</p> <p>Make tenants more aware of their rights, and publicise the environmental inspections available if conditions are substandard. Consider imposing punitive levels of licensing on landlords who abuse their tenants, or evict them when they complain. Publicise examples of good landlord/ tenant relationships.</p> <p>Flag up every property that is not suitable so that vulnerable tenants especially don't end up being consistantly abused by landlords</p> <p>Inspection of properties.</p>

	<ol style="list-style-type: none"> 1. Introduce more effective inspection of all properties and landlord compliance, perhaps, utilising rental agents or 'mystery shopper' tenants for information. You already make it mandatory for landlords to submit to Council existing legal certification, e.g, tenancy agreements, EPC, gas and electrical safety certificates. The law exists already to protect tenants, without requiring additional licensing. The full costs of any enforcement by the council for lack of compliance should be borne by the offending landlords, and not by those that are doing 'the right thing' by their tenants 2. Reducing council tax for empty properties so that landlords can do improvements without financial penalty I do not agree that licensing is effective. Currently, money that could be put into more effective inspection, is instead spent on administration on an unnecessary scheme that duplicates existing legislation. 3. Introduce improvement grants for qualifying properties in areas where you believe this would be beneficial for the local population 4. Allow landlords to consent to use of previous application data to reduce administration fees 5. Introduce KPIs into any licensing scheme and refund landlords if KPIs are not met 6. Introduce transparency into administration costs of any scheme, and introduce refund mechanism for compliant landlords if income from fines/penalties from non compliance exceeds administration costs 7. Introduce stage payments for fees 8. Remove other 'less problematic wards' from the scheme to improve enforcement and administration capacity, specifically I propose you remove Old Hastings, which is in the top three wards for highest percentage point reductions in ASB and also has one of the lowest growth in PRS properties (section 3.3). Your reported inspection rate (section 2.5) shows that intervention by council has improved only 300 of 3220 (9%) PRS dwellings failing the decent home standard. You clearly need additional capacity to make more statistically significant volume of interventions. <p>Use the rental address of the council tax to investigate whether the property is in poor condition, or simply the tenants would report it anyway if the condition is poor.</p> <p>Is there somewhere where a person can lodge complaint or comments regarding poor property conditions at this present time?</p>
Enforcement	<p>Focus on the larger scale landlords who are repeat offenders rather than the majority of good smaller scale 1-2 property landlords who are there trying to do their best in an environment which is becoming increasingly more legislative. Is there a way or identifying landlords who receive housing benefit from their tenants (as they are surely the more vulnerable tenants in terms of choice of housing stock) and ensure they fulfill their licensing requirements and housing standards.</p> <p>Instead of making all Landlords pay for a licence which then penalises responsible Landlord's, why not penalise the ones that aren't being responsible by fining those ones or placing prohibition orders on their properties so that they cannot let them out.</p> <p>You should target landlords/freeholders separately who do not maintain their properties and fine them, rather than imposing a tax for everyone which is totally unfair.</p>

	<p>Prosecute the 2,500 Landlords who do not have a current licence.</p> <p>Why do you not fine those landlords found to be behaving poorly in order to fund this program rather than punishing those landlords who are doing their bit? I comply with all that is required of me, but I feel like I am being penalised.</p> <p>More work needs to be done to track down the estimated 2,000 unlicensed privately rented properties. It is not fair on the good landlords or tenants that the rogues are allowed to sidestep the system and give the whole privately rented sector a bad name.</p> <p>The council need to be more proactive at following up on those landlords who don't have a licence - there are simple checks which can be done land registry v council tax records, housing benefit records etc, which can clearly identify landlords.</p> <p>Enforce recommendations from the environmental health team where there are several improvements required.</p> <p>The council needs to concentrate on enforcement of existing legislation before inventing schemes such as licensing. Few landlords trust the councils evidence, few landlords believe the true motive to be improving the PRS moreover the increased revenue licensing fees bring in.</p> <p>Crack down. Fine the landlords. Do it quicker as having to wait 3 months as a tenant is too long, when I've already given the landlord 6 months chance to fix it</p> <p>Poor Property - Serve the landlord/Owner a dilapidation order for any buildings to reach a basic required standard within 6 months with work starting within 6 weeks of notice.</p> <p>The Council already have enforcement powers and don't need to introduce licensing to improve rented properties.</p> <p>Yes, use existing legislation to identify rogue landlords who currently operate under the radar and don't apply for licences rather than targeting the good landlords who look after their properties and tenant welfare.</p> <p>Regular check of properties where complaints have been lodged and significant fines for landlords who refuse to deal with them.</p> <p>Deprivation - More needs to be done to prosecute those non-compliant landlords that have unsuitable property with the need to serve closure orders and not allow these units to be let. Give these landlords a chance then hit them with a big penalty if non-compliant</p>
<p>Anti-social behaviour</p>	<p>Anti social behaviour and deprivation would be better approached from an education angle. Better education and more life opportunities. People need support so they can settle in a normal life style. Some have mental health issues. The flat can be very nice but the tenant who has issues can destroy the flat. Universal Credit does not help. Education and better social services will improve people's living conditions.</p>

The council also need to demonstrate how they plan to enforce the rules of the scheme, we have anti social behaviour in our building and the landlord licence should be revoked but isn't so in extreme cases the licence is ineffective.

Keep property rental and anti-social behaviour separate... they are not linked .

yes, the police should be responsible as tax payers responsibilities as a selective licence payer as in other L.A.

The police dont want to deal with this issues. after i went to see then last year about a neighbour.

Active management. Not rehoming problem tenants. How do you justify that imposing a licence is a good way of stopping people drinking, not taking drugs, not carrying out criminal activity, and generally being antisocial. This is a problem with society, not one that is going to be solved by charging landlords licence fees for something that will not, in any way whatsoever resolve the issues faced today.

Fast track access to court if the need should come for a landlord to evict a tenant. Access to legal support to deal with ASB. The licence does NOTHING to help deal with these issues.

ASB was already on the decline before the current scheme was brought in - half of the 8 sets of statistics show this - dog nuisance and noise from parties were the only areas on the increase. HBC should already be inspecting all rented properties regularly starting with those rented by people on housing benefit as they are the most vulnerable and least likely to complain about conditions for fear of being evicted.

Support for landlords in removing anti-social tenants if needed.

Make it easier for residents to report issues anonymously. Anti-social behaviour is intimidating and poor tenant behaviour can seriously affect the lives of those in neighbouring properties.

ASB can only be solved by more police presence, and outlets serving alcohol. Many of the big tourist events are ruined for families by drunks. The venues who are serving all-day alcohol should be made to pay for extra police on duty.

Make it easier to evict nuisance tenants.

Invest in housing officers who can deal with the anti-social behaviour for all sectors as most is from social housing anyway

Look at local social housing, often used for anti social tenants from out of the area, Amicus houses are of poor conditions, tenants are problem tenants, why should private landlords have different standards to keep when the council housing does not set the example, it's just a money making scheme.

Invest more in social care, activity centres, youth clubs, mental well-being help and other under-resourced social areas that causes the problems in the first place.

	<p>Anti-Social Behaviour - Ensure that the streets are maintained to a better standard than they are at present. Too many roads look scruffy with lack of attention given to weeding a plant/bush cutting. More glass recycling availability. Try to eliminate those retailers selling cheap alcohol. Try to accommodate the homeless.</p> <p>The anti-social behaviour (alcohol, drug taking and especially drug dealing) takes place away from rental properties and needs greater monitoring by police/council</p> <p>Better Policing and assistance in quickly evicting bad tenants</p> <p>Use HHSRS to deal with property conditions and the police for anti social behaviour - how can a landlord be responsible for the actions of their tenants?</p> <p>It is very difficult to encourage tenants to respect properties even when it is in their interest to do so.</p>
Rents	<p>They should increase the DHS payments towards rents. My tenant has never had an increase in 4-5 years of living there, and yet costs to me as landlord have increased, and I could certainly get more rent if I let to someone in the private sector. It is not fair to expect tenant to pay increase out of own social security payments (as suggested to me by letting agent) as they don't have much.</p> <p>Promote opportunities for tenants to be able communicate issues. Licensing is not the answer - it just pushes rents up.</p> <p>Bad idea = higher rent = tenant tax</p>
General Comments	<p>Chase and prosecute bad landlords, do not use good landlords as a cash cow for the Council to plunder at will!</p> <p>These questions are rigged to make you answer in a certain way. They are not neutral and it seems sneaky of the council trying to manipulate the answers they want.</p> <p>Use legislation we already have to hand and in particular charge / prosecute the bad landlords instead of bashing all landlords, in particular the good ones (because they apply and pay quickly). In my opinion the scheme is just a money-making exercise for the Council.</p> <p>Instead of penalising the good landlords (because of course it's the good ones who pay up as directed), make bigger fines, assert them and hold them to account when a bad landlord is identified. Stop attacking the good landlords.</p> <p>Use current budgets more wisely and don't burden tenants and owners with the additional cost The selective licensing scheme is only fuelling the shortage of available property to rent in Hastings and Saint Leonards area as landlords find there are fewer incentives to invest in property to rent. Invest in existing resources to enable the authority to respond in a quicker more effective manner when tenants approach the council for specific issues with their housing.</p> <p>I consider myself to be a "good" landlord. I feel penalised by the scheme. Good landlords should receive a deep discount and/or exemption.</p>

If the council truly cared about the conditions of property they wouldn't charge such a high rate for a licence. I've had a license from you and all you did was visit the property once, add my documents to the file and charge around £700 for the privilege. How do you think this is reasonable?

More accommodation should be made available for homeless. It is unacceptable in a historic and tourist town to see people sleeping in doorways or by the sea.

I have paid my license for several properties on time, supplied certificates for all properties on deadline. I do the utmost to deal with all my tenants issues and maintainance quickly, with minimal inconvenience to all my tenants. I have never had a property visited by the licensing schemes representatives. So, I think this scheme is vindictive towards good landlords and a way for the councils to make a quick buck, it's outrageous! This time and man power should be used to get inspectors out into the rental community to inspect. Not sit in a nice warm office and paper shuffle.

Leave the good landlords alone ... you know who they are. Spend your time getting the bad landlords and make them pay. Don't penalise the good ones by making them pay for the bad ones. Get staff in to do the job too, which you don't at the moment

I am a good landlord and always have been, yet I'm being punished by an extortionate licence fee and additional paper work. It's like charging everyone for speeding, when of course, most people are innocent. Charge a fee for those with properties in poor condition.

As always is a money grab. I go inside a lot of council owned or housing association houses for my job, some of them are dreadful. Sort your own house out before taxing others.

Yes. If a tenant complains, sort it out. You don't have to tax everyone. Get the bad guys, but this is about money. As always. Why £500 for a license. Why not £50, but who's pension does that pay for.

HBC needs to concentrate in putting its own housing stock in check first before attempting to interfere in the private sector. We have experienced little or no evidence of improvement in our area since its introduction, and whilst in theory the scheme has suggests positive attributes, it appears to not be being policed correctly and more of a way of generating income as a stealth tax rather than improve standards.

It is your business to do that not landlords'. You could survey tenants, you could make visits you could check registers of gas safety certificates to see where known rented houses haven;t got them You should have been doing this for years. You could have landlords self certify by sending you copies of the documents required. I don't see any evidence whatsoever that you have been proactively carrying out any of your duties better because you have extracted large sums from landlords, equivalent to an entire month's rent in many cases.

Would be better to target the landlords doing a bad job rather that place financial burden on all landlords which drives rent up

The council was doing this effectively before the Selective Licensing Scheme.

	<p>YES, Build houses in competition with the private sector. They could reduce rent by, save 20% on VAT save on "in house bureaucracy". This would put the "bad" landlords out of business. It has been done before. After the first and second world wars.(town of Peacehaven WW!, Pre-fabs WW2). I understand some Park Homes and Container Homes are better than the Private Rented Sector's offerings and would fulfil HMG's requirement to build more homes by LA's reporting all development land available. Aided by the Planning Inspectorate.</p>
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Appendix 3 - General comments about the proposed Selective Licensing scheme

Question 20: Any other comments you wish to make about the proposed new Selective Licensing scheme in Hastings (also includes individual responses received by email)

Theme	Issue/Comment
Proposed scheme area	<p>Think that taking ore out of scheme is sensible considering low level crime & property of good standard overall.</p> <p>We fully support the move to remove the Ore Ward from the licensing schme. As a responsible landlord I have questioned the assumption that the property condition is the cause of poor and antisocial behaviour. I can assure you - my properties have always been well maintained and yet my tenants have in the past left it in a dreadful state and caused antisocial problems to neighbours. That is a reflection of wider social issues/poverty/lack of education rather than the housing stock per se. As a result after 15 years of being flexible I have decided to no longer take Housing benefit tenants, which is a real shame as i fundamentally believe everyone deserves a good home irrespective of income or job status.</p> <p>Why is only some parts of Hastings have licensing, it is not fair.</p>
Fees & scheme costs	<p>I am landlord of three licensed properties. I note that the proposed new scheme splits the fee into admin and enforcement.</p> <p>For properties that will simply be renewing an existing licence, and which have already been inspected, I do not accept that the either proposed fee - but especially admin - accurately reflects the Council's costs. Please explain how the figures have been derived.</p> <p>I think the cost of licensing is too much and will be pushed onto tenants. I can't see a justification unless it increases staff capacity to follow up with buildings in disrepair, which I don't think this does.</p> <p>You should be able to 'renew' existing registered Landlord's licenses with a smoother process. Existing Landlords should just supply up to date certification and pay a smaller fee for this. Unlicensed Landlords should pay a higher amount for not coming forward voluntarily and for the higher amount of paperwork that will need to be processed.</p> <p>There should be a concession for Landlords that own all the flats in the building and own the freehold. Currently I have 4 Selective Licences AND an HMO licence. This seems excessive and is extremely expensive.</p> <p>Discounts for Landlords with a consistent good record?</p> <p>The Council already has the details of Licence holders so, with our permission, they should be able to re-use our information therefore reducing the costs.</p>

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Whilst I have no real objection to the selective scheme. We are responsible landlords and keep our properties in good condition. To have to pay a significant fee is to our mind inequitable. Also it would be good to see some serious control of air B&B which needs the same level of control.

Whilst I am in agreement with addressing these issues, the current licence feels like a penalisation of landlords. The cost is exorbitant to begin with, and after the initial licence, subsequent licences purchased by the same landlord for the same property should be reduced. Decent landlords are being punished for those who do not take responsibility.

I think that this licensing scheme is unfair on landlords. Whilst I support raising standards, it feels like more of a penalisation of landlords than an aim to improve things. The cost is outrageously expensive and after the initial licence is set up, should be reduced for further applications of the same property and landlord.

I do not mind paying the Selective Licensing, although currently far too expensive. If it worked, and properties were inspected, and some of the social issues were tackled.

There should be a simplified scheme for existing selective licence holders, who have complied with all the requirements. This could be an online format completed by the licence holder with a much reduced fee. Additional fees could be charged out for inspections to properties and the licencing team should aim to inspect all the properties within the 5 year scheme period. Much higher fees could then be charged for the rogues that have to be chased to join the scheme.

Costs must be kept to an absolute minimum and the council must be able to demonstrate that the licence fee only covers the cost of the scheme and no more. Consider that landlords will pass these costs on to tenants. Only today, I was looking at 2 bedroom properties in Hastings and the cheapest I could find was £550 per month. All the others were over £600. The LHA rate for 2 bedroom is currently £536.90 - yet there is not one single property available at that price.

I believe if the property complies with the rules there should be no charge. Only if the properties require council visits etc the council should charge a licence.

The application fee is too high for small landlords. If they already have a license from the last scheme, this should be reduced.

While I agree entirely that there should be some kind of license scheme to ensure decent standards are maintained, the fee is too high and in my case wipes out any hope of making a profit on letting my property. Perhaps it would be fairer to have a lower fixed admin fee, but then charge extra based on profitability of the letting – in my case, I lose money due to the excessive license costs (perceived as just another government stealth tax), and continually escalating fees charged by property agents. I did not buy to let, I was a home owner who moved overseas with my job. Property rental income has not gone up in line with tax and other fees and I am now left with a home that leaks money. I need to keep it for when I return to UK.

If this comes in a cheaper run-on scheme for those good landlords already licensed should be put in place where they can just re-send updated information, as we currently do

Cost at £470 for issuing the same license is ridiculous. Early bird license was £185 last time. How can such a high price be justified for landlords like myself. All costs will be passed on to my already overstretched tenants. I cannot keep absorbing these costs. Maintaining a sea front block is very very expensive. Look at mine, it is maintained well.

the scheme is too expensive - properties that are already licensed merely require a new licence to be issued - this cannot possibly cost £470!!!

We have already received a licence for our property and all requirements met. I feel that once a property has been approved it should not cost so much to re-licence it. £400 odd for your first licence, perhaps £125 to renew, unless you fail on renewal, then a further charge could be made. The other comment I have, these charges eventually have to be added to the rent, which is an additional cost to the tenant, which I do not think is a good idea?

The fees are way too high. We paid £150 last time and to increase this to £470 is too much when it is effectively the same scheme
Landlords with good records and management, should receive a discount, on renewal of licence.

This should encourage landlords to keep with the spirit of the licence. Landlords with poor performance should pay a surcharge to cover costs.

The Selective Licensing scheme is unfair because the cost of the licence is too high and not every Landlord that should have one does have one. Generally the Landlord's that haven't got a Selective Licence that should have are the one's that aren't responsible, which penalises the responsible ones even more.

If your licensing scheme is seem to be fair that all landlords are included and you do not charge any landlord more than you would any landlord belonging to Hastings landlords Association meaning you don't Discriminate between one type of landlord or another.

Existing landlords that have already been seen to be compliant with obtaining Licenses and upgrading their properties/buildings should be able to face a simple renewal process that should be completed online at a nominal fee of say £100 as they have already been vetted and your team have already gone through the process of validating their properties.

Make a provision in this same Scheme to address those landlords that have single ownership of the whole buildings where there are multiple units. That scheme currently expires in a couple of years, but if it is then not renewed, there may be a bigger charge for then licensing the individual units.

A greater discount should be offered to those landlords that have multiple properties and are seen as fully compliant

We have a group of 6 owners who own the flats in our block. We each own the Freehold of the Property in a Company name registered at Companies House and have a 5 year HMO Licence. Is there a way that we could avoid the need for each flat to have a Selective Licence ?

I hope that licences that are being renewed from the previous scheme can be processed at a lower cost to the landlord.

The scheme cost should be payable on a monthly basis, rather than just as a lump-sum. This was done for the previous scheme, so should be repeatable. At the current proposed prices, I will be facing a renewal bill of nearly £11,000. This will not be easily payable in one

	<p>payment.</p> <p>I also face HMO licensing costs. I hope some way will be found to optimise the process to make the combined scheme more affordable. The council should advertise its progress through a regular (I suggest six-monthly) email to scheme members..... how many new licences issued, how many site visits, how many non-payment cases prosecuted and other key indicators of progress. The co-operative landlords need to know that the 20% of tenanted properties thought to be missing from the scheme are being vigorously tracked down. We all know that issues are likely to be concentrated within the unlicensed property.</p> <p>The fees are high when under the existing scheme, no council officer attended any of the current licenced properties. Discounts should be given for multiple properties in the same postcode (these would typically be similar properties maintained to the same standard and would be quicker to inspect).</p>
<p>Impact on Rents</p>	<p>Whilst i agree with most of what is proposed for the Selective Licensing Scheme, I do not agree with the price charged to Landlords for it. All this means is that the landlord invariably puts the rent of the property up, so its the tenants that pay in the end, as has just happened to me.</p> <p>Only the good landlords will adhere to this program and their money will simply be diverted from the maintenance of the property and/or will be passed on to the tenant in higher rents.</p> <p>This scheme is not well thought out. It is not fair on the tenant or landlord, who would need to pass the additional costs on. Where is the legal support for landlord who has difficult tenants? What problem do you think this would help resolve?</p> <p>This is a terrible idea. As a tenant I know that the license fee will just be passed straight onto me via a rent increase - this has happened to me twice before. All you are doing is passing the cost onto the tenant and making costs higher for that tenant and in turn reducing quality of life and disposable income. This isn't fair on the tenant or the landlord - neither will get anything tangible or any legal support for this additional fee.</p> <p>It's a con and the tenant always pays in the end for everything no matter what. The landlord is running a business and passes on these costs.</p> <p>The next thing will be HBC complaining about the high costs of rent, which have to contain the huge licence fee.</p> <p>The tenant will pay 100% for this licence and the time the landlord spends in admin doing this. The landlord will not foot the bill and it will be passed on in full to the tenant, along with any 'normal' rent rises.</p> <p>Making good landlords pay for the council to try and find bad landlords is not only unfair but the extra costs that this scheme imposes on landlords will be passed on in part or full to the tenants. Bad landlords will just keep ignoring the law as they have always done.</p> <p>How many of the 20,000 refugees from Syria is Hastings taking? How many will go to the Selective Licencing area? These people are getting a government subsidy, which raises rents</p>

	<p>Well-intentioned, but penalises unfairly and severely, good landlords. Costs inevitably get passed indirectly on to tenants via increased rents. Better would be to prosecute bad landlords and use the fines to fund the scheme.</p> <p>Selective licensing costs landlords a lot of time and money and some of them will pass that cost on to the tenant in the form of rent rises.</p>
Harmonising with HMO Licensing	<p>If a building has a HMO Licence then individual flats within it should not be required to have a Selective Licence.</p> <p>The current scheme should not include double licensing that requires a landlord to pay for HMO license as well as a selective license. Equally a landlord should just pay to be licensed once if they have more than one property and not require a license for each one. Otherwise significant costs will be passed on to the tenant and so result in increased rents.</p>
Alternative approaches	<p>It has been admitted that the council knows who the handful of 'trouble' landlords are and have worked in a multi-agency method to successfully address those few situations.</p> <p>Use common sense, inspect privately rented and decide if a payment or improvement order is required, not all are offenders. Punish those that deserve it, not all.</p> <p>Landlords should immediately be taken to court and all their property folios subject to scrutiny.</p> <p>I am a good landlord and always have been, yet I'm being punished by an extortionate licence fee and additional paper work. It's like charging everyone for speeding, when of course, most people are innocent. Charge a fee for those with properties in poor condition.</p> <p>Whilst you claim the licence scheme came into effect in 2015 and expires in 2020. the fact remains due to poor administration the majority of licences were never issued before spring 2016 therefore meaning they still have another year to run before expiry. Why waste even more resources in consultation fees etc. Selective licencing is both biased and unfair, either introduce it across the whole county to make it a fair tax or drop the scheme completely.</p> <p>Don't punish decent landlords in an effort to drive up standards they already meet. Target poor landlords</p> <p>I agree in principle with the scheme BUT: I rent out one 1-bedroom property and it provides nearly half my income as an OAP. I charge £510 pcm and pay an agent 10% of this. I have had repair and maintenance costs too. I'm a good landlord. I paid for the last licence and my property passed inspection easily. You should charge on the basis of which Council Tax band a property falls into - Band A: £100, Band B: £200 and increments of £100 at each band. I think that's fairer than a flat rate for all - otherwise it just looks like another easy way of raising cash for the council rather than anything else. I'm providing a home for a young couple, but will consider selling the place if I'm subject to many more extra costs of this magnitude.</p> <p>I think a licensing scheme can be useful, but disagree with the current and proposed scheme. I currently have a license (and paid £400+ for the privilege), I have seen no benefit from it and as far as I'm aware the scheme have completed no checks on myself or property since application. It is therefore a money making scheme for the council. For such a fee I would at least expect a verification visit to the</p>

	<p>property or some kind of check. I have a management agent for the property so I am also paying a fee for this. I can see no added value from having to pay a fee for having my name added to a list with the Council when you already have powers of enforcement anyway. I would recommend a scheme where landlords have to sign up to a code of conduct (I suspect very similar to your proposed licensing conditions) - there should be no charge for this. If the landlord breaks any conditions then they should be required to resolve asap and face penalties for delays or particularly bad/unsafe conditions. The scheme should also allow for landlords to be banned from letting properties if they are repeat offenders. The running of the scheme should be funded by the fines/penalties. Charging all landlords doesn't create the right incentives. I have been letting properties for over 20 years and have always been a responsible and responsive landlord - charging me £500 only helps fund the council. I respond quickly to any issues that arise in the house, keep it in good repair and have regular checks on the property via my managing agent. Alternatively those of the landlords in the area that are letting through management agents should maybe be exempt but the management agent has to assure and verify that the property is sound. Perhaps management agents could be the licensee instead?</p> <p>I think a system needs to be put in place to filter the good landlords from the bad so you can focus on the underperforming landlord and properties and reward the professional landlords.</p> <p>I am a responsible landlord and there is no need to license me in my view. However, closer controls on who can be a landlord would be welcome. Just by paying a license fee does not make one a responsible landlord.</p> <p>I would like you to introduce an encouragement for landlords to do their bit for the environment by insulating their properties and start removing gas heating when boilers reach the end of their life. One rental agent probably all of them) is pushing gas boilers and radiators as the "ideal" in this situation. Good wall-mounted electric heaters are healthier, safer, and more environmentally friendly so I suggest you invite all the letting agents to a meeting to discuss this and other environmental issues where they can encourage landlords to do the right thing. Email licensed landlords to outline these environmental issues.</p> <p>Perhaps a discount on the licence fee for the good landlords? The cost and bureaucracy of licensing is making some of them sell up and get out, so any encouragement and support would be welcome.</p>
<p>Communication about licensing</p>	<p>The council should make it much easier for local landlords to follow all the licencing that they are bringing into force and to explain much more fully the necessary licence's that someone would need. All too often I attend meetings and hear other landlords saying that they didn't know about this or that. The council has the power to make contact with all landlords on their files to keep them up to date. This last scheme that was introduced last year I only found out about after a letter was received from Mrs D Watts. 2 months after that date I was in an agents office and they had just received the same letter that had been sent to a tenant of theirs and not even to the landlord. They then told me that again they had no knowledge of this scheme.</p> <p>Something is failing in your communications. I only ever know about changes or meetings from my NLA membership. I have asked many times to be put on a circulation list so I can be kept up to date, but I do not receive anything from the Council. Landlords who rent out a single flat, probably genuinely do not know that they need a licence. I certainly wouldn't have known if I wasn't already in the rental</p>

	<p>business and a member of the NLA and people who are just renting their own flats out probably have no intention of joining the NLA because they don't know about it. How about doing a joint venture with the local estate agents that any flat that they rent out they inform the owner/landlord of the licensing requirements? How about they are not allowed to rent out a property if it is in a licensing area and they can't produce a license?</p>
<p>Withdrawing from PRS</p>	<p>All very well, I was a new landlord in Pelham Crescent, I did everything as I should do , got my licence, good standard in flat , my tenant has now smashed windows, caused constant antisocial behaviour, been visited by the police numerous times, not paying rent and not complying with leaving, what is the benefit to landlords???? Where is our help under this scheme for good compliant landlords? It will just cause more people to change to Airbnb and less stock for locals.</p> <p>If you licence private landlords and charge them, many potential landlords will go into short term unregulated holiday lets e.g AirBNB thus reducing the number of homes available, increasing the number of homeless and destroying the sense of community.</p> <p>Perhaps a discount on the licence fee for the good landlords? The cost and bureaucracy of licensing is making some of them sell up and get out, so any encouragement and support would be welcome.</p> <p>I think this scheme is and has been, from the start, divisive and unfair on proper landlords. It's merely a way of the council getting more taxes. It leads to higher rental for the tenant as Landlords cannot swallow this. It means good landlords like myself give up leaving behind the bad ones.</p> <p>The high cost of the Selective Licence scheme is also causing many Landlords to sell their rental property which in turn is creating a shortage of properties for the private rental market.</p> <p>I am a landlord and have had to increase my rents to cover the existing licensing scheme. It is not becoming cost effective, due to the high cost of licensing, to have rental properties in Hastings and I will be selling mine in the summer.</p>
<p>Opposed to Licensing</p>	<p>Throwing all the good landlords into the same pot in order to create and enlarge a council department is excessive. This is an example of the type of 'big government' that angers tax-payers.</p> <p>See above, we are good landlords and our properties are well managed and our tenants are well looked after and happy, we will therefore resist being forced to shell out more money for another scheme allegedly designed to punish and ultimately remove bad landlords. Chase them by all means but leave us alone.</p> <p>Concentrate more on the bad Landlords and less on taxing the good ones, there are actually quite a few of us good ones!</p> <p>Selective License schemes don't work if the council that imposes them are only using it as a money making project without actually following through on any checks or trying to catch the rogue landlords. Many landlords operate very safe and legal practices and the council already have all the necessary powers to convict the criminal landlords without having to introduce a needless scheme.</p>

It does not work, I already have a licence, it took 6 months to get it, cost a lot of money, no council representatives even visited the property, just a form filling exercise, in my opinion it is the Air B&B racket that needs licensing, at present there are no standards to adhere to.

Rogue landlords will still avoid and it penalises the good landlords

Tax nobody just make sure the tenant is looking after the property as we as the landlord.

It's just another tax on good landlords. You know the bad ones, concentrate on them and penalise them

It is unbelievable expensive and again shows no incentive for good landlords to continue in the line of business. With the changes in tax and these licenses, any profits I make will be slight. As a second income and more of a supplement to pension for my future, I would seriously consider giving this up. I know many private landlords they feel the same. It would be more productive to do AirBnB, where would that leave all the tenants in the area??

In my experience, Selective Licencing only penalises decent landlords financially and does little to combat rouge landlords. Decent landlords will carry out what is required without being policed by the Local authority and do not need to pay a fee to do this. Rouge landlords will continue to operate outside the law and under the radar. More effort should be made to combat these.

This is just another tax on landlords and has nothing to do with anti social behaviour or deprivation

The scheme is totally counter-productive. All the money spent on the licensing could be spent on improving the properties. As a result of the scheme I have already paid £800 that could have been spent on upgrading heating etc., and has achieved nothing whatsoever. Your definition of an HMO is perhaps legal, but completely at odds with the general view of an HMO. And the requirement for emergency lighting and a fire alarm has cost me a further £1,000. My property has only three flats, across three floors, and yet is considered an HMO. My father lives in a house in salubrious Belsize Park, London, NW3, that is divided into six flats over four floors, and is not designated as such. It is completely inconsistent.

Just target the ones that are run down. Why create a scheme that all good landlords have to join - they just have to OU up the rent to cover it.

Yet another waste of time, purely designed as a means to screw the PRS for more money to top up your ever reducing budgets from central government. Why not be honest about it for a change.

I think it is a disgrace that I have a high standard property that I rent out in a nice area and I have to pay a licence for it. But if I had a basic property in a rough area I wouldn't have to pay for a licence. You are targeting the wrong landlords. You only target us from the decent areas because you know we will pay.

High fees which is just taxing landlords nothing to do with costs.

	<p>Don't bother</p> <p>Don't do it !!!!</p> <p>I am a landlord and feel offended that you feel that a selective licence would alter my treatment of my tenants. I work hard to make sure my property is as good as if I were to live there.</p> <p>Penalises good landlords and bad ones still get away with poor properties.</p> <p>The scheme is an unfair tax on law abiding businesses. The cost is outrageous and equivalent to a month's rent for many flats in Hastings. I abide by the law because it's the law. There is also a strong pressure apart from doing it because it's the right thing and that's the high penalties, including jail, if anything happens to tenants or property because it was neglected in any way. END THIS UNFAIR TAX NOW</p> <p>Bureaucratic exercise with very little benefit to tenants</p> <p>The council already has existing enforcement powers which they should use to tackle the perceived issues.</p> <p>Many and multiple studies have shown that licensing schemes do little to improve housing standards, with the focus becoming the processing and issuing of licences, rather than management standards and property conditions.</p> <p>Rather than develop a complete new dataset and infrastructure, the council could use their excellent council tax records to identify private rented properties and landlords, which unlike self identification, could be subject to abuse.</p> <p>These schemes are another Tax and over the years this has cost me thousands of pounds which could have been spent on the properties, but now I am having to increase rents to cover these rip off schemes. The Council treat landlords and agents badly and now wonder why there is an extreme housing issue.</p>
<p>Impact of licensing</p>	<p>Although only working in the Borough I have noted the work of the scheme as you go about the areas. many properties have improved considerably. We have been contacted by local EH officers and I have been impressed by their work both with our organisation and the complainant. Continuing can only improve on work already underway. landlords should pay to register with the scheme to ensure they maintain with good quality housing as well as income stream.</p> <p>I applaud this type of scheme to try and upgrade deficient properties and rein in rogue landlords. However, there have been no measures that I needed to take to comply that I wasn't taking anyway. My tenants have benefitted not one bit from it. In effect, it is a charge on responsible landlords. I am not at all a professional buy to let landlord with a large portfolio. If I were, and was looking to expand, I would do so outside of the licensing area. Possibly not the desired result as far as Hastings BC is concerned.</p> <p>I also let a property in Ramsgate (I only have 2 properties) and they do not have a Licensing scheme there, although it is a similar depressed seaside area. From visiting both areas regularly I can see no difference in housing quality / antisocial behaviour / dumping etc etc in either area, so can only conclude the Licenses are a waste of time. I agree that some landlords are bad, but feel money better spent focussing on the few that are, rather than making another barrier to responsible renting for the majority that try their best.</p>

	<p>It is still needed.</p> <p>Reading the proposed report, the total properties inspected in nearly 5 years and actions taken against landlords with below standard accommodation is very poor. Then factoring in the dramatic increase in homelessness, serious questions need to be answered.</p> <p>I am a responsible landlord who lets out a house to higher standards than those required by the scheme. Hence neither I nor my tenants gain by the scheme. To me it is a bureaucratic cost and expense. HBC should look at ways of encouraging landlords such as myself. As it is, it would discourage me from buying another property in the licensing area. That is not a criticism of the scheme as a whole which I think a good idea</p>
<p>Anti-social behaviour</p>	<p>The statistics show that this program had no real effect on anti-social behaviour. In fact, a ward has been dropped from the scheme.</p> <p>I do not believe you have evidenced the effectiveness of the licensing scheme Anti Social Behaviour throughout Hastings is reducing, and the incremental reduction of 1 per cent in the SLS areas is not significant, and cannot be wholly and exclusively attributed to the SLS. Figures presented at the Jan 20 event show in fact that the scheme is having the opposite effect: In 2015 in the town as a whole, there were 4000 reports of ASB of which 2500 in the SLS area, equating to 62.5% of town total ASB. In 2019 there were 2200 reports of ASB in town (total), of which 1400 were in SLS area, equating to 63.6%. Why continue with a scheme that is making ASB worse proportionally? Also your comment that ASB may increase in the SLS if the SLS is withdrawn is wholly without substance. Where is your evidence for this? Furthermore, your report section 4.14 shows a 9.3% point reduction in ASB in Old Hastings ward, and only a 3.7 % point reduction in Ore, so why is it proposed to remove Ore from the scheme? Removal of Section 21 tenancy ending legislation will reduce tenants' fear of eviction following a complaint, so the licensing scheme no longer needs to fulfil this function You are also presenting tenants as helpless individuals at the mercy of rogue landlords. PRS tenants have a right to end their tenancies and move. Market forces also encourage landlords to keep their properties in an attractive state</p> <p>Drugs, shop lifters selling their goods and prostitutes are a big prob in warrior square but only responsible dog walkers are aggressively approached and fined with the deals going on in the background. Plain clothed officers and a better lit area would be a good start...</p> <p>ASB needs greater support from the local authority for those landlords that have identified a problem tenant that may need evicting. I believe a pincer action of eviction will have a more swift conclusion.</p>
<p>Other issues</p>	<p>In common with the broader political spectrum. The council has a 'trust issue' that is particularly prevalent among private housing providers. More and more PHP's deeply distrust the council.</p> <p>You should re-Think need for annual PAT testing, no foundation for this - just an unnecessary burden.</p> <p>Owner-occupiers who rent out a single unit, such as their basement flat, should not be forced to be part of the SL scheme. These people are NOT professional landlords!! The cost and liability implications will remove their flats from the supply of private rented apartments</p>

	<p>The selective licence process in this L.A. has not been utilised in any way</p> <p>More needs to be done to fine those landlords that do not currently have a license, I understand some 2000 plus homes in the area currently fall foul of the regulations and the council should be penalising these people with a large chunk of the costs of running this scheme. In an ideal world this scheme wouldn't be needed and all landlords will be responsible, and that is where the target needs to be. If the landlords that do comply have to pay every time, clearly that will create a huge amount of animosity for the scheme and council</p> <p>There should be a simple way for people to report a suspected non-registered property to the council. I suggest a dedicated phone message line, which people can call into anonymously. It will then only take a few minutes to check whether a licence is in place. It should also be feasible for any application for housing benefit/LHA to have to be accompanied by the Selective Licence number of the property in question. No tenant of mine on housing benefit has ever asked me for their property licence number. It may of course be the case that the council does this check later, but I've never come across it.</p> <p>My concern is around inspection which should be targeted and evidenced based, as it presumably would cost too much to visit all properties</p> <p>Given that the Word Boundaries have been altered (Gerrymandered) by the LA and the property that I rent out has been "moved" into the Licensing area without any consultation with me, it seems unreasonable to financially penalise me (and my tenant) for by charging me the same as license "avoiders". It has been switched from Maze Hill to Central St Leonards. It is absurd to suggest that the circumstances for the property are different to those that applied when the previous scheme was set up. It would be reasonable to exempt such properties from the new proposal or, at least to level the charges to those that apply to other landlords that complied with the previous rules.</p> <p>I will comply.</p> <p>There should not be selective licensing. All landlords should pay the council for a licence. Why should only a few pay to cover the rogue landlords? Would be cheaper and fairer to roll it out nationally.</p> <p>As a landlord I quickly realised the value and conditions of acquiring the necessary criteria for a Selective License. I think it protects and double checks the requirements of being a responsible landlord. There was a huge demand on trades people to help meet the statutory requirements and I found myself along with others employing some operatives from nearby towns. It is always good to have an opportunity to prove the provision of good practice. Thank you for this opportunity to give feedback.</p>
<p>Individual Response 1</p>	<p>February 2020</p> <p>To the decision makers for the proposed renewal of the Selective Licensing Scheme,</p> <p>Thank you for the presentation held on 20 January 2019 at Muriel Matters House regarding the continuation of the Selective Licencing (SL) Scheme. Much information was presented and I came away with the belief that the SL Scheme has not had enough significant success to merit its renewal. The 'Options to Deliver the Strategy' Slide indicated several potential courses of action: I believe that the appropriate</p>

action is Option 1: Do Nothing. And by this, I mean that the Council should continue in its work to assist tenants, as it does in other areas of the borough, and end the Selective Licensing Scheme.

As indicated at the meeting, examples of success in matters of housing concerns had little to do with the implementation of the SL Scheme but, indeed, due to the hard work of current council staff working with the relevant community partners. Staff and resources should be drawn from the council budget to deal with the stated objectives (further increase in staff is not necessary).

Please note the following:

1. Statistics on the SL Scheme's effect on ASB incidents was hardly any different than in the wards without the scheme, indicating that the scheme had little effect on these improvements (the improvements are occurring for other reasons/efforts).
2. Mr China made it quite clear that the 'rogue' landlords are already well known to the council via tenant complaints, so the need to identify them through this scheme is redundant. It is the conscientious landlords who have submitted to the scheme, making it pointless in terms of achieving this goal.
3. Statistics presented indicate that the success has been a result of HBC in partnership with other agencies. Cross agency work is key in issues with multiple factors and must be encouraged: existing laws and procedures must be utilised, not the creation of competing and/or similar procedures.
4. With the decrease in ASB across the borough and one ward being dropped from the scheme entirely, a significant increase in staff and funding cannot be justified. No new employees are needed. The current staff is efficient and sufficient.
5. The scheme is legally not allowed to be a 'profit centre': it is meant to break even. It was made quite clear that over the past five years the scheme broke even. This occurred with the majority of license holders taking advantage of the 'Early Bird' rate of £185 (v the new proposed total cost of £465). The council is proposing an increase in fees, with no early bird option. This is turning in to a money-grab in order to fund unnecessary council staff. It is cases like this that make tax payers resentful, and an example of why austerity measures were needed in the first place.
6. The council stated that it wants to be partners with the private sector landlords, which is good news. However, this scheme is the exact opposite of treating us as valued partners: I would like to be supported by the council and not treated as a source of revenue generation. The majority of landlords in Hastings are good landlords (my tenant has been with me for 9 years). Money directed toward this scheme is, by necessity, taken away from maintaining my property in good standard thus, providing adequate housing options in our town. Or, the cost of the License will be passed on to tenants through higher rents.

Finally, please consider the excellent Grotbusters program, developed and implemented by HBC. No schemes and associated revenue generating exercises were needed for this much lauded program, arguably bigger, greater in scope and highly successful. The proposed

	<p>Selective Licencing scheme is targeting the many good landlords in order to get to the few, already known rogue landlords, harming our ability to keep providing quality and safe housing options in Hastings.</p> <p>Please vote for Option 1: Do nothing, and do not renew the Selective Licensing Scheme. The evidence supports that staff and multi-agency resources already exist to address the issue of rogue landlords.</p> <p>Respectfully, Cynthia Burgess</p>
<p>Individual Response 2</p>	<p>I represent a group of landlords and agents who own/manage approx. 7500 properties in Hastings and St Leonards</p> <p>The existing scheme summary claims – “Selective Licensing does not appear to be having a negative effect on the private rented sector in the area, which continues to grow”</p> <p>Landlords have not seen a negative effect as they have increased rents to cover the costs, which is what HBC and Councillors were advised would happen when the 2015 scheme was introduced. The current demand for rented properties is at an all time high, so landlords can be more choosy than ever before as to who they accept as tenants– the negative impact has been on tenants and the costs associated with homelessness</p> <p>The proposed new selective licensing scheme is the 4th licensing scheme since 2011 – the new scheme will cost landlords a similar amount as the previous 3 schemes put together</p> <p>2011 – additional HMO scheme – raised approx. £1m</p> <p>2015 – selective licensing scheme – raised approx. £3m – early bird fee was £185 if you applied within 3 months of launch</p> <p>2018 – additional HMO scheme – raised approx. £0.5m</p> <p>2020 – proposed new selective licensing scheme – estimated 9500 properties at £470 each = £4.465m – no early bird fee proposed – effectively nearly 3 times the cost of the original scheme</p> <p>The new scheme is a repeat of the 2015 scheme – the landlord completes the application on-line and HBC check it and then effectively reprint the new licence with different dates – how can this cost £470?</p> <p>When the 2015 scheme was proposed, landlords advised HBC that the costs would be passed onto the tenants in the form of above inflation rent increases</p> <p>Rents are now 30-40% higher than 2015 – a 1 bed flat was approx. £400 now £550 – 575, 2 beds were approx. £550 now £725-750</p> <p>Rents are now unaffordable for those on low incomes/benefits – landlords are refusing to take those on Universal Credit due to lack of affordability and evicting tenants who cannot pay the higher rents and are getting into arrears</p> <p>The council then has a duty of care to house those with children/are vulnerable which has led to an increase in homelessness and the use of temporary accommodation</p>

	<p>Figures for those accepted as at risk of homelessness and in priority need have tripled in 5 years – Hastings has gone from around 100th worst area in UK to top 10 worst – temporary accommodation costs have gone from £148k in 12/13 to an estimated £1.3m in 18/19 – FOI request attached</p> <p>We are asking HBC to reduce the cost of the licence so that we do not have to increase rents above inflation – good landlords are not against licensing, we just want a fair price – if the cost can't be kept down then do not bring the scheme in and instead use HHSRS to deal with rogue landlords and the Police for anti-social behaviour.</p>
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Appendix 4 - Key issues raised at consultation public meetings

1. Selective Licensing 2020 - Consultation public meeting - 15 January 2020

Panel: Matthew China (MC), HBC Housing Renewal Manager; Debbie Watts (DW), HBC Licensing Team Leader; Richard Peters (RP), RJFP Resourcing.

Key Issues Raised

1.1. Anti-social behaviour

- is reduction in ASB really attributable to SL scheme? *[Multi-agency approach wider than just policing. SL one factor and there is a slightly bigger reduction in the SL area.]*
- Has HBC helped anyone to remove ASB tenants?

1.2. Ward boundary changes

- are they incorporated in the proposed SL scheme (e.g. properties in Maze Hill now in Central St Leonards)? *[Review carried out on old boundaries as named streets in the SL area. Any new scheme will be based on an agreed street list.]*

1.3. Fees - Lots of discussion, questions and concerns:

- Charge non-compliant landlords not those who've already brought their properties up to standard
- Need a two tier system where new landlords pay more than those with existing licences
- Should be a minimal fee for renewing licences on properties that HBC has inspected and confirmed are up to standard, e.g. £100, (HBC only needs to reprint existing paperwork or reissue licence electronically)
- System needs streamlining in respect of compliant landlords
- Landlords have to pass on fees via rent increase and this leads to impact on the most vulnerable tenants. Ultimately, they can't afford rent and end up becoming homeless. This has an adverse effect on landlord tenant relationships
- How long do landlords have to apply for a licence *[MCDW- grace period of up to 3 months likely]*
- Paying the fee by instalments through a payment plan should be possible *[MC - the new SL IT system may facilitate this]*
- HBC should consider using some of its homelessness budget to subsidise licensing

1.4. Govt Consultation on abolition of section 21

- Landlords very concerned at this. Believe it will lead to more homelessness. Reduction in housing allowance and impact on tenants' ability to pay rent further complicates the position. *[MC doing HBC response to consultation and may be able to incorporate concerns into the response, subject to Lead Member approval]*

1.5. Energy Efficiency and Band E

- Concern that it may not be possible to achieve Band E in some of the Victorian and older buildings. *[MC advice - apply for an exemption sooner rather than later and well before the 1 April 2020 final deadline]*

1.6. HMO Additional Licensing & Selective Licensing

- Clarification needed on licences required where freeholder also owns all flats in the building. *[MC confirmed that whilst Additional Licensing scheme is running then in this situation the landlord would not require Selective Licences only an Additional Licence for the whole building.]*

1.7. Shared Freehold properties

- Clarification sought on whether leaseholders with share of freehold will require Selective Licences as well as an Additional Licence *[MC advice - each case on its merits - best to raise general query through consultation and if scheme proceeds email DW/MC with detail]*

2. **Selective Licensing 2020 - Consultation public meeting - 20 January 2020**

Panel: Matthew China (MC), HBC Housing Renewal Manager; Debbie Watts (DW), HBC Licensing Team Leader; Richard Peters (RP), RJFP Resourcing.

Key Issues Raised

2.1. Anti-social behaviour

- Lots of discussion about whether ASB was linked to the PRS; plus town centres have higher levels of ASB not due to PRS. *[RP explained that in 2014/15 ASB data was mapped to show ASB hotspots and this enabled exclusion of town centre pubs and bar areas, clear correlation with the PRS at that time]*
- ASB % figures don't show a bigger reduction in the SL area. *[RP - larger proportion of ASB in SL area, e.g. 4k ASB boroughwide in 2014/15 of which 2.5k were in the SL area. In 2019 boroughwide figure reduced to 2.2k ASB of which 1.4k were in SL area]*
- If section 21 abolished this is likely to lead to increase in ASB, as it will make it harder for landlords to deal with it.

2.2. Improvements in Housing Conditions

- 300 homes improved is a relatively low figure compared to the survey figures of non-decency and those with Cat 1 hazards. *[RP - figures are only for 3.5 years (to July 2019). Takes time for major work to complete and for response to enforcement, so position at end of 5 years should show improvement on this.]*
- It was acknowledged that the figures really only included those dwellings improved by HBC intervention. Others will have been improved by landlords without this being needed. Need to make this clearer in the report.

2.3. Empty Homes

- Not something that SL can really affect one way or the other.
- Unfair that landlords have to pay full Council Tax in between lettings when there used to be 3 months grace.
- Concern that major works can take more than 6 months, so unfair to include these in the figures. *[RP - reduction since 2017 positive and shows that SL is not making the position worse. The trend is important. MC - Policy on empty homes is outside the remit of SL.]*

2.4. Management

- Are the HBC complaints figures a reliable measure? How many are actionable? *[MC - most of them are as tenants required to raise issues with their landlord before HBC will intervene]*
- Concern that figures from HSCS were just from the tenants' perspective.

2.5. Outcomes - Success

- A number of people disputed that the evidence suggests SL is a success. Accepted that 300 homes improved so far which is positive but only a small % of the total.
- Targets should have been set in 2015 to measure success against and this needs to happen for any further scheme, e.g. If aim is to inspect 50% of all properties this should be a target.
- Concern that 2,000 homes remain unlicensed. These properties need to be targeted in any new scheme. *[MC - HBC prioritising high risk and unlicensed homes. Aim is to avoid prosecution and*

penalties, e.g. 1,700 cases where informal action (2 stage letters) have been used but only 30 prosecutions and 35+ penalty notices resulted. HBC has undertaken the largest number of prosecutions in the south east. Example given of a case where landlord failed to apply for licence, conditions appalling, £40k work carried out in owner's default. HBC now pursuing the debt through County Court.]

2.6. Fees - Lots of discussion, questions and concerns:

- Will there be an 'early bird' application fee or discount for NRLA members? *[MC - unlawful to cross subsidise within the scheme. Councillors would need to agree to subsidise from another HBC budget or increase Council Tax to cover it.]*
- Concern expressed at cost of running the scheme and value for money - £3.1m over 5 years seems too high. *[MC - reviewing ways of reducing the admin part of the fee which would benefit landlords who already have a 5 year licence]*
- Why can't HBC use existing SL scheme data to streamline renewals and do it electronically? This was the general view of the meeting. *[MC - Data Protection issues need to be resolved and he is looking at this with HBC colleagues]*
- Agreement that landlords without a licence should pay more than those with existing licences and a one year licence is a good way of encouraging landlords to bring properties up to standard.
- What happens if HBC makes a healthy surplus in a good year - will landlords get any money back? *[MC - scheme cost is spread over five years. If a surplus at the end of the scheme then HBC would be required to reimburse.]*
- Paying the fee by instalments through a payment plan is a must have for all landlords not just those with large portfolios *[MC - HBC is looking at how best to facilitate this]*
- What happens if property only recently licensed under current scheme? *[MC - whatever time left to run on licence will be carried forward to any new scheme]*

2.7. Unlicensed Dwellings

- Important to target the 2,000 unlicensed dwellings. Also needs to be a performance measure, i.e. set a target to achieve a reduction. *[MC - agreement with this. HBC has data on most of these dwellings and will continue to work through it. Can also access rent deposit register.]*
- What do other LAs do in relation to Cat 1 inspections? *[MC - simple answer is very few authorities use these powers.]*
- Important to streamline admin costs so that enforcement can be prioritised.

2.8. Inspection Criteria

- What are HBC's inspection criteria. *[MC - HBC will aim for 50% of dwellings and will prioritise using hazard rating system and data on dwellings below Band E using EPC data.]*

2.9. HMO Additional Licensing & Selective Licensing

- Clarification needed on licences required where freeholder also owns all flats in the building. *[MC confirmed that whilst Additional Licensing scheme is running then in this situation the landlord would not require Selective Licences only an Additional Licence for the whole building.]*
- What about shared freehold properties? *[MC - HBC looking at ways of dealing with this. If HMO Additional Licence is in one person's name this helps.]*

2.10. Other Issues

- Benefit cap means tenants can't afford family dwellings but landlord can't offer smaller flat if leads to overcrowding.
- Holiday lets and Airbnb - some landlords using to get around licensing. *[MC- no easy answers to this. Bye-laws being used in London but not available in rest of South East.]*

Appendix 5 - Submissions from key stakeholders

Residential Landlords Association

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Hastings Borough
Council
Hastings Town Hall
Queens Road

15th January
2020

Selective Licensing Consultation Proposal

Thank you for the opportunity to respond to the above consultation. Although we appreciate the issues raised by the council, the RLA believes that selective licensing does not raise standards in the PRS and has an overall negative impact on landlords, tenants and the housing market.

Licence conditions

The proposed licensing conditions include several unlawful conditions. Under *Management and maintenance of a flat or house*, the council requires the licence holder to ensure that a periodic electrical inspection is undertaken, and a PAT testing certificate be submitted to the council.

Section 90(1) Housing Act 2004, which governs Selective Licensing Schemes permits a licence to “include such conditions as the local authority consider appropriate for regulating the management, use or occupation of the house concerned.” This is in contrast to s67 Housing Act 2004, which provides the equivalent provisions for HMO Licensing Schemes, which further allows for conditions to regulate the “conditions and contents” of the property.

Our position is that the different wording in relation to permitted conditions between Selective and HMO Licensing Schemes represents an intentional distinction between permissible conditions in the two different types of scheme. The Court of Appeal also adopted this interpretation in the recent case of *Brown v Hyndburn Borough Council* [2018] EWCA Civ 242.

Following the Court of Appeal’s reasoning in *Brown*, any licence condition that seeks to regulate the condition or contents of the house is unlawful, and the local authority has no power to impose such a condition. We note that the MHCLG recently drew the attention of local authorities to this case in one of their quarterly PRS newsletters.

Likewise, In *Brown* Mr Justice Hildyard confirmed that the s90(5) of the Housing Act 2004 is not itself a source of any power, residual or otherwise permitting the local authority to include licence conditions that seek to identify, remove or reduce hazards. These are covered by Part 1 of the Act and should be enforced using the Housing Health and Safety Rating system powers in Part 1.

RESIDENTIAL LANDLORDS ASSOC.

212 Washway Road, Sale, Manchester M33 6RN T +44 (0) 3330 142 998 E info@rla.org.uk
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www.rla.org.uk

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Therefore, the council should remove these proposed conditions should the scheme be approved.

Raising Standards

There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than improving management standards and property conditions. Additionally, the decent homes standard is a measure of the standard of housing and has no legal applicability to PRS housing. The Housing Health and Safety Rating System (HHSRS) is the relevant standard for the PRS.

The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see scarce resources wasted processing applications, it should continue to direct these limited resources at identifying private rented properties and taking effective enforcement action, where necessary.

Pressure on non-licensed areas

Landlords, especially those with properties outside the licence area will become risk-averse in terms of the tenants they let to. Tenant problems such as anti-social behaviour are impossible for the landlord to address alone and landlords will not wish to risk a breach of licensing conditions that may affect their ability to let properties elsewhere. Some may seek to evict already challenging tenants. This means additional costs to other council services, as they pick up the pieces created by the disruption to the lives of already vulnerable tenants.

Existing Enforcement Powers

There are over 150 Acts of Parliament and more than 400 regulations affecting landlords in the private rented sector.

Councils should fully use the enforcement powers already granted to them by the Housing and Planning Act 2016, ranging from civil penalties, rent repayment orders, banning orders and the introduction of a database for rogue landlords and letting agents. This is instead of relying on licensing schemes to regulate landlords. The Council has also not taken into consideration the amount of informal enforcement activity undertaken between local authorities and private landlords.

Additionally, Hastings Borough Council has access to the Controlling Migration Fund, which allows local authorities to tackle local service pressures associated with any recently increased migration, which includes tackling rogue landlords and driving up standards. The Tenant Fees Bill has also introduced a lead enforcement authority to provide guidance and support to local authorities regarding the enforcement of letting agent requirements.

Conclusion

There are alternatives to licensing that the council can consider.

The RLA advocates using council tax records to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for the small minority of criminals to operate under the radar. It would be a more

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effective method of targeting these criminals and rooting them out of the sector than an unnecessary licensing scheme.

Thank you for giving these views your attention, and please get in contact for further details of our response if desired. I would only like to add that the RLA's goal is to make renting better for everybody, creating a more harmonious PRS in the process.

Kind regards,

Samantha Watkin
Policy Officer
Residential Landlords Association
Samantha.Watkin@rla.org.uk

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www.rla.org.uk

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National Landlords
Association Skyline House
(2nd Floor)
200 Union Street, London,
SE1 0LX

Telephone: 020 7840 8900

Email: info@landlords.org.uk

Response to Hastings Council's proposal for Selective Licensing

February 2020

Introduction

1. The National Landlords Association (NLA) exists to protect and promote the interests of private residential landlords.
2. The NLA represents individual landlords from around the United Kingdom. We provide a comprehensive range of benefits and services to our members and strive to raise standards within the private rented sector.
3. We seek a fair legislative and regulatory environment for the private rented sector, while aiming to ensure that landlords are aware of their statutory rights and responsibilities.
4. We thank Hastings Council for providing us with the opportunity to comment on the selective licensing proposal.

Executive summary

5. Having considered the evidence presented, and having undertaken our own evaluation of the circumstances faced by the landlords of Hastings:
 - Landlords have very limited authority when dealing with matters related to antisocial behaviour, especially if it happens outside the curtilage of the property.
 - The scheme should take into consideration the proposed changes to Section 21. A tribunal service to solve issues before they escalate.
 - The interaction between adult social care/children's services will have to be involved as many tenants have mental health, alcohol, or drug related illnesses. How will this work – we would like to work with you on this issue?
 - The council should establish a system to prevent malicious claims of poor property being made, which could result in high costs for the landlord and the council.
 - The council should publish a strategy for dealing with chaotic and antisocial tenants. This

- should run in conjunction with the current proposal.
- An issue for landlords is tackling waste left by tenants. Access to removing this will prevent conflict between parties
- The council should work with landlords on tackling rent-to-rent and subletting, including Airbnb.

General feedback on proposals

6. Licensing is a powerful tool. If used correctly by Hastings Council, it could resolve specific issues. We have supported many local authorities in the introduction of licensing schemes that benefit landlords, tenants and the community.
7. The impact of selective licensing must consider the difference between LHA and market rent continues to expand. This is a problem for both the council and landlords and can inadvertently push people into certain areas and create problems, with certain areas becoming stigmatised.
8. We believe that any regulation of the private rented sector must be balanced. Additional regulatory burdens should focus on increasing the professionalism of landlords, improving the quality of private rented stock and driving out the criminals who act as landlords and blight the sector. These should be the shared objectives of all the parties involved, to facilitate the best possible outcomes for landlords and tenants alike. Good practice should be recognised and encouraged, in addition to the required focus on enforcement activity. Working with a delivery partner would support this, it would allow the council to focus on criminal and negligent landlords.
9. In addition, the proposal should take into account rent-to-rent or those who exploit people (both tenants and landlords). Criminals will always play the system. For instance, there needs to be provision for landlords who have legally rented out a property that has later been illegally sublet. The council will need to allocate resources to tackle these problems that criminals cause. Often, landlords are victims, just as much as tenants. This is increasing, and with changes to section 21 being proposed push more tenants who do not have an adequate reference into the criminal sector.
10. The issue of overcrowding is difficult for a landlord to manage if it is the tenant that has overfilled the property. A landlord will tell a tenant how many people are permitted to live in the property, and that the tenant is not to sublet it or allow additional people to live there. Beyond that, how is the landlord to manage this matter without interfering with the tenant's welfare? Equally, how will the council assist landlords when this problem arises? It is impractical for landlords to monitor the everyday activities or sleeping arrangements of tenants. Where overcrowding does take place, the people involved know what they are doing and that they are criminals, not landlords. The council already has the powers to deal with this. #

Anti-social behaviour

11. Landlords are usually not experienced in the management of antisocial behaviour and do not have the professional capacity to resolve tenants' mental health issues or drug and alcohol dependency. If there are allegations about a tenant causing problems (e.g. antisocial behaviour) and a landlord ends the tenancy, the landlord will have dispatched their obligations under the selective licensing scheme, even if the tenant has any of the above issues. This moves the problems around Hastings, but does not actually help the tenant, who could become lost in the system. They will also blight another resident's life. There is no obligation within selective licensing for the landlord to resolve an allegation of antisocial behaviour. Rather, a landlord has a tenancy agreement with a tenant, and this is the only thing that the landlord can legally enforce.
12. Referencing is not a solution as it is thought of, as a landlord can provide a reference where no offence has been prosecuted and was/is simply an allegation. Equally if a landlord is trying to move a tenant on who has been causing problems, but no prosecution has taken place, they might give a good reference to speed up the move. Although a mandatory condition of the 2004 Housing Act, with the proposed changes in section 21, this will mean that more people will not be able to access a property in Hastings.
13. In relation to the reduction of antisocial behaviour and the authority that landlords have to tackle such activity within their properties, it should be pointed out that landlords and agents can only enforce a contract; they cannot manage behaviour (NB: House of Commons briefing note SN/SP 264, paragraph 1.1). In most circumstances, the only remedy available to landlords who are confronted with serious antisocial behaviour in one of their properties will be to seek vacant

possession. In many instances, they will need to serve a section 21 notice, rather than a section 8 notice, identifying the grounds for possession. The former is simpler and cheaper and repossession (at present) is more certain. No reason need be given for serving a section 21 notice and, in this case, the perpetrator tenant can hypothetically approach the local authority for assistance to be rehoused (NB: Homelessness Guidelines cl 8.2). Crucially, no affected party needs to offer evidence against an antisocial householder, thereby reducing the risk of intimidation, harassment and, ultimately, unsuccessful possession claims. The issue of antisocial behaviour will, thus, not appear as a factor in the repossession. However, when providing evidence to support a licensing application, the document should clarify the position of all the relevant issues under landlord and tenant law.

14. If a landlord puts this allegation in a reference, they could be sued by the tenant for something that has not been proved in a court but was an allegation that was untrue. Equally, a credit reference would only show the credit history of a tenant, not anything else, but would still count as a reference.
15. At the commencement of a tenancy, the landlord outlines the tenant's obligations in relation to noise (and other matters such as waste disposal, compliance with relevant laws and having consideration for their neighbours). The landlord can manage a tenant only to the extent of their mutually agreed contract for living in the rented property – not for a tenant's activities in the street outside the property or neighbouring streets. In the case of a noise complaint, the council would have to inform the landlord that the tenant was being excessively noisy. The landlord then has the right either to warn the tenant or to end the tenancy. If the allegation is false or disingenuous, how is the landlord to know? If the same allegation is made on more than one occasion, the landlord may end the tenancy based on an unproven allegation or because the council says that there is a problem. This does not solve the problem but rather moves it around the borough. The same applies to household refuse and other antisocial behaviour issues. The tenant could be labelled as guilty without having faced a trial. Under the reference condition of selective licensing, a guilty judgment can be made without an accusation being tested by their peers in a court of law.
16. The ending of a tenancy will be a way for a landlord to resolve an allegation of antisocial behaviour, waste mismanagement or even a malicious complaint. This will not resolve the issue of high tenancy turnover; it will exacerbate it. This is another situation where a tribunal could resolve issues.
17. Often when tenants are nearing the end of their contract/tenancy and are in the process of moving out, they will dispose of excess household waste by a variety of methods. These include putting waste out on the street for the council to collect. This is made worse when the council does not allow landlords access to municipal waste collection points. Local authorities with a large number of private rented sector properties need to consider a strategy for the collection of excess waste at the end of tenancies. We would be willing to work with the council to help develop such a strategy. An example is the Leeds Rental Standard, which works with landlords and landlord associations to resolve issues. This is where accredited landlords can access waste facilities or have a clear all waste on a number of occasions in a year.

Changes to Section 21

18. We also have concerns over how a scheme will interact with the current government consultation on Section 21. The change to how tenancies will end (via a court case) and a move to a more adversarial system, will mean landlords will become more risk adverse to take tenants that do not have a perfect reference and history. It will also increase the number of people with housing convictions and unable to obtain property. We would like to work with the council in developing a tribunal system where problems can be resolved before going to court.

Energy Efficiency

19. One of the challenges for a proposed licensing scheme will be the challenge to bring the housing stock up to an EPC D by 2025. This will be a significant challenge for the property stock in Hastings, Victorian and single wall. By working with a delivery partner, it can add more value to the private rented housing stock by leveraging in third parties to improve the private rented sector.

Tenant issues

20. The social housing sector has made many efforts to remove problem tenants, this has pushed many people into the private rented sector, many of which have chaotic lifestyles. How does the council expect landlords to solve these tenants' issues when the social sector has failed? Many of the tenants who have been removed from the social sector are now living in the private rented sector without any support. There needs to be a support mechanism put in place for landlords who have problem tenants so that issues can be resolved at an early intervention stage. Again, setting up a tribunal system to overcome these issues at the earliest stage.
21. Licensing is introduced to tackle specific issues. Many of these are related to tenants, which the council has identified. The challenge for local authorities is to work with all the people involved and not simply to blame one group – e.g. landlords. It is about working in partnership with the council to develop a route to resolving many of the issues, the link between adult social care and children's services is just as important. In many of the situations when problems arise it is due to other underlying issues in the tenancy. A route for landlords to highlight problems needs to be made and for it not to be adversarial. If a landlord has a problem tenant, it is likely to be problem for the community as well and will have an impact in other council services.
22. We would also like to see the council develop a strategy that includes action against any tenants who are persistent offenders. This would look at street drinking, mental health and drugs. The issues of These measures represent a targeted approach to specific issues, rather than a blanket licensing scheme that would adversely affect all professional landlords and tenants alike, while leaving criminals able to operate covertly. Many of the problems are caused by mental health or drink and drug issues. Landlords cannot resolve these issues and will require additional resources from the council.
23. We would be happy to discuss and develop any of the points we have made.



Department of Public Health
E1C County Hall,
St Anne's Crescent, Lewes,
East Sussex. BN7 1UE

26 February 2020

Re: Support for Selective Licensing Scheme for Privately Rented Homes

Dear Matt China, Housing Renewal Manager, Hastings Borough Council

I am writing in support of Hasting Borough Council's proposal to introduce a new Selective Licensing scheme for privately rented homes in parts of Hastings and St Leonards-on-Sea.

We know that the condition and design of the home, and the neighbourhood that surrounds it, can impact on your health in both positive and negative ways. Housing is one of the major determinants of health; you cannot maintain good health without good housing, and we all have a role to play in ensuring that everyone has a decent home that meets their needs.

Poor and unsafe housing can occur across all forms of home ownership and occupancy, but in general, and in East Sussex, the private rented sector has the highest rates of poorer housing. Homes in the private rented sector also have higher levels of damp than other sectors, are twice as likely to be in poor condition and one in five households within private rented accommodation are fuel poor.

A growing proportion of the population now live in privately rented properties. Tenants often feel insecure in their housing due to the shortness of contracts and seeming lack of legal protections. The 2017 East Sussex Community Survey showed that 7% of respondents in Hastings reported dissatisfaction with the quality of their housing, which was significantly higher than the rates in Rother (3%), Wealden (3%) and East Sussex as a whole (4%). Importantly, the survey also found that people who rent privately were most likely to be dissatisfied with the quality of their housing (14%).

We need to aspire for better conditions in private sector housing because the quality of housing impacts so significantly on the health, wellbeing and overall life experiences and opportunities of its occupants. I have been so concerned about the impact of poor housing on the health of East Sussex residents, that I have dedicated my Independent Annual Report for 2019/20 to this issue (www.eastsussexjsna.org.uk/publichealthreports).

The recently published independent review of the use and effectiveness of selective licensing has indicated that selective licensing can be an effective policy tool, with many schemes across the country achieving demonstrable positive outcomes. The more successful schemes appear to be those that are part of a wider, well planned, and coherent initiative with an associated commitment of resource. Licensing provides a clear driver for effective engagement between landlords and local authorities and drives up landlord awareness of their responsibilities.

Hastings Borough Council's review of the current Selective Licensing scheme estimates that around 300 homes had been improved three years after its introduction. Our collaborative working on fuel poverty reduction is just one example of how the scheme has supported the health and social care system more widely. The Selective Licencing scheme has enabled us to better promote initiatives that help residents keep warm and well at home, including the East Sussex Warm Home Check service and a project funded by our NHS colleagues to offer new heating systems for vulnerable households in target wards within the borough. It also enabled us to better work together to challenge poor practice where this was identified, providing a useful lever for improvement.

The proposed new scheme will strengthen this ongoing work to improve the estimated 1,000 privately rented homes within the borough that fail current housing standards and up to 1,000 homes that fall below the minimum Band E rating required under the domestic private rented property minimum energy efficiency standard.

I therefore wholeheartedly support the proposed focus of the new scheme and welcome its intention to address the significant numbers of private rented homes that have poor housing conditions.

Kind regards

A handwritten signature in black ink, appearing to read 'Darrell Gale', with a horizontal line underneath it.

Darrell Gale
Director of Public Health
East Sussex County Council

Sussex Police

From: Aidan.Cornwall@sussex.pnn.police.uk <Aidan.Cornwall@sussex.pnn.police.uk>
Sent: 26 February 2020 10:58
To: Debbie Watts <dwatts@hastings.gov.uk>
Cc: licensingrentedpropety@hastings.gov.uk
Subject: RE: Hastings BC Selective Licensing Scheme

Hi Debbie,

I have read through the consultation documents, we do welcome the renewing of the selective licensing team and placing a greater responsibility on landlords to ensure that the properties they are offering are decent and fit for habitation.

We would also welcome a mechanism for us to refer to your team if we have concerns about the state of a property. Could we also ask for some consideration to me taken to those who own derelict or properties under renovation and whether there is a scheme that can be enforced to compel them to properly secure these buildings. Every year both us and the fire service receive hundreds of calls to youths having gained entry to such buildings.

With thanks,

Aidan Cornwall CC018
Inspector

Prevention
Hastings Police Station



HASTINGS BOROUGH COUNCIL'S SELECTIVE LICENSING PROPOSALS

A RESPONSE TO THE CONSULTATION FROM SAFEAGENT

INTRODUCTION

safeagent www.safeagentcheme.co.uk is a licensing scheme for lettings and management agents operating in the Private Rented Sector. **safeagent** agents are required to:

- deliver defined standards of customer service
- operate within strict client accounting standards
- maintain a separate client bank account
- be included under a Client Money Protection Scheme

Agents must provide evidence that they continue to meet **safeagent** criteria on an annual basis, in order to retain their licence. The scheme operates UK wide and has 1500 firms with over 2000 offices.

We are an accredited training provider under the Rent Smart Wales scheme. We have also been approved by Government as a provider of the new mandatory Client Money Protection arrangements.

SAFEAGENT AND LICENSING

safeagent is supportive of initiatives such as Selective Licensing, providing they are implemented in a way that takes account of the Private Rented Sector (PRS)'s own efforts to promote high standards.

safeagent believes that positive engagement with voluntary schemes and the representative bodies of landlords and agents (such as **safeagent**) is essential to the success of initiatives such as Selective Licensing. We are mindful that the operational problems associated with lack of such engagement have been highlighted in House of Commons Standard Note SN/SP 4634.

The same note sets out how important it is for licensing schemes to avoid being burdensome. We believe that promoting voluntary schemes, and offering discounted licence fees to accredited landlords and agents, can help to achieve this. Voluntary schemes often require members to observe standards that are at least compatible with (and are often over and above) those of licensing schemes. We believe, therefore, that if Hastings Borough Council were to allow discounts based on membership of **safeagent** (as well as other similar bodies) implementing and policing the licensing scheme would ultimately be less costly and more effective, allowing resources to be concentrated in the areas where they are most needed.

This is a commonly accepted approach by many English Local Authorities. We would further point out that, in Wales, the Welsh Government has recognised the importance of membership of specified bodies such as **safeagent** and is offering discounted fees to members as a consequence <https://www.rentsmart.gov.wales/en/>

PROMOTING PROFESSIONALISM IN THE PRS - THE ROLE OF AGENTS

safeagent's engagement around the country, with various local authorities, suggests that lettings and management agents have a key role to play in making licensing, accreditation and other, voluntary regulatory schemes work effectively. Agents tend to handle relatively large portfolios of properties, certainly when compared to small landlords. They tend, therefore, to be in a position to gain an understanding of licensing based on wider experience.

Furthermore, **safeagent** ensures its members maintain certain operational standards, have mandatory Client Money Protection arrangements in place, keep separate client accounts and comply with their legal obligation to be a member of a redress scheme. We also provide training. All this can be of assistance to councils who are trying to drive up standards in the PRS.

Although agents are now required to belong to a government approved redress scheme, display their fees and publish their client money protection status, our experience to date suggests local authorities face challenges in enforcing these standards. Membership of bodies such as **safeagent** can reduce the need for the local authority to use its formal, legal powers in these areas.

HASTINGS BOROUGH COUNCIL'S PROPOSALS - SPECIFIC ISSUES

Proposed Licensing Area

We welcome the targeted nature of the licensing proposals.

License Period, Changes in License Holder and Pro-Rata Fees

We note that the normal license period will be 5 years. Our experience around the country suggests that the lack of flexibility in most license fee structures can militate against efforts to establish an alternative competent person to be licence holder/ manager, in cases where problems have been identified during the license period, often by the council. This is because (even accredited) agents still have to pay the full fee when they take on management part way through the license period.

Furthermore, it seems unreasonable to charge the full fee for licenses granted part way through the period – especially if there is only (say) one or two years remaining.

Whilst we understand that licenses cannot be “transferable” from one person to another, we would suggest that more flexibility is required than a fixed 5 year term allows. Landlords and agents taking on properties part way through a 5 year term should only have to pay the 5 year fee “pro rata”.

Only as a quid pro quo to this would we support granting shorter licences for landlords who cannot supply evidence of information such as up to date electrical certificates/gas safety certificates to accompany their licence application.

Again, only as a quid pro quo would we support measures whereby landlords who do not apply for their licence - and have to be chased by the Council - pay a higher fee.

License Fee

We believe that the proposed fee is reasonable.

Fee Structure – Discounts and Accreditation

We would urge Hastings Borough Council to offer fee discounts to:

- Agents who are members of **safeagent** (where the agent is the actual or *de-facto* licence holder)
- Landlords who engage agents that are members of **safeagent** (where the landlord is the licence holder)

We would suggest that this discount be £100.

Fee Waiver – Tackling Homelessness

We would suggest that, in cases where a private landlord is assisting the Council by offering permanent accommodation to meet homelessness duties, license applications should be accepted without a fee being payable.

LICENCE CONDITIONS

We are supportive of the license conditions set out. However, we would make the following points, which cover any other conditions we think should be included in the licensing scheme.

Tenant Referencing

We would be strongly supportive of any requirement to obtain references for prospective tenants, as **safeagent** is actively involved in promoting good practice in tenant referencing.

Tenancy Management

safeagent agents are expected provide and fill in a tenancy agreement on behalf of the landlord. they will always make sure the terms of the tenancy are fair and help the tenant to understand the agreement. They will always provide clear information to the tenant about any pre-tenancy payments and what these cover. They will explain any requirement for a guarantor and what the guarantor role entails.

At the end of a tenancy, they will always serve the tenant with the correct period of notice as set out in the tenancy agreement.

safeagent agents are also required to:

- Have a designated client account with the bank
- Operate to strictly defined Accounting Standards
- Be part of a mandatory Client Money Protection Scheme.

Licence Conditions Relating to the Property

We welcome Hastings Borough Council's drive to improve property standards. We believe that **safeagent's** standards go a long way to ensuring compliance with license conditions. We support adding a condition requiring an Energy Performance Certificate to be in line with new energy efficiency regulations.

Training

We would welcome any condition requiring agents who are license holders to undergo training.

Membership of **safeagent** means that agents already have access to an extensive training package, engagement with which should reduce the need for the local authority to intervene. Although not a *condition* of **safeagent** membership, **safeagent** offers accreditation through an online foundation course as well as qualifications such as BTEC Level 3 in Lettings and Management practice.

We would further suggest that discounted fees for **safeagent** agents would provide an incentive to positive engagement with training that is fully compatible with the requirements of the licensing scheme.

Anti-Social Behaviour

We note that there are distinctive issues around crime and Anti-Social Behaviour (ASB) in the licensing area. We also note the positive outcomes that have been achieved since 2015. However, we do have concerns about the assumed link between the amount of PRS accommodation in the neighbourhood and the incidence of ASB.

There may be some *correlation* between incidences of ASB and the prevalence of PRS accommodation on the area. However, correlation does not imply *causation*. The *causes* of ASB are many and varied. It is not, in our view, reasonable to expect agents and landlords to play a disproportionately large part in tackling them.

Furthermore, we would strongly advise against any proposals which imply a parity of approach between the PRS and the social rented sector. Social landlords are publicly funded (and regulated) to develop and manage housing on a large scale for the benefit of local communities in which they work. As private businesses, PRS landlords and their agents, whilst having clear responsibilities to manage their properties professionally, cannot reasonably be expected to tackle wider social problems.

Suitability of Licence Holder

We note the requirement that the council would only issue a licence if it is satisfied that the proposed licence holder is a 'fit and proper' person and that there are suitable management arrangements in place. We believe that this requirement highlights the importance of lettings and management agents belonging to recognised accrediting bodies like **safeagent**, who themselves apply a fit and proper person test.

We believe this certification is broadly in line with Hastings Borough Council's licensing conditions and is another example of where promotion of **safeagent** membership through discounts could help to ensure compliance.

Complaints

All **safeagent** firms are required to have a written customer complaints procedure, available on request. Our guidance sets out how the first step for complainants is to ask the firm they are dealing with for a copy, which will outline the method by which they can seek to resolve any issues. In line with statutory requirements, all **safeagent** members must also be members of a recognised redress scheme.

MEASURING THE SUCCESS OF THE SCHEME

The extensive evaluation of the existing scheme that has been carried out by the Council is welcomed. Make regular information available in a clear and consistent format. Reports to local landlord and agent forums, representative bodies and other stakeholders should include at minimum:

- The estimated number of private rented properties that require licensing under the selective licensing scheme
- The number of applications received in respect of these properties
- Progress in processing (granting, querying or refusing) the licence applications received
- Analysis of the reasons for any queries or refusals and the extent to which remedial action is identified and taken as a result
- Analysis of the outcomes of ongoing inspections and the extent to which remedial action is identified and taken as a result
- Progress reports across the whole 5 year period covered by the scheme.

This should help to enable the Council to work in partnership with landlords, agents, representative bodies and other stakeholders to ensure the success of the scheme.

CONCLUSION

It is important for landlords to work with reputable agents such as **safeagent** members. Offering a discount to licence holders who work with a **safeagent** accredited agent would help to promote this.

safeagent would welcome a collaborative approach with Hastings Borough Council, based on shared objectives. We believe that agents who are members of a recognised body are more likely to embrace Selective Licensing and less likely to generate complaints or breaches of their licence. Discounted fees for **safeagent** members would be a significant incentive to positive engagement by agents. In return, the Council would experience reduced administration and compliance costs.

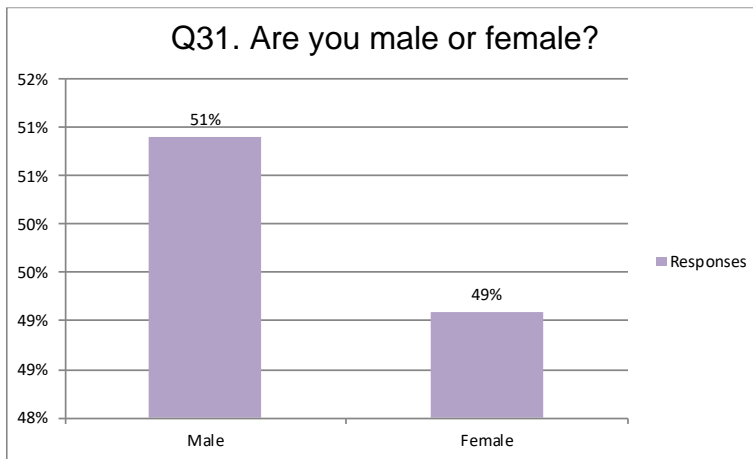
CONTACT DETAILS

safeagent
Cheltenham Office Park
Hatherley Lane
Cheltenham
GL51 6SH

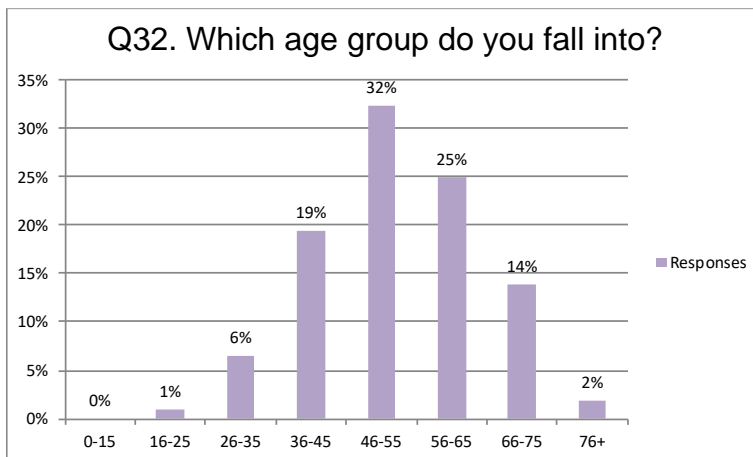
Tel: 01242 581712 Email: info@safeagentcheme.co.uk

Appendix 6 - Equalities Information

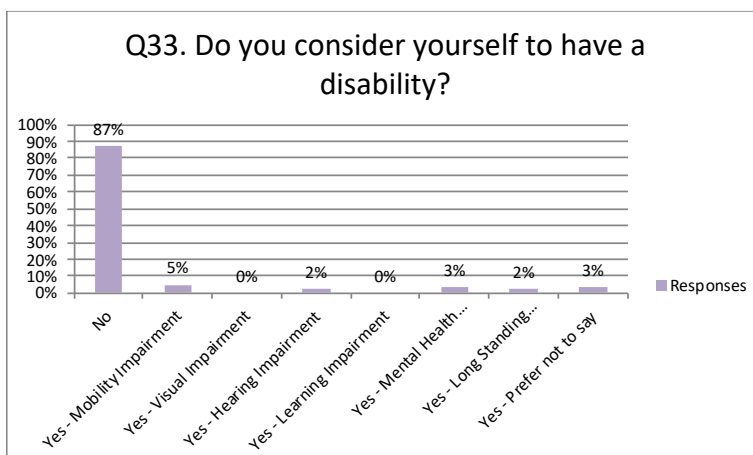
Gender



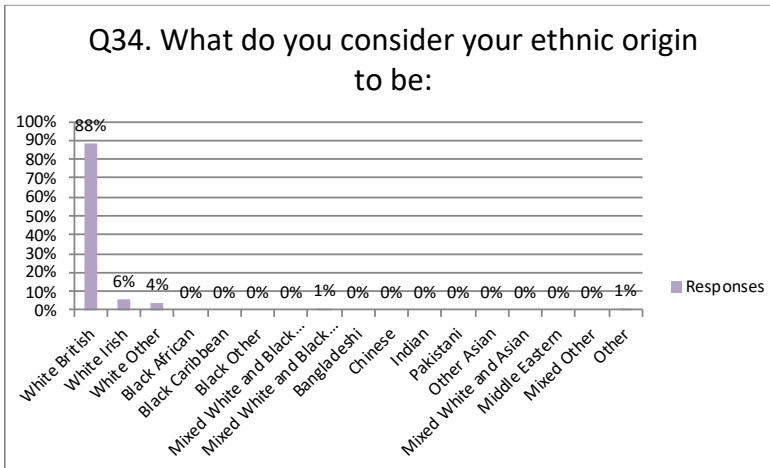
Age group



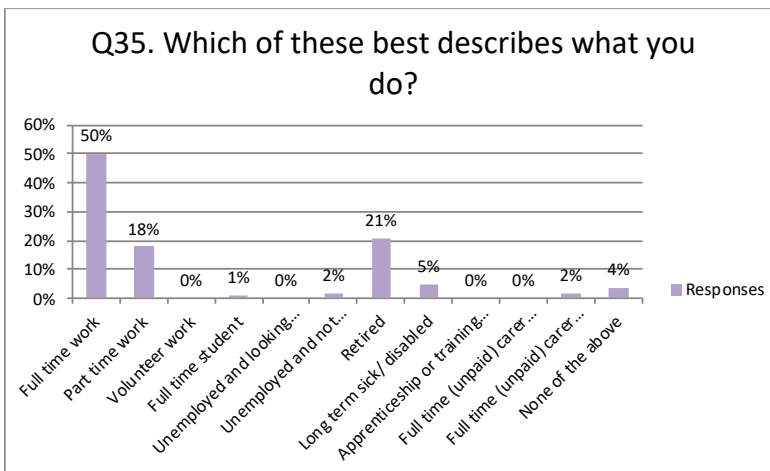
Disability



Ethnic Origin



What people do



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Appendix 3 – Proposed Selective Licensing Fee Structure (2020)

	Part 1 Fee – Payable on application	Part 2 Fee – Payable within 2 weeks of council determination to grant licence	Total
New licence	£ 538	£ 160	£ 697
Renewal of 2015 Selective Licensing Scheme licence	£ 125	£ 160	£ 285
Additional fee if phased payment (charged in addition to Part 1)			£ 59 per licence

Notes.

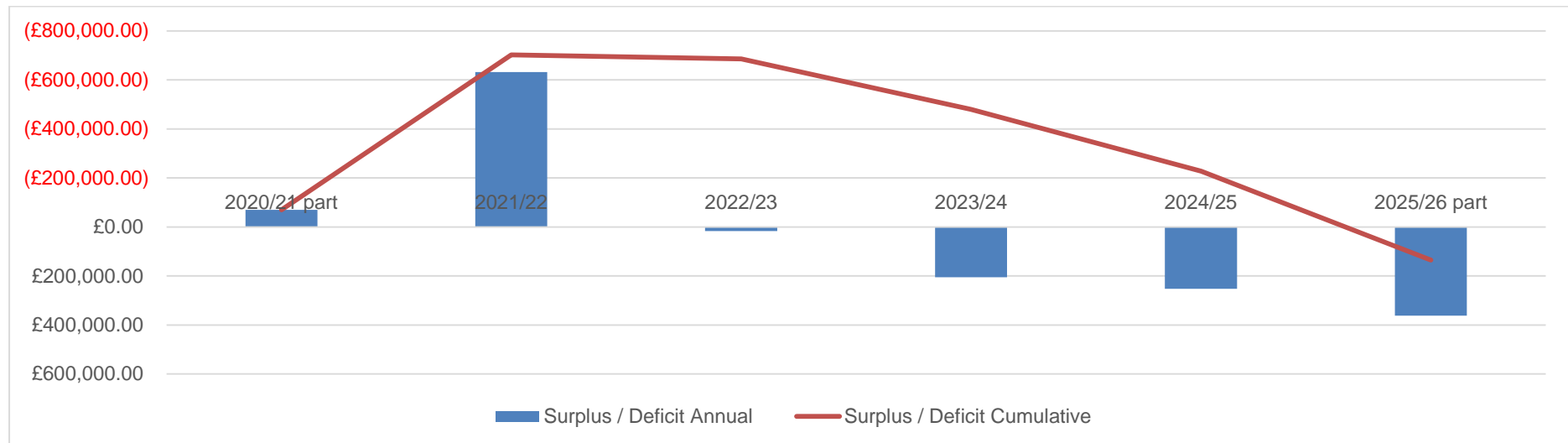
Any change of licence holder will require a new licence application and will be charged as per new licence.

In order to be eligible for the “Renewal of 2015 Selective Licensing Scheme licence” rate applications must be made within 2 months of the expiration of the 2015 scheme licence.

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Appendix 4 – Selective Licensing 2020 Business Plan

	2020/21 part	2021/22	2022/23	2023/24	2024/25	2025/26 part	Scheme Total
Total Staffing	£176,998.11	£364,477.35	£375,272.92	£386,392.35	£397,845.37	£434,820.99	£2,135,807.09
Total supplies and services	£70,250.00	£90,500.00	£105,000.00	£90,500.00	£100,500.00	£45,500.00	£502,250.00
Total departmental recharges	£50,000.00	£75,000.00	£100,000.00	£150,000.00	£175,000.00	£50,000.00	£600,000.00
Total Expenditure	£297,248.11	£529,977.35	£580,272.92	£626,892.35	£673,345.37	£530,320.99	£3,238,057.09
Total Income	-£367,267.79	-£1,161,722.60	-£563,660.78	-£421,265.11	-£421,265.11	-£167,913.85	-£3,103,095.25
Net Total	-£70,019.69	-£631,745.26	£16,612.14	£205,627.25	£252,080.27	£362,407.14	£134,961.84



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Hastings Borough Council Conditions of Selective Licence

Definitions

In these licence conditions:

- a) “dwelling” refers to the building or such part of it as is licenced under Part 3 of the Housing Act 2004;
- b) “Authority” refers to the local authority, namely Hastings Borough Council;
- c) “Licence holder” refers to: (a) the person to whom the Authority has granted this licence; and (b) from the date of his or her consent; any other person who agrees to comply with the licence restrictions and obligations that follow.
- d) “Manager” refers to a person who, being an owner or lessee of the dwelling, receives (whether directly or through an agent or trustee) rents or other payments from persons who are in occupation as tenants or licensees of parts of the dwelling
- e) “Mandatory Conditions” refers to conditions that the Authority is obliged to impose under any licence granted under Part 3 of the Housing Act 2004 by virtue of Schedule 4 of that Act.
- f) “Additional Conditions” refers to conditions that the Authority considers appropriate for regulating the management, use or occupation of the house by virtue of sections 90(1) and 90(2) of the Housing Act 2004.

Section 1

Mandatory Conditions

The following conditions apply only in relation to any part of the property over which the licence holder exercises control, or over which it would be reasonable to expect that he or she would exercise control.

- 1.1 This condition only applies where gas is supplied to the dwelling: The licence holder must send the current gas safety certificate to the Authority, every year on the anniversary of the issue of the licence.

- 1.2 The licence holder must keep electrical appliances supplied by him or her in a safe condition. A declaration as to the safe condition of the appliances must be supplied to the Authority on demand.
- 1.3 The licence holder must keep furniture supplied by him or her in a safe condition. A declaration as to the safe condition of the furniture must be supplied to the Authority on demand.
- 1.4 The licence holder must ensure that smoke alarms are installed on each storey of the dwelling on which there is a room used wholly or partly as living accommodation. A declaration as to the positioning of such alarms must be supplied to the Authority on demand.

[Note - a bathroom or lavatory is to be treated as a room used as living accommodation.]

- 1.5 The licence holder must ensure that the smoke alarms are kept in proper working order. A declaration as to the proper working order of such alarms must be supplied to the Authority on demand.
- 1.6 The licence holder must ensure that a carbon monoxide alarm is installed in any room in the dwelling which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance. A declaration as to the positioning of such alarms must be supplied to the Authority on demand.

[Note - 'Room' includes a hall or landing. A bathroom or lavatory is to be treated as a room used as living accommodation.]

- 1.7 The licence holder must ensure that the carbon monoxide alarms are kept in proper working order. A declaration as to the proper working order of such alarms must be supplied to the Authority on demand.
- 1.8 The licence holder must supply to the occupants of the dwelling a written statement of the terms on which they occupy it.
- 1.9 The licence holder must demand and obtain references from persons who wish to occupy the dwelling.

Section 2

Additional Conditions

General Administration

Change of address

- 2.1 The [Licence holder] [and/or] [the manager] must inform the Authority if they no longer reside at the address given in their application form at licensingrentedproperty@hastings.gov.uk Furthermore, the Licence holder must provide the Authority with their new address and contact details within 21 days.

Change of manager/managing agent

- 2.2 The [Licence holder] [and/or] [the manager] must inform the Authority if there is a change in manager/ managing agent, within 21 days, or if a manager/managing agent is appointed who is not named on the existing licence.

Managing agent ceases to have an interest in the dwelling

- 2.3 If the licence holder is a managing agent, they must inform the Authority if they cease to have an interest in the dwelling, within 21 days.

Material changes to the dwelling

- 2.4 The [Licence holder] [and/or] [the manager] must advise the Authority in advance of making any changes to the layout, amenity provision, fire precautions or mode of occupation of the dwelling.

Access to Authority officers

- 2.5 The [Licence holder] [and/or] [the manager] must take all reasonable steps to arrange for access to be granted to Authority officers when requested, at any reasonable time. They must not impede Authority officers in carrying out their statutory duties including inspecting, surveying and investigating the dwelling to ensure compliance with licence conditions or any other relevant legislation.

Fit and Proper Person

- 2.6 The licence holder must inform the Authority if, since becoming the licence holder, they contravene any of Sections 2.8 (a) – (d) below. This must be done within 21 days of such a contravention.
- 2.7 The licence holder must inform the Authority if the person named as the manager of the property contravenes any of Sections 2.8 (a) – (d) below. This must be done within 21 days of such a contravention.
- 2.8 The following criteria are considered in the assessment of whether the licence holder or manager is a fit and proper person: -
- a) Offences involving
 - Fraud
 - Dishonesty
 - Violence

- Drugs
 - Sexual Offences Act (Schedule 3)
- b) Unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in connection with a business
- c) Contravention of any provision of housing or landlord and tenant law. In particular:
- Cases where proceedings are taken by any Local Authority
 - Cases where any Local Authority has carried out works in default
 - Cases where a Management Order under Housing Act 2004 has been made
 - Cases where an HMO licence has been refused or licence conditions have been breached
- d) Acting in contravention of any Approved Code of Practice (ACoP) concerning housing law

Management of the Premises

Prevent or reduce anti-social behaviour

- 2.9 The [Licence holder] [and/or] [the manager] shall take reasonable and practicable steps to prevent or reduce anti-social behaviour by persons occupying or visiting the dwelling, to this end shall:
- Report all incidences of anti-social behaviour to the appropriate authority
 - Ensure adequate security arrangements are in place to prevent unauthorised access.

Enter into a tenancy agreement that includes provisions for dealing with antisocial behaviour

- 2.10 The [Licence holder] [and/or] [the manager] shall enter into an assured shorthold tenancy agreement with each new tenant of the dwelling in the licensed premises for which he or she is the person having control. The tenancy agreement will be based upon the National Landlords' Association model tenancy agreement, and will include provisions relating to forfeiture of the property in the event of a breach of the tenancy agreement terms in the following circumstances:

Ground 14

"That the tenant or someone living in, or visiting the premises has been guilty of conduct which is, or is likely to cause a nuisance or annoyance to neighbours; or, that a person residing or visiting the premises has been convicted of using the premises, or allowing it to be used for immoral or illegal purposes or has committed an arrestable offence in, or in the locality of the licensed premises."

- 2.11 In the event of a breach of the tenancy agreement in the circumstances specified above, the [Licence holder] [and/or] [the manager] shall take immediate steps to secure the forfeiture of the property. Sussex Police will assist landlords by providing supporting evidence regarding anti-social behaviour to enable landlords to gain possession of relevant accommodation in licensed premises.

Supply of gas and electricity

- 2.12 The [Licence holder] [and/or] [the manager] shall not unreasonably cause a supply of gas or electricity to any resident in the dwelling to be interrupted, where such supplies are under their control.

Supply of water

- 2.13 The [Licence holder] [and/or] [the manager] shall not unreasonably cause a supply of water to any resident in the dwelling to be interrupted, where this supply is under their control.

Inform us if there is a fire in the property

- 2.14 [Licence holder] [and/or] [the manager] must inform the Council by telephone within 72 hours of becoming aware of the occurrence of a fire within the dwelling.

Notification to tenants

- 2.15 The [Licence holder] [and/or] [the manager] must supply to each tenant a copy of the licence and the conditions attached to it.

Dealing with emergencies and matters out of normal working hours

- 2.16 The [Licence holder] [and/or] [the manager] shall give a written declaration that they shall provide to each current and future occupant with the name, address and telephone number of the landlord's appointed local out of hours contact, who will respond to emergency situations outside normal business hours, and be able to attend or arrange for a contractor to attend the property to deal with any emergencies within 3 hours of notification.

Energy Performance Certificates

- 2.17 For each dwelling within the building for which the licence holder is the person having control the [Licence holder] [and/or] [the manager] shall supply each new tenant with a copy of the current valid Energy Performance Certificate (EPC)

Access to Utility Meters

- 2.18 The [Licence holder] [and/or] [the manager] shall ensure that their tenant is able to access and obtain readings of the utility meters (gas, electricity and water, as applicable) for the dwelling at reasonable times (no less than the delivery frequency of the utility bills) during the course of the tenancy and a final reading at the

termination of the tenancy. Furthermore, the Licence holder shall supply to the tenant a written document describing the location of the utility meters (gas, electricity and water, as applicable) and the access arrangements for the meters

Protection of tenancy deposits

2.19 The [Licence holder] [and/or] [the manager] shall ensure that any deposit taken under an assured shorthold tenancy is protected by placing it in an authorised tenancy deposit scheme. The tenant must be given the prescribed information about the scheme. The [Licence holder] [and/or] [the manager] must ensure compliance with the requirements of the scheme and the operation of Part 6 in Chapter 4, Housing Act 2004 within the statutory time limit (currently 30 days). A copy of the prescribed information given must be provided to the Authority within 21 days on demand.

Investigation of complaints about disrepair

2.20 The [Licence holder] [and/or] [the manager] must ensure that prompt action is taken to investigate and effectively address complaints about disrepair at the dwelling. The [Licence holder] [and/or] [the manager] must ensure that a written response is made to any such complaint within 21 days of receipt, stating the action that has been or will be taken. Copies of any such written complaint and the response must be provided to the Authority within 21 days on demand.

2.21 The [Licence holder] [and/or] [the manager] shall ensure that any repairs or improvement works at the dwelling are carried out by competent persons. Copies of receipts and or invoices for any such works must be provided to the Authority within 21 days upon demand.

Other Statutory and Legal Requirements

Planning Permission

This licence does NOT grant any planning approvals, consents or permissions under the Town and Country Planning Act 1990 or any related planning legislation, retrospectively or otherwise. This licence does not offer any protection against enforcement action taken by the planning department.

Building Control

This licence does NOT grant any building control approvals, consents or permissions, retrospectively or otherwise. This licence does not offer any protection or excuse against enforcement action taken by the building control department.

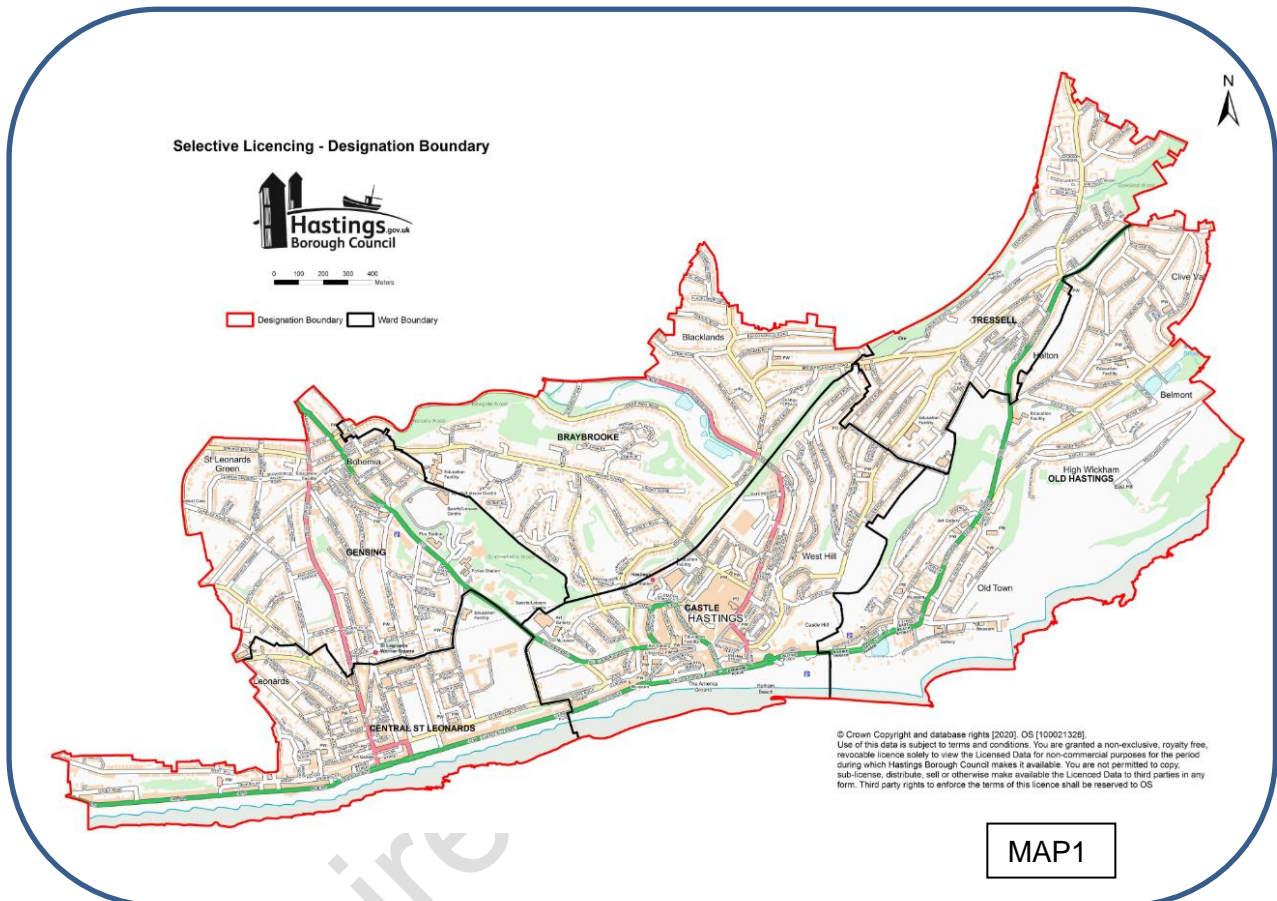
Property Condition

This licence is NOT evidence that the property is safe or free from hazards and defects. The licence does not offer any protection against criminal or civil action being taken against the [Licence holder] [and/or] [the manager] in respect of any hazards, nuisances or any other problems discovered in relation to the condition of the property.

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DESIGNATION OF AN AREA FOR SELECTIVE LICENSING SECTION 80, HOUSING ACT 2004

The Hastings Borough Council (“the Council”) in exercise of its powers under section 80 of the Housing Act 2004 (“the Act”) has on 23 March 2020 designated an area in its district as delineated in red as Selective Licensing as per MAP1 below.



The designation has been made under Section 80 of the Act and was approved by Cabinet decision taken on 23 March 2020.

The designation falls within a description of designations for which confirmation is required by Secretary of State under the General Approval issued on 1 April 2015. The Secretary of State has confirmed the designation, which will come into force on 26 October 2020.

CITATION, COMMENCEMENT AND DURATION

1. This designation may be cited as the Hastings Borough Council Designation of an Area for Selective Licensing 2020.
2. This designation was made on 23 March 2020 and shall come into force on 26 October 2020.

3. This designation shall cease to have effect on 25 October 2025 (not more than 5 years) or earlier if the Council revokes the scheme under section 84 of the Act.

AREA TO WHICH THE DESIGNATION APPLIES

4. This designation shall apply to all streets in Braybrooke, Castle, Central St Leonards, Gensing, Old Hastings and Tressell wards as delineated and edged red on MAP1.

APPLICATION OF THE DESIGNATION

5. This designation applies to any house¹ within the area described in paragraph 4 which is let or occupied under one or more tenancies or licences unless:
 - a) the house is a house in multiple occupation (“HMO”) and is required to be licensed under Part 2 of the Act;²
 - b) the house is subject to a temporary exemption under section 86 of the Act;³
 - c) the house is subject to an Interim or Final Management Order under Part 4 of the Act;⁴
 - d) the house is occupied under a single tenancy or licence which is exempt under the Act, or under more than one tenancy or licence at least one of which is exempt under the Act.⁵ A tenancy or licence is exempt if:
 - i. it is granted by a non-profit registered provider of social housing,
 - ii. it is granted by a profit-making registered provider of social housing in respect of social housing⁶,
 - iii. it falls within an exemption as defined in Annexe B.⁷

EFFECT OF THE DESIGNATION

6. Subject to sub paragraphs 5(a) to (d) every house in the area specified in paragraph 4 that is occupied under a tenancy or licence shall be required to be licensed under section 85 of the Act.⁸

¹ For the definition of “house” see sections 79 and 99 of the Act

² Section 85(1)(a) of the Act. Section 55 of the Act defines which Houses in Multiple Occupation are required to be licensed under the Act. See also The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371)

³ Section 85(1)(b).

⁴ Section 85(1)(c).

⁵ Section 79(4) of the Act and SI 2006/370

⁶ Within the meaning of Part 2 of the Housing and Regeneration Act 2008.

⁷ Under The Licensing of Houses in Multiple Occupation (Prescribed Descriptions) (England) Order 2005 (SI 2006/371).

⁸ Section 86 of the Act provides for certain temporary exemption. As to suitability see section 89.

Note, if the house is not suitable to be licensed the Council must make an Interim Management Order – see section 102.

7. The Hastings Borough Council will comply with the notification requirements contained in section 83 of the Act and shall maintain a register of all houses registered under this designation, as required under section 232 of the Act.⁹
8. Landlords, persons managing or a tenant within the designated area should seek advice from the Local Housing Authority by contacting them as specified in Paragraphs 11, 12, and 13 to ascertain whether their property is affected by this designation.
9. Any person who operates a licensable property without a licence or who fails to comply with any condition of a licence which has been granted in respect of a licensable house, is liable to prosecution and upon summary conviction is liable to an unlimited fine. The Council may, as an alternative to initiating a prosecution, pursue one or more of a range of other enforcement actions including the imposition of a financial penalty of up to £30,000. When an offence has been committed an application may also be made by the Council and/or tenant for a Rent Repayment Order to pay back up to 12 months' rent, Housing Benefit or Universal Credit, and/or for a banning order. The Council may also make an Interim Management Order whereby the Council would take management control of the unlicensed property. Where a licensable house is unlicensed, no section 21 notice may be given in relation to any shorthold tenancy of the whole or part of the house.

INSPECTION OF THE DESIGNATION

10. Hastings Borough Council is the Local Housing Authority, which made the designation. The designation may be inspected during office hours at the address as outlined in Paragraph 11 below and at Muriel Matters House, Breeds Place, Hastings, TN34 3UY.

APPLICATION FOR SELECTIVE LICENCE AND GENERAL ADVICE ABOUT SELECTIVE LICENSING

11. Applications for selective licences and general advice about selective licensing should be made at the Council's office at the following address:

Hastings Borough Council
Housing Renewal
Muriel Matters House
Breeds Place
Hastings
East Sussex
TN34 3UY

12. The contact number for the Housing Renewal Team is: 01424 451100
13. The email address for the Housing Renewal Team is: housingadmin@hastings.gov.uk

⁹ Section 232 of the Act and paragraph 11 of SI 2006/373.

DATE AND AUTHENTICATION BY THE COUNCIL

Signed:

Simon Hubbard, Director of Operational Services, an officer authorised by
Hastings Borough Council

Date:

Requires confirmation

Annexe A - Paragraph 4: Designated Area

The area covers the following wards:

- Braybrooke
- Castle
- Central St Leonards
- Gensing
- Old Hastings
- Tressell

A full list of the streets affected is given below:

Street	Whole or Part	Description
Admiral Steps	Whole	
Albert Road	Whole	
Albion Lane	Whole	
Aldborough Road	Whole	
Alexandra Road	Whole	
Alfred Road	Part	2-85 (All) & 87-101 (Odd)
Alfred Street	Whole	
All Saints Crescent	Whole	
All Saints Street	Whole	
Alpine Road	Whole	
Amherst Close	Whole	
Amherst Gardens	Whole	
Amherst Road	Whole	
Anglesea Terrace	Whole	
Ann Street	Whole	
Ashburnham Road	Whole	
Athelstan Road	Whole	
Baldslow Road	Whole	
Barley Avenue	Whole	
Barley Lane	Part	2-93 (All), Bay Tree Barn & The Firs
Barnfield Close	Whole	
Beaconsfield Road	Whole	
Beatrice Close	Whole	
Becket Close	Whole	
Bedford Road	Whole	
Belmont Road	Whole	
Bembrook Road	Whole	
Berlin Road	Whole	
Bethune Way	Whole	
Bishop Avenue	Whole	

The Hastings Borough Council Designation of an Area for Selective Licensing 2020

Blacklands Drive	Whole	
Blomfield Road	Whole	
Bohemia Road	Whole	
Bohemy Fields	Whole	
Bottle Alley	Whole	
Bourne Passage	Whole	
Boyne Road	Whole	
Brassey Steps	Whole	
Braybrooke Close	Whole	
Braybrooke Road	Whole	
Braybrooke Terrace	Whole	
Braycastle Walk	Whole	
Breeds Place	Whole	
Brisco's Walk	Whole	
Brittany Mews	Whole	
Brittany Road	Whole	
Brook Street	Whole	
Broomgrove Road	Whole	
Buchanan Gardens	Whole	
Burdett Place	Whole	
Burton Way	Whole	
Calverley Close	Whole	
Calvert Road	Whole	
Cambridge Gardens	Whole	
Cambridge Road	Whole	
Cardiff Road	Whole	
Carisbrooke Road	Whole	
Carlisle Parade	Whole	
Castle Gardens	Whole	
Castle Hill Passage	Whole	
Castle Hill Road	Whole	
Castle Street	Whole	
Castledown Avenue	Whole	
Castledown Terrace	Whole	
Cavendish Place	Whole	
Caves Road	Whole	
Chapel Park Road	Whole	
Charles Road	Whole	
Charles Road West	Whole	
Cherry Tree Close	Whole	
Church Passage	Whole	
Church Road	Whole	
Church Street	Whole	
Claremont	Whole	
Clarence Road	Whole	

The Hastings Borough Council Designation of an Area for Selective Licensing 2020

Clifton Road	Part	1-87 (Odd) & 2-64 (Even)
Clinton Crescent	Whole	
Clive Avenue	Whole	
Cloudesley Road	Whole	
Clyde Road	Whole	
Cobourg Place	Whole	
Coghurst Road	Part	12-26 (Even) & 25-27 (Odd)
Collier Road	Whole	
Combermere Road	Whole	
Cookson Gardens	Whole	
Cornfield Terrace	Whole	
Cornwallis Gardens	Whole	
Cornwallis Street	Whole	
Cornwallis Terrace	Whole	
Courthouse Street	Whole	
Cranbrook Road	Whole	
Croft Road	Whole	
Croft Terrace	Whole	
Cromer Walk	Whole	
Cross Street	Whole	
Crown Lane	Whole	
Cumberland Gardens	Whole	
Cutter Lane	Whole	
Dane Road	Whole	
De Cham Avenue	Whole	
De Cham Road	Whole	
Decimus Burton Way	Whole	
Deepdene Gardens	Whole	
Denmark Place	Whole	
Devonshire Road	Whole	
Dordrecht Way	Whole	
Dorset Place	Whole	
Dudley Road	Whole	
Earl Street	Whole	
East Ascent	Whole	
East Beach Street	Whole	
East Bourne Street	Whole	
East Hill Passage	Whole	
East Parade	Whole	
East Street	Whole	
Ebenezer Road	Whole	
Edgar Road	Whole	
Edmund Road	Whole	
Edward Road	Whole	
Edwin Road	Whole	

The Hastings Borough Council Designation of an Area for Selective Licensing 2020

Egremont Place	Whole	
Elford Street	Whole	
Ellenslea Road	Whole	
Ellis Close	Whole	
Elphinstone Road	Part	1-77 (Odd), 2-104 (Even), High Spy & St James House
Emmanuel Road	Whole	
Eversfield Place	Whole	
Exmouth Place	Whole	
Falaise Road	Whole	
Farley Bank	Whole	
Fearon Road	Whole	
Five Acre Walk	Whole	
Forest Way	Whole	
Fox Walk	Whole	
Frederick Road	Whole	
Gardner Way	Whole	
Gas Works Steps	Whole	
Gensing Road	Whole	
George Monger Passage	Whole	
George Street	Whole	
Gilbert Road	Whole	
Githa Road	Whole	
Gladstone Terrace	Whole	
Godwin Road	Whole	
Gordon Road	Whole	
Grand Parade	Whole	
Greville Road	Whole	
Grey Owl's Reach	Whole	
Gurth Road	Whole	
Halton Crescent	Whole	
Halton Place	Whole	
Halton Terrace	Whole	
Hampden Close	Whole	
Hardwicke Road	Whole	
Harold Mews	Whole	
Harold Place	Whole	
Harold Road	Part	1-213 (Odd) & 2-244 (Even)
Harting Combe	Whole	
Hatherley Road	Whole	
Havelock Road	Whole	
Helensdene Walk	Whole	
Henry Terrace	Whole	
Herbert Tree Walk	Whole	
High Bank Close	Whole	
High Street	Whole	

The Hastings Borough Council Designation of an Area for Selective Licensing 2020

High Wickham	Whole	
Hill Street	Whole	
Hillyglen Close	Whole	
Holmesdale Gardens	Whole	
Hopgarden Close	Whole	
Hornty Park	Whole	
Hornty Road	Whole	
Hughenden Place	Whole	
Hughenden Road	Whole	
Hurrell Road	Whole	
Kathleen Close	Whole	
Kenilworth Road	Whole	
Keppel Road	Whole	
Kings Road	Whole	
Kings Walk	Whole	
Langham Path	Whole	
Laser Lane	Whole	
Laton Road	Whole	
Light Steps	Whole	
Linton Crescent	Whole	
Linton Road	Whole	
Little Acres Way	Whole	
Lodge Road	Whole	
London Road	Part	1-323 (Odd), 2-152 (Even), Halley Court, St Leo's & Twitten Cottage
Lower Park Road	Whole	
Lower South Road	Whole	
Magdalen Road	Whole	
Mann Street	Whole	
Manor Road	Whole	
Marina	Whole	
Marine Parade	Whole	
Market Passage	Whole	
Market Street	Whole	
Markwick Terrace	Whole	
Maudlin Court	Whole	
Maze Hill	Part	1-15 (All), 20 & St Leonards Lodge
Maze Hill Terrace	Whole	
Mercatoria	Whole	
Mews Road	Whole	
Middle Street	Whole	
Milward Crescent	Whole	
Milward Road	Whole	
Moscow Road	Whole	
Mount Pleasant	Whole	

The Hastings Borough Council Designation of an Area for Selective Licensing 2020

Mount Pleasant Crescent	Whole	
Mount Pleasant Road	Whole	
Mount Road	Whole	
Nelson Road	Whole	
Newgate Road	Whole	
Noonan's Steps	Whole	
Norcross Passage	Whole	
Norman Road	Whole	
North Road	Whole	
North Street	Whole	
North Terrace	Whole	
Oak Passage	Whole	
Oakfield Road	Whole	
Old Humphrey Avenue	Whole	
Old London Road	Part	1-315 (Odd), 2-360 (Even) & Marianne Park Chapel Mews
Old School Path	Whole	
Oliver Close	Whole	
Oxford Terrace	Whole	
Parker Road	Part	3-15 (Odd)
Pashley Gardens	Whole	
Pelham Crescent	Whole	
Pelham Place	Whole	
Pelham Street	Whole	
Percy Road	Whole	
Pevensey Road	Part	1-69 (Odd), 2-36 (Even), St Richards House & The Old School
Philip Cole Close	Whole	
Piltdown Close	Whole	
Pleasant Row	Whole	
Plynlimmon Road	Whole	
Portland Place	Whole	
Portland Steps	Whole	
Post Office Passage	Whole	
Princes Road	Whole	
Priory Avenue	Whole	
Priory Close	Whole	
Priory Road	Whole	
Priory Street	Whole	
Prospect Place	Whole	
Quarry Crescent	Whole	
Quarry Road	Whole	
Queens Avenue	Whole	
Queens Parade	Whole	
Queens Road	Whole	
Queens Square	Whole	

The Hastings Borough Council Designation of an Area for Selective Licensing 2020

Redmayne Drive	Whole	
Richmond Street	Whole	
Robert Tressell Close	Whole	
Robertson Passage	Whole	
Robertson Street	Whole	
Robertson Terrace	Whole	
Robertsons Hill	Whole	
Rock-a-Nore Road	Whole	
Rocklands Lane	Whole	
Roebuck Street	Whole	
Rotherfield Avenue	Whole	
Rothsay Road	Whole	
Russell Street	Whole	
Salisbury Road	Whole	
Salters Lane	Whole	
San Jose Close	Whole	
Sandown Road	Whole	
Saunders Close	Whole	
Saxon Street	Whole	
School Road	Whole	
Schwerte Way	Whole	
Selmeston Close	Whole	
Shell Lane	Whole	
Shepherd Street	Whole	
Sherwood Close	Whole	
Shornden Passage	Whole	
Silchester Road	Whole	
Sinnock Passage	Whole	
Sinnock Square	Whole	
South Street	Whole	
South Terrace	Whole	
Southwater Road	Whole	
Speckled Wood	Whole	
Spring Street	Whole	
Springfield Road	Whole	
Springfield Valley	Whole	
St Andrews Square	Whole	
St Catherines Close	Whole	
St Clements Place	Whole	
St Georges Road	Whole	
St Helens Road	Part	1-76 (All), Alexandra Court, Lyndhurst & Saxonhurst
St James's Road	Whole	
St Johns Road	Whole	
St Margarets Road	Whole	
St Margarets Terrace	Whole	

The Hastings Borough Council Designation of an Area for Selective Licensing 2020

St Marys Road	Whole	
St Marys Terrace	Whole	
St Michaels Place	Whole	
St Pauls Place	Whole	
St Pauls Road	Whole	
St Peters Road	Whole	
St Thomas's Road	Whole	
Stainsby Street	Whole	
Stanhope Place	Whole	
Stanley Gardens	Whole	
Stanley Road	Whole	
Stapley Close	Whole	
Starr's Cottages	Whole	
Station Approach	Whole	
Station Road	Whole	
Stockleigh Road	Whole	
Stone Street	Whole	
Stonefield Place	Whole	
Stonefield Road	Whole	
Strongs Passage	Whole	
Sturdee Place	Whole	
Sun Lane	Whole	
Sussex Road	Whole	
Swaines Passage	Whole	
Swan Avenue	Whole	
Swan Terrace	Whole	
Tackleway	Whole	
Tamarisk Steps	Whole	
Tennis Close	Whole	
Terrace Road	Whole	
The Alley	Whole	
The Bourne	Whole	
The Cloisters	Whole	
The Coppice	Whole	
The Courtyard	Whole	
The Creek	Whole	
The Croft	Whole	
The Cut	Whole	
The Glebe	Whole	
The Green	Part	1-15 (All) & Simar
The Hundred Steps	Whole	
The Lawn	Whole	
The Pier	Whole	
The Spinney	Whole	
The Stade	Whole	

The Hastings Borough Council Designation of an Area for Selective Licensing 2020

The Twittens	Whole	
The Uplands	Whole	
Ticehurst Close	Whole	
Tillington Terrace	Whole	
Tollgate Path	Whole	
Torfield Close	Whole	
Tower Road	Whole	
Tower Road West	Whole	
Travellers Lane	Whole	
Tressell Path	Whole	
Trinity Mews	Whole	
Trinity Street	Whole	
Trinity Villas	Whole	
Tuppenney Close	Whole	
Undercliff	Whole	
Union Street	Whole	
Upper Clarence Road	Part	14
Upper Park Road	Whole	
Upper South Road	Whole	
Valentine's Passage	Whole	
Valley Side Road	Whole	
Vera's Walk	Whole	
Verdant Close	Whole	
Verulam Place	Whole	
Vicarage Road	Whole	
Victoria Road	Whole	
Villa Road	Whole	
Waldegrave Street	Whole	
Warrior Gardens	Whole	
Warrior Square	Whole	
Waterloo Passage	Whole	
Waterloo Place	Whole	
Waterside Close	Whole	
Waterworks Road	Whole	
Wellesley Court	Whole	
Wellington Gardens	Whole	
Wellington Mews	Whole	
Wellington Place	Whole	
Wellington Road	Whole	
Wellington Square	Whole	
West Ascent	Whole	
West Hill Arcade	Whole	
West Hill Road	Part	1-115 (Odd), 14-86 (Even), Aethalia, The Bath House, Bucklands Court, Kariam, Medina Terrace, Sol E Mar & St Leonards Court

The Hastings Borough Council Designation of an Area for Selective Licensing 2020

West Street	Whole	
West View	Whole	
Western Road	Whole	
White Rock	Whole	
White Rock Gardens	Whole	
White Rock Road	Whole	
Whitefriars Road	Whole	
Winding Street	Whole	
Winterbourne Close	Whole	
Woodbrook Road	Whole	
Woodland Vale Road	Whole	
Woods Passage	Whole	
Wykeham Road	Whole	
York Gardens	Whole	

Requires confirmation

Annexe B - Paragraph 5(d)(iii): Exempt Tenancies or Licences¹⁰

Prohibition of occupation by law

1. A tenancy or licence of a house¹¹ or a dwelling¹² within a house where the house or the dwelling is subject to a prohibition order made under Section 20 of the Act the operation of which has not been suspended under Section 23.

Certain tenancies which cannot be assured tenancies

2. A tenancy which cannot be an assured tenancy by virtue of section 1 (2) of the Housing Act 1988 comprised in Part of Schedule 1 of the Act and which is:
 - a) a business tenancy under Part II of the Landlord and Tenant Act 1954
 - b) a tenancy under which the dwelling-house consists of or comprises premises, which, by virtue of a premises licence under the Licensing Act 2003, may be used for the supply of alcohol (within the meaning of Section 14 of that Act) for consumption on the premises¹³
 - c) a tenancy under which agricultural land, exceeding two acres, is let together with the house¹⁴
 - d) a tenancy under which the house is comprised in an agricultural holding or the holding is comprised under a farm business tenancy if it is occupied (whether as tenant or as a servant or agent of the tenant), in the case of an agricultural holding, by the person responsible for the control of the farming of the holding, and in the case of a farm business tenancy, by the person responsible for the control of the management of the holding¹⁵

Tenancies and licences granted etc by public bodies

3. A tenancy or licence of a house or dwelling within a house that is managed or controlled¹⁶ by:
 - a) a local housing authority;
 - b) a police authority established under Section 3 of the Police Act 1996 or the Metropolitan Police Authority established under Section 5B of that Act;
 - c) a fire and rescue authority under the Fire and Rescue Services Act 2004;

¹⁰ See the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006 (SI /2006/370 as amended)

¹¹ Sections 79 (2) and 99 of the Act

¹² For the definition of a dwelling - see section 99 of the Act

¹³ See paragraph 5 of Schedule 1 of the 1988 Act as amended by Section 198 (1) and paragraph 108 of schedule 6 of the Licensing Act 2003

¹⁴ For the meaning of "agricultural land" section 26 (3) (a) of the General Rate Act 1967

¹⁵ See paragraph 7 of Schedule 1 of 1988 Act as amended by section 40 and paragraph 34 of the Schedule to the Agricultural Tenancies Act 1995

¹⁶ For the definition of "person managing" and "person having control" see section 263 of the Act

- d) a health service body within the meaning of Section 4 of the National Health Service and Community Care Act 1990.

Tenancies, licences etc regulated by other enactments

- 4. A tenancy, licence or occupation of a house which is regulated under the following enactments:
 - a) Sections 87 and 87A-D inclusive of the Children Act 1989
 - b) Section 43) of the Prison Act 1952
 - c) Section 34 of the Nationality, Immigration and Asylum Act 2002
 - d) The Secure Training Centre Rules 1998¹⁷
 - e) The Prison Rules 1999¹⁸
 - f) The Young Offender Institution Rules 2000¹⁹
 - g) The Detention Centre Rules 2001²⁰
 - h) The Criminal Justice and Court Services Act 2000 (Approved Premises) Regulations 2001²¹
 - i) The Care Homes Regulations 2001²²
 - j) The Children's Homes (England) Regulations 2015²³
 - k) The Residential Family Centres Regulations 2002²⁴

Certain student lettings etc

- 5. A tenancy or licence of a house or a dwelling within a house –
 - a) which is occupied solely or principally by persons who occupy it for the purpose of undertaking a full-time course of further or higher education at a specified educational establishment or at an educational establishment of a specified description,
and
 - b) where the person managing or having control of it is the educational establishment in question or a specified person or a person of a specified description.²⁵

Long leaseholders

¹⁷ SI 1998/472 as amended.

¹⁸ SI 1999/728 as amended.

¹⁹ SI 2000/3371 as amended.

²⁰ SI 2001/238. Section 66(4) of the Nationality, Immigration and Asylum Act 2002 provides that the reference to a detention centre is to be construed as a reference to a removal centre as defined in Part VIII of the Immigration and Asylum Act 1999

²¹ SI 2001/850. These Regulations were revoked by the Offender Management Act 2007 (Approved Premises) Regulations 2008/1263 (now 2014/1198).

²² These Regulations were revoked by the Health and Social Care Act 2008 (Commencement No.16, Transitory and Transitional Provisions) Order 2010/807, Art.23 and SCh.2, para.1.

²³ SI 2015/541

²⁴ SI 2002/3213 as amended.

²⁵ See the schedule to The Houses in Multiple Occupation (Specified Educational Establishments) (England) Regulations 2019/904 for the list of specified bodies

6. A tenancy of a house or a dwelling within a house provided that –
- a) the full term of the tenancy is for more than 21 years,
and
 - b) the tenancy does not contain a provision enabling the landlord (or his successor in title) to determine it other than by forfeiture, earlier than at the end of the term,
and
 - c) the house or dwelling is occupied by a person to whom the tenancy was granted or his successor in title or by any members of either of those person's family.

Certain family arrangements

7. A tenancy or licence of a house or a dwelling within a house where –
- a) the person who has granted the tenancy or licence to occupy is a member of the family of the person who has been granted the tenancy or licence;
and
 - b) the person who has granted the tenancy or licence to occupy is the freeholder or leaseholder of the house or dwelling where the full term of the lease is more than 21 years, and the lease does not contain a provision enabling the landlord to determine the tenancy, other than by forfeiture, earlier than at end of the term;
and
 - c) the person occupies the house or dwelling as his only or main residence.

Holiday lets

8. A tenancy or licence of a house or a dwelling within a house that has been granted to the person in relation to his occupancy of a house or a dwelling as a holiday home.

Certain lettings etc by Resident Landlord etc

9. A tenancy or licence of a house or a dwelling within a house under the terms of which the person granted the tenancy or licence shares the use of any accommodation (including any amenity) with the person granting that tenancy or licence or members of that person's family. An "amenity" includes a toilet, personal washing facilities, a kitchen or a living room but excludes any area used for storage, a staircase, corridor or other means of access.

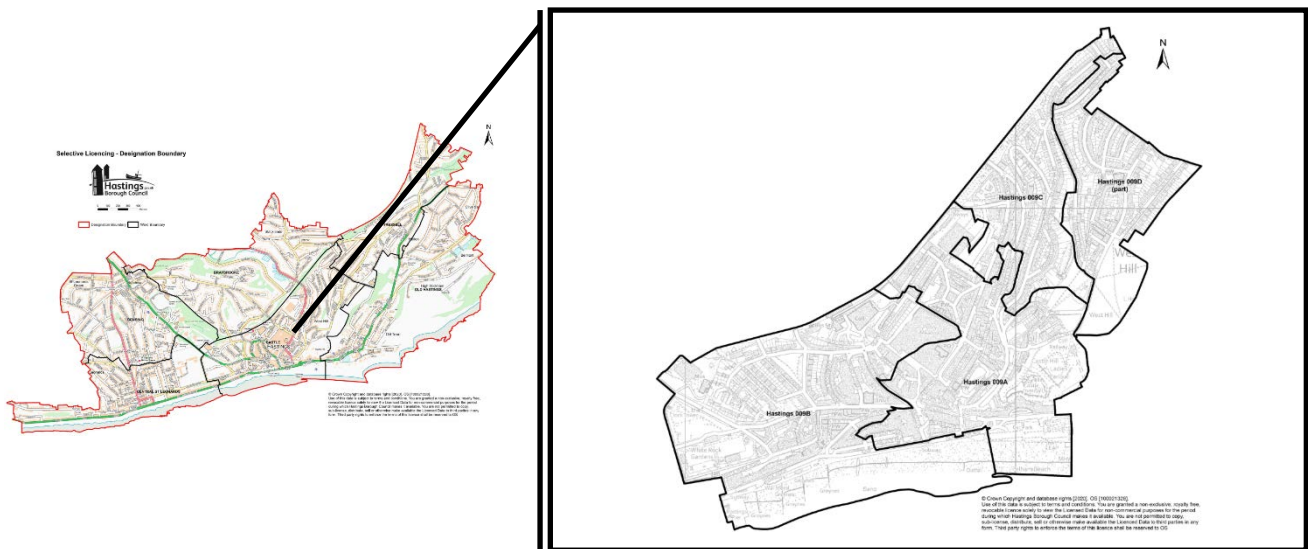
Interpretation

10. In this annexe:
- a) a "person" includes "persons", where the context is appropriate
 - b) a "tenancy" or "licence" includes "a joint tenancy" or "joint licence", where the context is appropriate
 - c) "long leaseholder in paragraph 7 (ii) has the meaning conferred in paragraphs 6 (i) and (ii) and in those paragraphs the reference to "tenancy" means a "long lease"

- d) a person is a member of the family of another person if –
- i. he lives with that person as a couple
 - ii. one of them is the relative of the other; or
 - iii. one of them is, or is a relative of, one member of a couple and the other is a relative of the other member of the couple
and
 - iv. For the purpose of this paragraph –
 - a) “couple” means two persons who are married to or are civil partners of each other or who live together as if they were married or civil partners
 - b) “relative” means a parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin
 - c) a relationship of the half-blood is to be treated as a relationship of the whole blood and
 - d) a stepchild of a person is to be treated as his child
- e) an occupier shares accommodation with another person if he has the use of an amenity in common with that person (whether or not also in common with others). “Amenity” includes a toilet, personal washing facilities, a kitchen or a living room but excludes any area used for storage, a staircase, corridor or other means of access

Ward Profiles - Key Housing & Other Measures

Castle Ward



Private Rented Sector & Housing Conditions

	Indicator	%	Number	Data Source
1	Private rented homes	54%	2,206	2019 - HBC Housing Services
2	Non-Decent private rented homes	41.5%	915	HSCS 2016
3	Category 1 Hazards			
3a	- Estimate of homes from stock survey	19.7%	435	HSCS 2016
3b	- Homes identified via Selective Licensing	37.6%	263	2020 - HBC Housing Renewal
4	Category 2 Hazards			
4a	- Homes identified via Selective Licensing	55.9%	391	2020 - HBC Housing Renewal
5	Category 1 or 2 Hazards in same dwelling			
5a	- Homes identified via Selective Licensing	65.8%	460	2020 - HBC Housing Renewal
6	Energy efficiency - Homes with Bands F-G	6.1%	103	2020 - HBC Housing Renewal
7	Energy efficiency - Homes with no EPC	10.6%	201	2020 - HBC Housing Renewal
8	Housing complaints - as % of ward PRS	37.5%	827	2015/18 - HBC Housing Services
9	Private rented homes with Selective Licences	86%	1,888	October 2019 - HBC Housing Renewal
10	Homes with written tenancy agreements	92%	1,745	2020 - HBC Housing Renewal

Other Key Measures

	Indicator	%	Number	Data Source
11	Anti-social behaviour per 1,000 population	-	77.9	2018 - Sussex Police
12	Fuel poverty - households	15.5%	617	LHIC - Hastings summary 2016
13	Empty homes (>6 months)	27.6%	163	2019 - HBC Housing & Built Environment
14	Deprivation - LSOAs in most deprived 10%	50%	2 of 4	IoD 2019 - MHCLG
15	Unemployment rate	6.9%	-	East Sussex in Figures - DWP April 2019

Population & Other Tenures

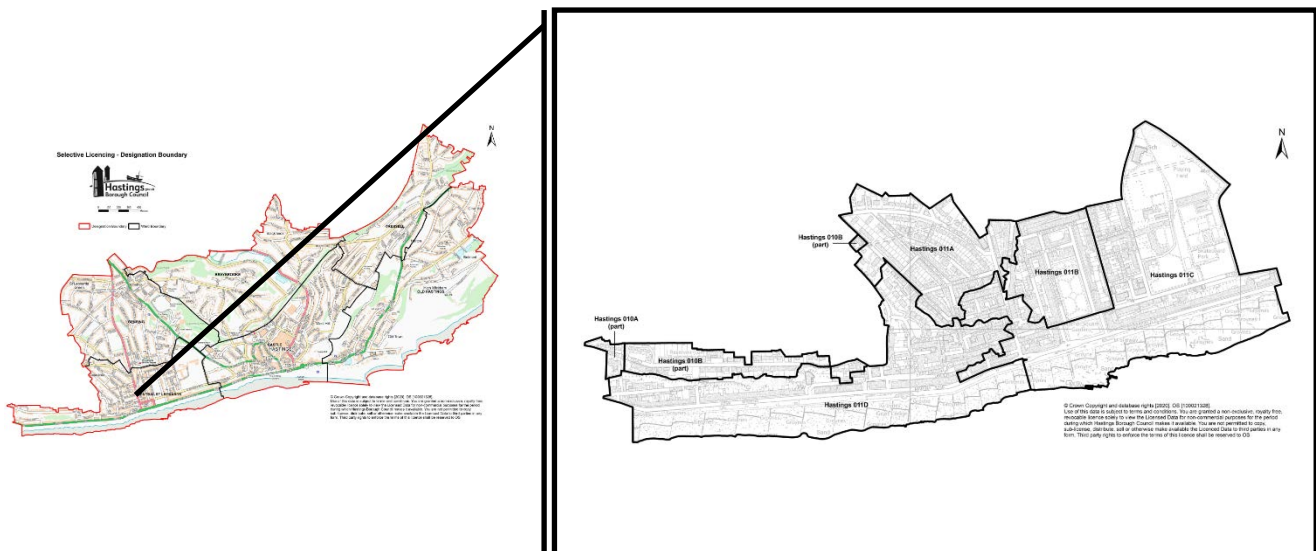
	Indicator	%	Number	Data Source
16	Total population	7.57%	7,036	ONS 2018 - mid-year estimate
17	Social renting	5%	205	2019 - HBC Housing Services
18	Owner occupation	41%	1,672	2019 - HBC Housing Services

Notes

2. HSCS 2016 - Hastings Stock Condition Survey 2016 - Opinion Research Services, December 2016
- 3b. Homes with Category 1 hazards shown as a percentage of property inspections in the ward
- 4a. Homes with Category 2 hazards shown as a percentage of property inspections in the ward
- 5a. Homes with both Category 1 & 2 hazards shown as a percentage of property inspections by the ward
- 6 & 7. Band F-G energy rating and no EPC (Energy performance certificate) - data based on properties with a Selective Licence
10. LHIC - 'Low-income-high-costs' Government definition of fuel poverty
14. IoD 2019 - Indices of deprivation 2019 - Lower Layer Super Output areas (LSOAs) in ward in most 10% deprived - MHCLG
15. DWP - Department for Work and Pensions
16. ONS - Office for National Statistics

Ward Profiles - Key Housing & Other Measures

Central St Leonards Ward



Private Rented Sector & Housing Conditions

	Indicator	%	Number	Data Source
1	Private rented homes	57%	2,771	2019 - HBC Housing Services
2	Non-Decent private rented homes	26.4%	732	HSCS 2016
3	Category 1 Hazards			
3a	- Estimate of homes from stock survey	11.5%	319	HSCS 2016
3b	- Homes identified via Selective Licensing	61%	382	2020 - HBC Housing Renewal
4	Category 2 Hazards			
4a	- Homes identified via Selective Licensing	83.7%	524	2020 - HBC Housing Renewal
5	Category 1 or 2 Hazards in same dwelling			
5a	- Homes identified via Selective Licensing	100%	634	2020 - HBC Housing Renewal
6	Energy efficiency - Homes with Bands F-G	4.9%	100	2020 - HBC Housing Renewal
7	Energy efficiency - Homes with no EPC	10.5%	239	2020 - HBC Housing Renewal
8	Housing complaints - as % of ward PRS	50.5%	1,399	2015/18 - HBC Housing Services
9	Private rented homes with Selective Licences	82%	2,270	October 2019 - HBC Housing Renewal
10	Homes with written tenancy agreements	94%	2,135	2020 - HBC Housing Renewal

Other Key Measures

	Indicator	%	Number	Data Source
11	Anti-social behaviour per 1,000 population	-	39.6	2018 - Sussex Police
12	Fuel poverty - households	12.5%	569	LHIC - Hastings summary 2016
13	Empty homes (>6 months)	33.4%	197	2019 - HBC Housing & Built Environment
14	Deprivation - LSOAs in most deprived 10%	100%	4 of 4	IoD 2019 - MHCLG
15	Unemployment rate	8.8%	-	East Sussex in Figures - DWP April 2019

Population & Other Tenures

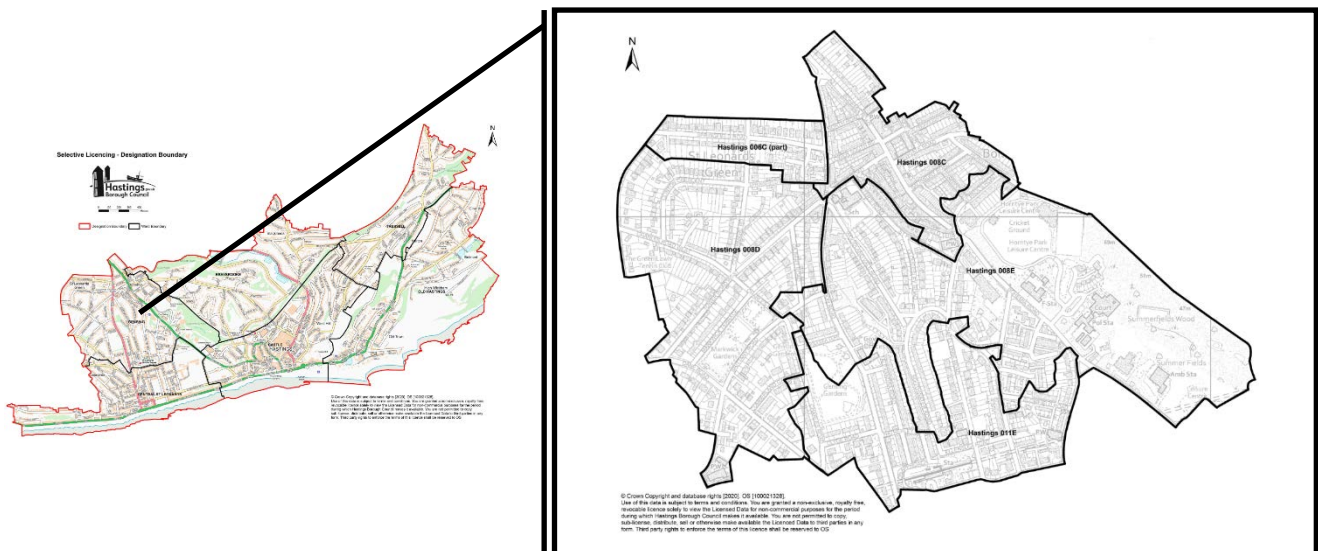
	Indicator	%	Number	Data Source
16	Total population	7.75%	7,159	ONS 2018 - mid-year estimate
17	Social renting	7%	329	2019 - HBC Housing Services
18	Owner occupation	36%	1,780	2019 - HBC Housing Services

Notes

2. HSCS 2016 - Hastings Stock Condition Survey 2016 - Opinion Research Services, December 2016
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- 6 & 7. Band F-G energy rating and no EPC (Energy performance certificate) - data based on properties with a Selective Licence
10. LHIC - 'Low-income-high-costs' Government definition of fuel poverty
14. IoD 2019 - Indices of deprivation 2019 - Lower Layer Super Output areas (LSOAs) in ward in most 10% deprived - MHCLG
15. DWP - Department for Work and Pensions
16. ONS - Office for National Statistics

Ward Profiles - Key Housing & Other Measures

Gensing Ward



Private Rented Sector & Housing Conditions

	Indicator	%	Number	Data Source
1	Private rented homes	52%	1,848	2019 - HBC Housing Services
2	Non-Decent private rented homes	14.2%	262	HSCS 2016
3	Category 1 Hazards			
3a	- Estimate of homes from stock survey	5%	92	HSCS 2016
3b	- Homes identified via Selective Licensing	39.1%	163	2020 - HBC Housing Renewal
4	Category 2 Hazards			
4a	- Homes identified via Selective Licensing	60.4%	252	2020 - HBC Housing Renewal
5	Category 1 or 2 Hazards in same dwelling			
5a	- Homes identified via Selective Licensing	70.3%	293	2020 - HBC Housing Renewal
6	Energy efficiency - Homes with Bands F-G	4.6%	57	2020 - HBC Housing Renewal
7	Energy efficiency - Homes with no EPC	8.7%	120	2020 - HBC Housing Renewal
8	Housing complaints - as % of ward PRS	28.8%	533	2015/18 - HBC Housing Services
9	Private rented homes with Selective Licences	74%	1,372	October 2019 - HBC Housing Renewal
10	Homes with written tenancy agreements	94%	1,288	2020 - HBC Housing Renewal

Other Key Measures

	Indicator	%	Number	Data Source
11	Anti-social behaviour per 1,000 population	-	23.5	2018 - Sussex Police
12	Fuel poverty - households	15.6%	520	LHIC - Hastings summary 2016
13	Empty homes (>6 months)	14.6%	86	2019 - HBC Housing & Built Environment
14	Deprivation - LSOAs in most deprived 10%	50%	2 of 4	IoD 2019 - MHCLG
15	Unemployment rate	7.7%	-	East Sussex in Figures - DWP April 2019

Population & Other Tenures

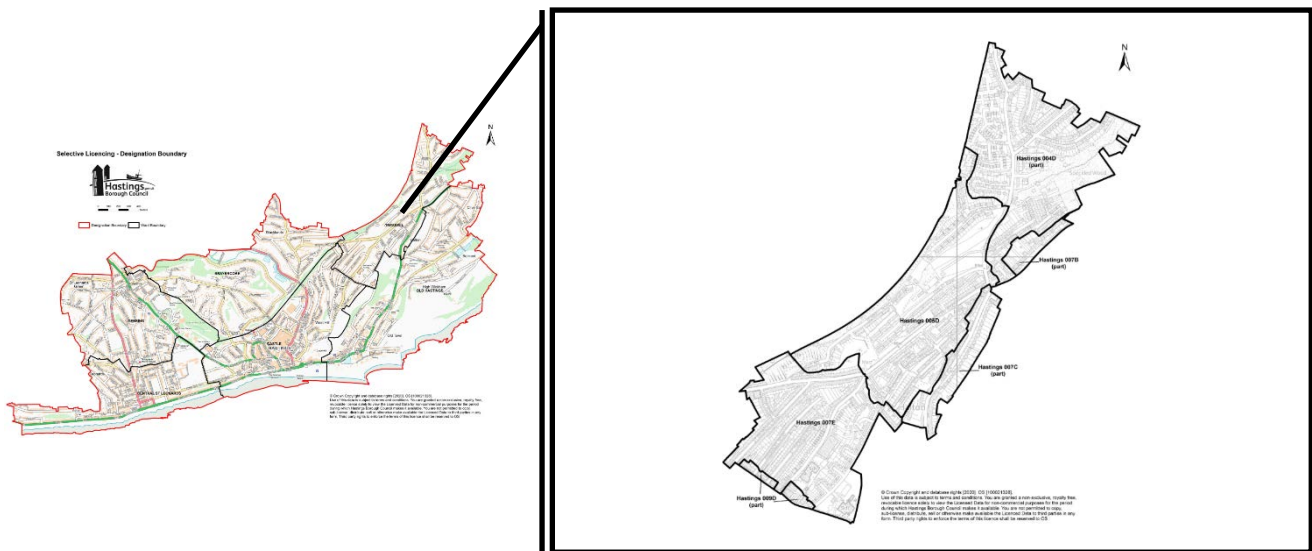
	Indicator	%	Number	Data Source
16	Total population	7.2%	6,541	ONS 2018 - mid-year estimate
17	Social renting	6%	220	2019 - HBC Housing Services
18	Owner occupation	42%	1,496	2019 - HBC Housing Services

Notes

2. HSCS 2016 - Hastings Stock Condition Survey 2016 - Opinion Research Services, December 2016
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10. LHIC - 'Low-income-high-costs' Government definition of fuel poverty
14. IoD 2019 - Indices of deprivation 2019 - Lower Layer Super Output areas (LSOAs) in ward in most 10% deprived - MHCLG
15. DWP - Department for Work and Pensions
16. ONS - Office for National Statistics

Ward Profiles - Key Housing & Other Measures

Tressell Ward



Private Rented Sector & Housing Conditions

	Indicator	%	Number	Data Source
1	Private rented homes	32%	800	2019 - HBC Housing Services
2	Non-Decent private rented homes	24.9%	199	HSCS 2016
3	Category 1 Hazards			
3a	- Estimate of homes from stock survey	15.3%	122	HSCS 2016
3b	- Homes identified via Selective Licensing	17.1%	39	2020 - HBC Housing Renewal
4	Category 2 Hazards			
4a	- Homes identified via Selective Licensing	47.8%	109	2020 - HBC Housing Renewal
5	Category 1 or 2 Hazards in same dwelling			
5a	- Homes identified via Selective Licensing	51.8%	118	2020 - HBC Housing Renewal
6	Energy efficiency - Homes with Bands F-G	4.0%	21	2020 - HBC Housing Renewal
7	Energy efficiency - Homes with no EPC	7.6%	44	2020 - HBC Housing Renewal
8	Housing complaints - as % of ward PRS	30.9%	247	2015/18 - HBC Housing Services
9	Private rented homes with Selective Licences	72%	578	October 2019 - HBC Housing Renewal
10	Homes with written tenancy agreements	87%	502	2020 - HBC Housing Renewal

Other Key Measures

	Indicator	%	Number	Data Source
11	Anti-social behaviour per 1,000 population	-	32.7	2018 - Sussex Police
12	Fuel poverty - households	14.6%	340	LHIC - Hastings summary 2016
13	Empty homes (>6 months)	3.7%	22	2019 - HBC Housing & Built Environment
14	Deprivation - LSOAs in most deprived 10%	33%	1 of 3	IoD 2019 - MHCLG
15	Unemployment rate	7.1%	-	East Sussex in Figures - DWP April 2019

Population & Other Tenures

	Indicator	%	Number	Data Source
16	Total population	5.9%	5,473	ONS 2018 - mid-year estimate
17	Social renting	25%	623	2019 - HBC Housing Services
18	Owner occupation	43%	1,062	2019 - HBC Housing Services

Notes

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15. DWP - Department for Work and Pensions
16. ONS - Office for National Statistics

Agenda Item 6



Report To: Cabinet Agenda Planning
Date of Meeting: Monday 23rd March 2020
Report Title: Climate Emergency Plan
Report By: Victoria Conheady, Assistant Director Regeneration and Culture
Key Decision: Y
Classification: Open

Purpose of Report

In February 2019, the Council declared a Climate Emergency and as part of the declaration, committed to “make Hastings carbon neutral by 2030”. This report sets out the Councils initial response to its declaration and presents a draft Climate Emergency Strategy and Action Plan, which sets out a pathway to work towards delivering net zero emissions by 2030.

Recommendation(s)

1. To approve the adoption of the Climate Emergency Strategy and Action Plan to work towards delivering net – zero carbon emissions for the borough by 2030

Reasons for Recommendations

1. The report presents a draft Climate Emergency Strategy and Action Plan developed in response to the climate emergency that the Council declared last year.

Introduction

1. The Climate Emergency Strategy and Action Plan is brought for approval and is attached at Appendix 1
2. The development of the plan has been aligned with national legislation and policy including the Climate Act 2008; the Industrial Strategy; the Clean Growth Strategy; Road to Zero and the Future of Heating. The plan also aligns with the regional policy Energy South2East (LEP strategy) and the draft Local Industrial Strategy and has taken into account future policy drivers including the update to Building Regulations (Part L) and the Future Homes Standard
3. The plan responds to the analysis and evidence developed by AECOM, consultants commissioned to aid us in delivering a robust action plan which will impact the town's carbon emissions. The plan sets out six priority themes for action.

Hastings Climate Emergency Declaration

In February 2019 Hastings Borough Council passed a motion to declare a 'Climate Emergency' to:

Make Hastings carbon neutral by 2030
Take advantage of new powers as they are made available to us by central government
Work towards supplying 30% of the town's electricity by 2030
Update the low carbon and renewable energy policies as part of the Local Plan review to deliver energy-efficient new developments and renewable energy project
Update the Councils sustainable procurement policy to take account of climate change
Work with partners to increase the EV infrastructure in the town
Reduce the Councils and towns reliance on single-use plastics
Work with partners to help to deliver the climate change emergency commitments
Maintain Council land to maximise species diversity and mitigate species extinction
Incorporate an evaluation of climate change implications in all reports to council committees
Appoint a lead councillor 'Climate Change Champion'

4. Since the motion was passed, the council has been working hard to address the climate emergency. In 2019, the Council appointed a new cabinet lead for 'Climate Change, Biodiversity and Sustainable Development', has determined that currently 6% of the towns energy comes from renewable and low carbon energy, secured FLAG funding to develop a marine litter campaign, introduced a ban on the use of single use plastics at events organised by the Council, drafted a single use plastics policy for adoption by the Council, has baselined the towns greenhouse gas emissions and subject to approval drafted Climate Emergency Strategy and 2-year action plan
5. We have continued to explore the potential to develop a Ground Mounted Solar Project, promoted two home energy efficiency schemes to support residents to improve the energy efficiency of their homes and tackle fuel poverty, ([keep well and warm](#) and [warmer Sussex](#))

and are exploring the potential to develop carbon-neutral housing at the Bulverhythe housing project.

6. The early findings of the analysis developed by AECOM were presented to the Councils senior management team in late 2019, and the findings from this workshop and discussion were fed into the strategy and action plan.
7. In an ideal world to hit the target we would have to:
 - Decarbonise the grid in Hastings
 - Ban all carbon-emitting vehicles from the town centre
 - Provide a free improved public transport network
 - Retrofit all the town's homes and non-domestic buildings
 - Deliver sufficient locally generated renewable energy to every home and business, to reduce reliance on the national grid
 - Grow all the town's food needs locally
 - Plant enough trees throughout the borough to reach the 2030 target through sequestration
8. We do not have the political or legal power, the financial might (or the expertise in delivering some of the above elements) nor the available land, to realise the above bold ambitions.
9. In reality, the target will only be reached, through local, regional, national and international action, across all levels of government and through a broad spectrum of national, regional and local organisations also taking action.
10. The two -year action plan presented here (to 2022), will start us on a journey to begin to meet the climate emergency vision. During this time, we will work to develop a plan for the following eight years that will take us to the 2030 target.
11. We will continue to lobby government and regional stakeholders for the levels of investment needed to deliver the 2030 vision and work with partners and local businesses, engage residents and local communities in taking action too.

Climate adaptation and building climate resilience

12. Whilst reducing our contribution to climate change is hugely important, we also need to prepare for its impacts on the borough. The Council is also committed to working with partners to increase the climate resilience of the borough, ensuring where possible impacts such as rising sea levels are planned for locally, and that together we can adapt to the impacts of a changing climate.

Biodiversity

13. Though the council included biodiversity within its climate emergency declaration, this emergency plan only covers specific action related to carbon emissions. Biodiversity and land management is covered in other policies within Hastings Borough Council.

Economic/ financial implications

14. Dedicated staff resources have been allocated to the Climate Emergency including a Tackling Climate Change Programme Manager (secondment for 9 months until June 2020), Energy Development and Delivery Project Manager. As part of the Towns fund capacity funding a part-time communications officer, dedicated to the towns fund and aligned major projects (which includes the climate emergency programme) is currently being recruited and will aid the development and delivery of the communications plan, along with the HBC communications team. No additional revenue budget has been identified to support this work during 20/21 financial year.
15. Officers from across the organisation will also be working in delivering the climate emergency action plan, in partnership with the above dedicated resource. Significant resources will need to be drawn from across the organisation, over the next 18 months to ensure the foundations of change are adopted internally.
16. There is budget allocated within the Capital Programme to take forward the renewable energy projects, subject to a business case illustrating the carbon savings and income generation potential.
17. Authority is requested for officers to begin negotiations with tenants and business owners to enable the business plan for a new programme of roof top solar to be brought forward, to cabinet in June.
18. It is proposed to baseline the Council's carbon emissions to understand what contribution it makes to the town's overall emission and to help target action in the coming years. The estimated costs for this work are £8.5k. It is proposed this is funded via the regeneration activity budget in 20/21.
19. The Council will also assess its estate to ensure that as the Minimum Energy Efficiency Standards and Energy Performance Certificate ratings increase for landlords in coming years, the Council is prepared for these changes and has a planned programme of improvement works to enable it to continue to lease and rent its properties. Quotations for this work will be sought during 2020 for implementation in 2021/22. Costs associated with this work will be included in the 21/22 budget.

Legal

20. The Climate Change Act 2008 is the basis for the UK's approach to tackling and responding to climate change and imposes obligations on Local Authorities to reduce emissions of carbon dioxide and that climate change risks are prepared for. It is expected that the statutory obligations imposed on the Council will be increased in due course by the introduction of the Climate Change Act 2008 (2050 Target Amendment) Order 2019, which is currently before Parliament.
21. In September 2019, Client Earth wrote to over 100 local authorities that had declared a climate emergency challenging them to set evidence-based carbon reduction targets and ensure that targets set are central to their local planning policies. The work and analysis AECOM consultants have carried out, provide a robust evidence base for action, target setting and future policy development.

Options

22. Do nothing – note the content of the Climate Emergency Strategy and Action Plan, the findings from AECOMS analysis but take no further action.
23. Agree and adopt the draft Climate Emergency Strategy and 2-year Action Plan

Conclusions

24. The Council has acted to understand the boroughs carbon emissions (current and future trends) to gain a better understanding and identify the initial steps needed to take the town on a pathway to net zero by 2030
25. To achieve this ambition will require national policy interventions as well as a change in all of our behaviours coupled with technology advances. Actions to reduce energy demand, switching to low carbon heat and transport are major transitions, that will take time and investment.
26. The Council has a leadership role, in communicating the findings from AECOMs analysis and sharing the approach that has been identified as the towns pathway to net zero by 2030. The Council can play a leadership role, by putting its own house in order, by considering the emissions from its operations, buildings and fleet, and implementing best practice measures in areas where it has direct control.
27. It can facilitate wider change and engagement throughout the borough and lobby government for much needed policy developments and associated funding. It can work with partners to also engage in this important agenda and make changes too.

Timetable of Next Steps

28. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Present the draft strategy & action plan to Cabinet for approval	Cabinet approve and adopt the strategy	23 rd March 2020	Assistant Director Regeneration and Culture Tacking Climate Change Programme Manager
Finalise design of the document and create HBC dedicated webpages	Webpage created A designed version of the strategy finalised and published	April/May 2020	Tackling Climate Change programme manager

			Communications team
Report to cabinet seeking authority to deliver a programme of rooftop solar installation	Delegated Authority is given by the cabinet to initiate and deliver the programme	June 2020	Assistant Director Regeneration and Culture, Tackling Climate Change programme manager
Annual report to cabinet on the progress of the emergency plan	For noting and monitoring purposes	March 2021	Appropriate senior manager

Wards Affected

(All Wards)

Policy Implications

Reading Ease Score: 29.3

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness	Y
Crime and Fear of Crime (Section 17)	N
Risk Management	Y
Environmental Issues & Climate Change	Y
Economic/Financial Implications	Y
Human Rights Act	N
Organisational Consequences	Y
Local People's Views	Y
Anti-Poverty	Y
Legal	Y

Additional Information

Appendix 1: Climate Emergency Strategy

Appendix 2: Climate Emergency Action Plan

Officer to Contact

Chantal Lass, Tackling Climate Change Programme Manager
CLass@hastings.gov.uk
01424 451483

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Hastings Borough Council

Climate Emergency Strategy 2020

Executive summary:

This climate emergency strategy and action plan was developed to support the Climate Emergency motion Hastings Borough Council declared during 2019.

Our vision is to make Hastings carbon neutral by 2030.

It covers the borough of Hastings, however, to meet the target of carbon neutrality by 2030, the impact of this strategy, needs to ripple across the wider region.



It aligns with regional policy, most noticeably the [Tri LEP Energy Strategy Energy South2East](#) and responds to analysis and evidence developed by AECOM, consultants commissioned to aid us in delivering a robust action plan which will impact the towns carbon emissions.





This research demonstrates that the town has reduced carbon emissions by 39% since 2005, much of this due to the decarbonisation of the national grid and increasing energy efficiency in buildings.

However, we have a significant journey to travel if we hope to meet our 2030 target, much of this due to our poor housing stock and reliance on gas. Therefore, one of our key actions over the next two years is to identify funding and investment partners to enable us to reduce our energy demand and emissions via retrofit and in retrofit/renewable energy skills development.

Only by working in partnership, delivering funded initiatives and changing behaviour, do we have the opportunity to make significant progress towards this 2030 target.

Our strategy has six priority themes and associated projects which are showcased in more detail within the evidence pack and initial 2-year action plan appended to this strategy, however, outline details are demonstrated in Fig 1. The action plan from 2022-2030 will be developed in parallel to the delivery of this initial 2-year plan.

Priority Theme	Project
 Communication, lobbying and partnership working	Webpage development and communication material Stakeholder engagement via partnership structures Partnership working to develop projects and inform the 8-year action plan Lobbying locally, regionally and nationally to enable change
 Grid decarbonisation	Work with UKPN to support the transition to a smart grid. Planning Policy – enable strategic energy infrastructure

	<p>Reduced energy demand</p>	<p>Identify funding for retrofit Review council assets and initiate retrofit programme of works</p>
	<p>Renewable energy</p>	<p>Commence a new programme of rooftop solar installations on council-owned and 3rd party roofs. Develop a business model for carpark rooftop solar Explore ground-mounted solar array sites</p>
	<p>Low Carbon sustainable transport</p>	<p>Contribute to the delivery of 15 public EV charge points in 20/21 Initiate purchase of council own EV fleet Explore options for EV or ULEV fleet for public transport /taxi fleet</p>
	<p>Offsetting</p>	<p>Research and review sequestering CO2 with HBC land management</p>

Our vision is to make Hastings carbon neutral by 2030.

1 Introduction

1.1 The climate is changing due to emissions of greenhouse gases resulting from human activity. The bulk of emissions are a result of our demand for energy, where the largest contributor is carbon dioxide (CO₂), emitted when fossil fuels (coal gas and oil) are burnt to meet those demands; other greenhouse gas emissions are associated with industrial processes and agriculture.

2 The commitment to tackle climate change

2.1 The UK has committed to reducing greenhouse gas emissions and ratified the Paris Agreement which aims to *'strengthen the global response to the threat of climate change by keeping a global temperature rise well below 2°C ...and to pursue efforts to limit the temperature increase even further to 1.5°C'*. The Climate Change Act 2008 legally commits the UK Government to reduce emissions by 100% by the year 2050, compared with a 1990 baseline. A national environment and climate emergency was declared by Parliament in May 2019.

2.2 The Intergovernmental Panel on Climate Change (IPCC) special report on Global Warming published in October 2018, considered the impacts and risks associated with 1.5°C of global warming in contrast to 2°C and described a pathway to reduce emissions to implement the Paris Agreement and achieve 1.5°C warming.

2.3 As a direct result of the IPCC report and the growing body of scientific evidence regarding climate change, in 2018 a worldwide movement of climate emergency declarations emerged, with Hastings Council agreeing a motion to declare a climate emergency in February 2019.

3 Hastings Climate Emergency

3.1 As a direct result of the IPCC report and the growing body of scientific evidence regarding climate change, in 2018 a worldwide movement of climate emergency declarations emerged including a range of organisations and councils from around the world. In February 2019 Hastings Borough Council passed a motion to declare a 'Climate Emergency' to:

Make Hastings carbon neutral by 2030

Take advantage of new powers as they are made available to us by the central government

Work towards supplying 30% of the town's electricity by 2030

Update the low carbon and renewable energy policies as part of the Local Plan review to deliver energy-efficient new developments and renewable energy projects

Update the Councils sustainable procurement policy to take account of climate change

Work with partners to increase the EV infrastructure in the town

Reduce the Councils and towns reliance on single-use plastics

Maintain Council land to maximise species diversity and mitigate species extinction

Incorporate an evaluation of climate change implications in all reports to council committees

Appoint a lead councillor 'Climate Change Champion'

Work with partners to help to deliver the climate change emergency commitments

4 Journey to Carbon Neutrality and Climate resilience

4.1 The commitment to reduce greenhouse gas emissions has divided opinion on the pace required to meet the climate emergency. For example, Extinction Rebellion state that we should aim for carbon net-zero by 2025, The UK Committee on Climate Change, the IPCC and UK Government all reference achieving net-zero (carbon neutrality) by 2050.

5 Hastings Climate Vision

5.1 It cannot be stated strongly enough that to meet the ambition of the climate emergency motion by 2030 will be extremely challenging, and it is not clear whether within the next 10 years, it is an achievable goal, but what it will do is catalyse innovation, galvanise and engage local communities and businesses in action, and deliver a broad range of projects and ideas that take us on a pathway to being carbon neutral.

5.2 To meet its 2030 target, Hastings will require a level of change that will potentially go faster than national legislation and initiatives set out to meet a 2050 target. Support from Government will be vital in achieving our accelerated goals and will need to be targeted in areas with the most impact to unlock our ambitions.

5.3 However, acting now to work towards carbon neutrality it is the right thing to do given the unprecedented challenge that we all face in a changing climate.

The cost of ‘doing nothing’ and carrying on as ‘business as usual’ will only serve to accelerate the impacts of climate change, increasing future costs of climate adaptation and building climate resilience. Action will be required not only by the Council but by every local organisation, business, resident living and working in the borough along with regional and national partners.

The Council’s role in moving towards a carbon-neutral Hastings

5.4 The Council only has direct control over a small proportion of the total emissions of Hastings, and achieving the carbon-neutral target will depend on changes that occur at a regional and national level as well as in local organisations, business, communities and our own lives.

5.5 However, the Council has an important role to play in providing leadership to enable, influence and develop responses to Government policy both at a local and regional level, that will facilitate the journey towards a carbon-neutral Hastings.

5.6 It can lead and drive a conversation with our partners and communities about a strong vision and strategy for our carbon-neutral future, as well as engaging residents and businesses to also take action now.

5.7 Investment will be essential to the future delivery of this plan and the Council can work to ensure that the town is well-positioned for future funding opportunities including those allocated to respond to climate change being signalled by Government and regional partnerships.

6 Where are we now – greenhouse (carbon) assessment

6.1 We want to make sure that our actions to tackle climate change are based on evidence and so we have developed a robust evidence base of the towns current direct carbon emissions (see separate document Hastings Climate Change Strategy and Action Plan Evidence Base). AECOM in developing this evidence base has helped us to understand how Hastings can become carbon neutral. They have undertaken high-level CO₂ projection modelling to show the impacts from a range of committed and planned for trends that are expected to affect the towns carbon emissions in the next 10 years and beyond.

6.2 Much of the focus on reducing carbon emissions is related to those directly arising from buildings and transport in the town, but it is important to note that things we all purchase as residents, organisations and businesses, have a huge carbon footprint. The Council will work to understand the contribution these indirect emissions contribute to the town’s emissions.

6.3 The findings from the analysis have been used to inform the development of a prioritised list of projects and activities for a 2-year action plan, enabling cumulative progression towards 2030 carbon neutrality.

6.4 The analysis indicates that the most significant reductions for the towns direct carbon emissions will arise from switching towards the use of electrical heating systems and ultra-low emissions vehicles including electric vehicles, continuing to reduce energy demand through energy efficiency measures and behavioural change and moving to more sustainable transport options such as walking and cycling, as well as generating more local renewable energy.

6.5 The modelling demonstrated that even with the most optimistic assessment of grid decarbonisation, current national policy, reducing energy demand, switching to low emission transport, and uptake of other efficiency measures and generating renewable energy locally, this would reduce total emissions by 77% by 2030.

7 Hastings Energy Consumption and associated carbon emissions findings

7.1 Greenhouse gases result from the burning of fossil fuels to meet our demand for energy to heat and light our buildings, commerce and industry and provide transport. The use of gas (46%) and electricity (26%) account for the majority of fuel consumed in the borough, with petroleum use in transport accounting for 26%.

7.2 Our homes account for the highest proportion of energy used, followed by road transport and non-domestic buildings.

7.3 Within our homes, approximately 73% of the fuel consumed is gas and 25% is electricity compared to the non-domestic sector where approximately 56% is electricity and 34% of the fuel consumed is gas

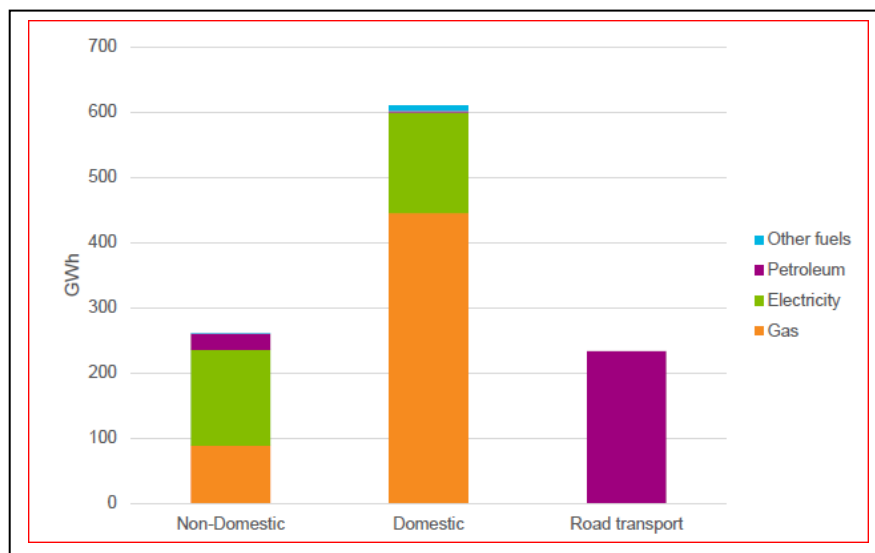


Figure 2 Fuel consumption by sector and fuel type in 2017 (BEIS 2019)

8 The towns carbon emissions

8.1 Gas and electricity used in buildings accounts for nearly 70% of the total carbon emissions. Most of the towns emissions come from existing homes (accounting for 49% of direct emissions). Currently, non-domestic buildings account for 24% of the

towns direct carbon emissions with road transport accounting for 26% of carbon emissions.

8.2 Recent trend in emissions

Since 2005, we have seen a 39% reduction in emissions from energy and transport in the town. These have been achieved by increasing the supply of renewable generated electricity both nationally (as coal-fired power stations have been replaced) and locally (approximately 6% of electricity in Hastings) and increasing energy efficiency in existing buildings. Emissions from transport have remained fairly constant.

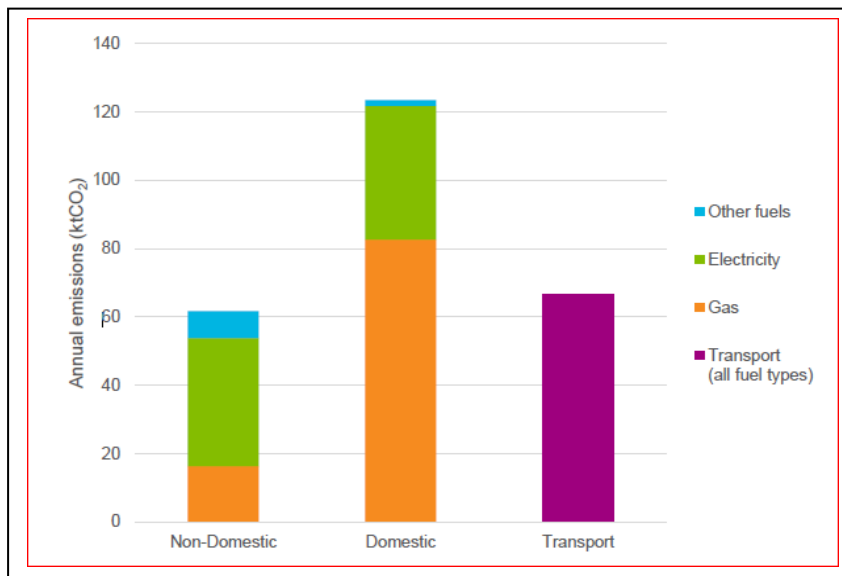


Figure 3 Carbon emissions by sector in 2017 (BEIS 2019)

11 The Action Plan - the first two years 2020-2022

11.1 Given the scale, complexity and urgency of responding to climate change, it is proposed that this 'Action Plan' is regarded as living document, that is flexible and responsive to changes in government policy, funding and investment opportunities.


11.2 The 2-year action plan set out, includes a range of actions, linked to our themes and priority areas for the action described in the Executive Summary. During the next 2 years, an action plan that takes us forward from 2022 to 2030 will be developed.

11.3 The local plan cuts across all of the six priority thematic areas. The AECOM study was commissioned to inform the update of the local plan and therefore it's planned adoption by winter 2021 will be fundamental in setting the scene for our pathway to carbon neutrality.


11.4 The public consultation of the local plan which commences in the early summer, will support our communications and lobbying actions. By reviewing local plan policy we can help support reductions in emissions through new and existing developments. Via the local plan we will work with partners in supporting transport infrastructure changes and review moving us forward towards low carbon sustainable transport for the borough. Via site allocations within the new local plan we will support renewable energy initiatives and evidence. And we will also look at land management, and review policy with regards to sequestration.


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Climate Emergency Action Plan 2020/21 to 2021/22

Ref.	Action	Resources	Target / KPI	Time frame /priority
 <p>Communicating the findings, putting climate change at the heart of decision making, lobbying and working with others Outcome these measures will raise the profile of climate change and enable CO₂ reduction measures to take place</p>				
HBC corporate actions				
1.1	Established a Climate Change Programme Board to monitor and report progress against the Climate Emergency Plan and plan future activity beyond 2022.	Officer leadership to be provided by the MD	Minimum of 4 Programme Board meetings per year Report to O & S Annual report to Cabinet	2020/21 High
1.2	Disseminate the results, conclusions and recommendations of the climate emergency plan within the Council ensuring the recommendations and actions are taken forward within all Council policies, strategies and projects.	Climate Change Programme Board Climate Change Programme Manager	Integrate the findings of the climate change emergency plan into Council policies, strategies and projects by the end of 20/21	2020/21 High


Ref.	Action	Resources	Target / KPI	Time frame /priority
1.3	Engage HBC staff in developing ideas to reduce the Councils greenhouse gas emissions and develop a behavioural change programme to support the Councils ambition to reduce its CO ₂ emissions	Officer resources to develop, instigate and maintain and engage the whole organisation Climate Change Programme Manager & Communication	Establish a staff climate change action group to develop and implement ideas during 2020/21	2020/21 and ongoing Medium
1.4	Lobby central government to provide the powers and resources needed to help make 2030 target possible	HBC senior officers and councillors	Disseminate findings at key strategic meetings and boards during 2020	2020/21 and ongoing Medium
HBC town-wide actions				
1.5	Develop an engagement and communication plan, which supports and encourages local organisations, businesses and communities to take action to reduce their greenhouse gas emissions, including guidance on how you can help us, on our website.	Officer resources & time including Climate Change Programme manager & Communication team	Develop a Communication Plan 2020/21 Create a Climate Emergency web page on HBC website 2020 Develop media to engage new audiences e.g. Blogs, Vlogs and social media	2020/21 High

Ref.	Action	Resources	Target / KPI	Time frame /priority
1.6	<p>Share the findings of the Climate Emergency Plan with partners and work with Government, SELEP and other regional organisations to identify existing and forthcoming funding to support specific projects and actions.</p> <p>We will use existing partnership frameworks to develop a working group, and engage local, regional and national partners in identifying their role to help tackle climate action</p>	<p>MD, Senior Management and Climate Change Prog manager</p> <p>Officer resources to develop funding applications as required</p>	Disseminate findings at key strategic meetings and boards during 2020.	2020/21 and ongoing High
1.7	Work with partners to prepare for, and increase the towns resilience to, the impacts of climate change including sea level rise, hotter drier summers and increased winter storminess and more intense rainfall.	MD, Senior Management		2020/21 and ongoing High
 <p>Grid Decarbonisation – supporting the transition to zero-carbon electricity</p> <p>Outcome: these measures support the decarbonisation of the electricity grid, which could reduce CO₂ emissions by up to 18% for the whole borough</p>				
HBC corporate actions				
2.1	Work with UK Power Network (UKPN) to support the transition to a smart grid capable of meeting the requirements of a carbon-neutral Hastings; develop a	Existing resources including Planning policy, climate change	Meet with UKPN during 2020/21	2020/21 and ongoing


Ref.	Action	Resources	Target / KPI	Time frame /priority
	greater understanding of local grid constraints so that investment in EV infrastructure and development of new renewable & low carbon energy assets can be achieved	programme and renewable energy and energy development officers		Medium
HBC town-wide actions				
2.2	Provide support through planning policy for strategic energy infrastructure developments, transport and housing that seek to support the transition to a carbon-neutral Hastings and the decarbonisation of the electricity grid.	Existing resources Planning policy team and Climate Change Programme	Review the renewable energy and low carbon plan policies as part of the Local Plan Refresh – consultation during 2020	During 2020/21 High
 <p>Reduce energy demand from existing buildings Outcome: The existing building stock accounts for 75% of existing CO₂ emissions – reducing demand for electricity and heating could reduce borough-wide emissions by 30%</p>				
HBC corporate actions				
3.1	Develop a baseline for the Councils organisational greenhouse gas emissions, (carbon footprint) illustrating	Officer time & external support	HBC carbon footprint baseline developed by December 2020	2020/21 High


Ref.	Action	Resources	Target / KPI	Time frame /priority
	the contribution the Council makes to the town’s overall greenhouse gas emissions	The estimated budget cost £8.5k	Report annual emissions 2021/22 onwards	
3.2	Review the Councils estate to understand the current carbon/ energy performance of its assets and to underpin a program of improvement works to improve the energy/carbon efficiency of its estate, including heat. This will help to ensure the Council meets the landlord requirements of the Minimum Energy Efficiency Standard (MEES) Energy Performance Certificate (EPC) ratings in the future.	Estimated costs to undertake a review of the council’s estate £30-50K, cost tbc 2020/21 Additional budget may be required for measures to improve the fabric, energy/carbon efficiency of buildings	Review of typology and stock condition and age of buildings undertaken in 2021/22, subject to costs	2021/22 and beyond Medium
3.3	Undertake further energy /carbon efficient retrofits of Council operational buildings if cost-effective to do so e.g. LED lighting at MMH	Existing officer time including Energy Development & Delivery Project Manager & Building surveyors Salix funding and/ or invest to save budget	Develop business case and seek approval to upgrade MMH to LED lighting during the first half of 20/21	2020/21 Medium

Ref.	Action	Resources	Target / KPI	Time frame /priority
HBC town-wide actions				
3.4	Develop a Whole House Retrofit pilot program with partners in the region, identify funding and submit an EOI as funding becomes available.	Building on the BEIS funded whole house retrofit pilot 'Warmer Sussex' Officer resource to develop EOI when funding becomes available	Promote 'Warmer Sussex' to local homeowners Submit Expression of Interest when national/ regional funding becomes available	2020 and ongoing High
3.5	Investigate the potential for a low carbon heat network in and around the Bohemia Area development	Officer resource tbc if the project is developed Government funding from HNDU available for a feasibility study – would require a budget for study estimate £20-£30k depending on scope - 33% match reqd.	2022 onwards	2022+ Medium

Ref.	Action	Resources	Target / KPI	Time frame /priority
 <p>Generating renewable and low carbon energy</p> <p>Outcome: Analysis demonstrated approx. 6% of energy in Hastings is generated from renewable and low carbon sources – additional generation could reduce CO2 emissions by 6% and contribute to meeting Hastings future electricity demand</p>				
HBC corporate actions				
4.1	Identify further opportunities to install solar PV on council-owned buildings and large 3 rd party roofs in the borough and develop a business model to facilitate installations	Existing officer resource including Energy Develop & Delivery Project manager Capital budget allocated to install renewable energy project subject to a business case	Power Purchase Agreements (PPA) agreed with HBC tenants during 2020 Report to Cabinet June 2020 The tender process for Solar PV completed by Oct 2020 2-5 roofs at 5% or higher ROI installed 2020/21 10+ roofs at 5% or higher 2021/22	2020/21 High
4.2	Identify opportunities to install ground-mounted solar on council land. The Council is currently exploring the potential to install GMS on land at 2 locations within the	Existing officer resource including Climate Change Prog	Develop a business case depending on feedback from Natural England's	2020/21 and ongoing High

Ref.	Action	Resources	Target / KPI	Time frame /priority
	boundaries of Hastings Country Park Local Nature Reserve	Manager and Energy Development and Delivery Project Manager	Discretionary Advice Service for the sites in Hastings County Park LNR in 2020/21 Cabinet report to request investment will be reqd. During 2020/21 Liaise with the MOD re Crowhurst GMS potential site 2021/2022+ Liaise with ESCC and BIFFA re Pebsham Landfill Site	
4.3	Identify opportunities and develop business cases, to install solar PV on Council car parks	Existing officer resources including Energy Develop & Delivery Project Manager	Develop business case during 21/21 to deliver if viable 2022	2021/22 and ongoing Medium
4.4	Identify sites within the refresh of the Local Plan for other renewable energy schemes (such as onshore wind)	Planning policy team	Refresh of Local Plan – potential sites identified 2020/21	2020/21 High

Ref.	Action	Resources	Target / KPI	Time frame /priority
 <p>Low Carbon and Sustainable Transport</p> <p>Outcome: These measures could help to deliver a CO₂ reduction of up to 21% for the borough (and 26% with grid decarbonisation)</p>				
HBC corporate actions				
5.1	Review the Councils fleet and identify opportunities for fleet replacement with zero and low carbon vehicles (ULEVs) and the use of electric bikes	<p>Exiting officer resource including Project Accountant & Climate Change Prog. Manager</p> <p>Grant funding available for Workplace EV charging (OLEV)</p>	<p>Review completed by September 2020</p> <p>Foreshore vehicle replaced with Electric vehicle 2020/21</p> <p>HBC workplace EV charge points for electric fleet installed during 2020/21</p>	<p>2020/21 and ongoing</p> <p>High</p>
HBC town-wide actions				
5.2	Expand the provision of public charging infrastructure in the Councils own estate e.g. public car parks and work with ESCC and other LAs in East Sussex to expand the provision of on-street EV charging infrastructure	Existing Officer resource – Enforcement manager & Climate Change Programme Manager	Contribute to the delivery of 15 public charging points, providing 30 charging bays in the borough by 31 st March 2021	<p>2020/21</p> <p>High</p>

Ref.	Action	Resources	Target / KPI	Time frame /priority
			Develop a sustainable business model to further expand EV charging provision during 2020/21	
5.3	Continue to support the decarbonisation of transport through planning policy and by working with partners to implement measures that encourage the use of public transport and active travel. Work with Government, SELEP and ESCC to identify existing and forthcoming funding to support specific projects and actions	CEO & senior management team and Existing officer resources	DESTI smart identify funding and submit an EOI as funding becomes available	2020/21 and ongoing Medium
 Offsetting – natural climate solutions These measures can help to offset any residual CO2 emissions for the borough alongside the other measures identified and after these have been implemented				
HBC corporate actions and town-wide actions				
6.1	Natural climate solutions offer an important opportunity to help mitigate and adapt to climate change. Understand the role the Councils existing land management practices play sequestering CO ₂ and how	Existing officer resources including Environment & Natural Resources	Identify sources of funding to support climate-friendly land m'ngt practices 2021/22	2022+ Low

Ref.	Action	Resources	Target / KPI	Time frame /priority
	these could be optimised further to support the goal to become carbon neutral and support biodiversity.	Manager, Climate Change Prog Manager		

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Hastings Climate Emergency Strategy and Action Plan

The Evidence Base

2020

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1 Introduction

1.1 The climate is changing due to emissions of greenhouse gases resulting from human activity. The scale of the challenge that climate change presents us with is unprecedented. The bulk of emissions are a result of our demand for energy, where the largest contributor is carbon dioxide (CO₂), emitted when fossil fuels (coal gas and oil) are burnt to meet those demands; other greenhouse gas emissions are associated with industrial processes and agriculture.

1.2 The impacts of 1°C increase are being felt today, including the increased frequency and magnitude of extreme weather events from heatwaves, droughts, flooding, winter storms and wild fires. Average temperatures for the last 10 years have been the highest on record, with 2019 being the second hottest year on record. The risks associated with a 2°C temperature rise include the loss of over 99% of coral reefs, loss of habitats that support pollinating insects essential for crop and plant pollination. The arctic ocean is likely to be completely bare of sea ice once every 10 years and millions of people living in coastal areas will be more vulnerable to sea level rise.

1.3 There are a number of key international and national reports and policy drivers which have provided the context for the need to dramatically reduce greenhouse gas emissions and are important considerations in directing action to address the threat of climate change. These are described in Appendix 1 and include The Climate Change Act 2008, Clean Growth Strategy and South2East Local Energy Strategy 2018. These have been used extensively to inform the analysis that underpins this climate emergency plan and the direction of travel.

2 The IPCC Special Report on Global Warming

2.1 In response to the Paris Agreement, the Intergovernmental Panel on Climate Change (IPCC) special report on Global Warming, published in October 2018, describes the risks that a 2.0°C rise is likely to cause compared to 1.5°C, including increased risks to health, livelihoods, food security, water supply, human security and economic growth. The report found that limiting global warming to 1.5°C would require 'rapid and far-reaching' transitions in land, energy, industry, buildings, transport and cities. The report emphasised that with ambitious action from national and sub-national authorities, civil society, business and local communities, it may still be possible to limit warming to 1.5°C. In addition, the recent Intergovernmental Panel for Biodiversity and Ecosystem Services (IPBES) stated that around 25% of the world's species are now at threat of extinction due to habitat loss and the effects of climate change.

3 Hastings Climate Emergency Motion

3.1 As a direct result of the IPCC report and the growing body of scientific evidence regarding climate change, in 2018 a worldwide movement of climate emergency declarations emerged including a range of organisations and councils from around the

world. In February 2019 Hastings Borough Council passed a motion to declare a 'Climate Emergency' to:

- to make Hastings carbon neutral by 2030
- take advantage of new powers as they are made available to us by central government
- work towards supplying 30% of the town's electricity by 2030
- update the low carbon and renewable energy policies as part of the Local Plan review to deliver energy efficient new developments and renewable energy projects
- Update the Councils sustainable procurement policy to take account of climate change
- Work with partners to increase the EV infrastructure in the town
- Reduce the Councils and towns reliance on single use plastics
- Maintain Council land to maximise species diversity and mitigate species extinction
- Incorporate an evaluation of climate change implications in all reports to council committees
- Appoint a lead councillor 'Climate Change Champion'
- Work with partners to help to deliver the climate change emergency commitments

3.2 To become a carbon neutral borough by 2030 is a very ambitious target and will require the Council to work in partnership with a wide range of stakeholders, businesses, community organisations and residents of the borough. This commitment creates great opportunities and the potential to achieve significant economic, social, and environmental benefits. There are many co-benefits of working towards becoming carbon neutral by 2030, and reducing greenhouse gas emissions. These include reducing the number of fuel poor households and the associated health impacts on local people living in cold homes through energy efficiency measures; the improvement to local air quality associated from vehicles and associated switch to active forms of movement including walking and cycling and their associated health and community benefits.

3.3 There are significant economic gains to be made from moving to a low carbon economy. Hastings residents and businesses currently spend approximately £65 million a year on electricity and gas, this spend is currently exported from the town. There are opportunities to create new skills, jobs and businesses as we switch to an electrified transport network, more local sustainable energy production and electric heating at home and in our businesses. Improving opportunities to cycle and walk makes our communities and neighbourhoods more dynamic places to live and work.

4 What does climate change mean for Hastings?

4.1 While certain parts of the world will have more severe and imminent impacts (such as low lying areas in South East Asia), Hastings and the wider UK are not immune. The UK Climate Projections (UKCP) 2018 provides the most up to date assessment of how the climate of the UK may change over the 21st Century. The projections are based on the latest

developments in climate science and cover both land and marine environments. The findings are an essential tool when considering climate change risk assessments and adaptation plans.

4.2 The Government has established the National Adaptation Programme and the Committee on Climate Change Adaptation Committee July 2019 report 'Progress in preparing for climate change' highlighted that England is not prepared for even a 2.0°C rise in global temperature, let alone more extreme level of warming. In the last few years, the UK has seen and felt the impact of extreme weather events impacting on its national infrastructure.

4.3 In Hastings there are visible impacts of climate change including increased winter storminess, winds and rainfall, storm intensity, as well as hotter, drier summers causing drought conditions. The summer of 2019 was the joint hottest ever recorded in England.

In Hastings, we at most risk from

- Changes to the coastline and flooding
- Heat waves and the associated risks to health and well-being from higher temperatures
- Drought and risk of water shortages
- Impacts on local ecosystems and biodiversity
- Impacts on local food production
- Impact of new disease and pests and non-native species affecting wildlife

5 Where are we now?

5.1 Developing the action for how Hastings can work towards becoming carbon neutral depends on a sound understanding of not only where we have come from, but also where we are now and ultimately where our current plans are taking us. AECOM consultancy have been commissioned to provide the initial evidence base to help us ensure that our collective response to the climate emergency is based on science based targets and expert guidance to ensure we deploy the most effective solutions to help us tackle climate change. This is hugely important to understand which sectors we should collectively be focusing our efforts on. Many of these actions will not be in the gift of the Council to deliver, but it is important that as a key leader the Council has the information required to help shape this transition with local, regional and national partners.

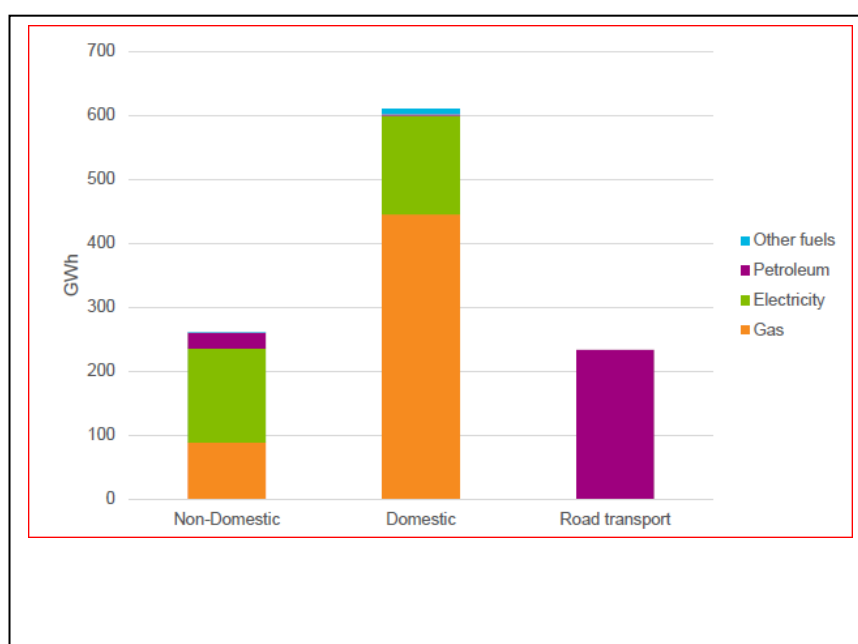
5.2 This section sets out the sectors and fuels that contribute to the town wide emissions within the Borough of Hastings. This helps to provide the context for understanding the carbon emission baseline.

Fuel Consumption

5.3 In 2017, total fuel consumption in Hastings was approximately 1157 GWh – where the largest proportion of fuel consumed was gas (46%)., with electricity and petroleum accounting for 26% and 23%, respectively. Other fuels, including bioenergy and waste, coal, and manufactured fuels make up the remaining 5%. (see appendix 2 for further details of fuel consumption)

Figure 1 below, show that the domestic sector accounts for the highest proportion of energy consumption in the borough, followed by non-domestic and road transport sectors.

Figure 1: Fuel Consumption by sector and fuel type in 2017 (BEIS 2019)



5.4 Within the domestic sector, approximately 73% of fuel consumed is gas and 25% is electricity. In the non-domestic sector, approximately 34% of fuel consumed is gas and 56% is electricity. Petroleum products are predominantly associated with road transport.

Note: Electricity used for transport (e.g. rail and Ultra Low emissions vehicles (ULEVs)) is not represented in the data set

Baseline evidence - The Greenhouse (Carbon) Gas Emissions

5.4 The carbon emission baseline for the borough has been developed using figures provided by the Department of Business, Energy and Industrial Strategy (BEIS). The data set covers Scope 1 and 2 emissions for the Borough, and is published annually: 2017 is the most recent year for which data is available. Historic emissions from 2005 – 2017 are presented for context.

5.5 The data set use data for both energy demand and supply to the town and the associated carbon emissions broken down by sector and by technology type including emissions from energy use as power, heat and road transport.

5.3 CO₂ emission estimates for Hastings area are shown in table 1 below. (UK local authority and regional carbon dioxide emissions national statistics: 200-2017, published in 2019)

Table 1: Hastings CO₂ emissions for 2017 (BEIS 2019) broken down by sector and fuel type.

	Non-Domestic	Domestic	Transport	Total (unadjusted)	Total (adjusted)
Gas	16.4	82.6	-	98.9	
Electricity	37.4	39.2	-	76.6	
Large installations	-	0	-	-	
Other fuels	7.9	1.7	-	9.6	
Agriculture	0.3	-	-	0.3	
Transport	-	-	66.7	66.7	
Total by sector	62.0	123.4	66.7	252.1	249.4
Percent of total	24.6%	49.0%	26.4%		

* Note: The adjustment for Land Use, Land Use Change and Forestry 18 (LULUCF) reflects the fact that certain land use activities, such as cutting down or planting trees, result in CO₂ being added or removed from the atmosphere

5.4 Based on the above data total CO₂ emissions in the Borough of Hastings in 2017 were 249.4 ktCO₂. As shown in figure 2 below, emissions for gas and electricity used in buildings together account for nearly 70% of total emissions.

5.5 Figure 3 shows that the domestic sector as a whole accounted for around 49% of total emissions, with transport and the non-domestic sector accounting for 26% and 24% of total emissions respectively.

Figure 2 CO₂ emissions by fuel type in 2017

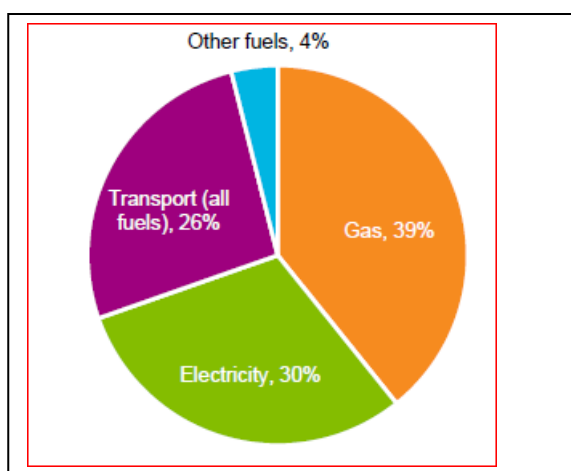
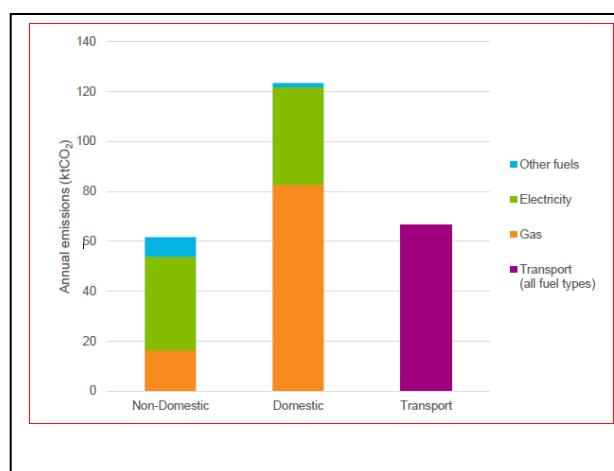


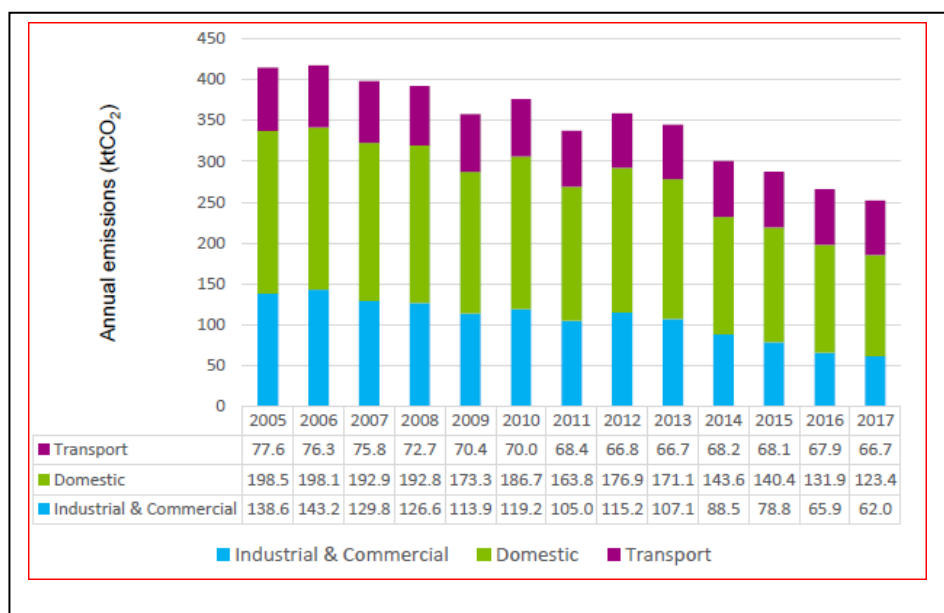
Figure 3 CO₂ emissions by sector 2017



5.6 It is useful to place these figures into context by considering historic trends. The BEIS data set has been used to track a historical trend in emissions in Hastings for the years 2005 to 2017, shown in figure 4 below.

5.7 On average total CO₂ emissions have fallen by nearly 39%, which is both higher than the national and regional reductions of 32% (nationally) and 33% (in East Sussex). For Hastings, as well as the rest of the UK, this is due to changes in fuel consumption and to changes in the carbon intensity of the national electricity grid. If there has been no electricity grid decarbonisation, emissions in Hastings would have decreased by only 19%.

Figure 4 Historic CO₂ emissions in Hastings 2005-2017



When interpreting these results it is important to note that:

- changes in CO₂ emissions do not necessarily reflect changes in fuel consumption or energy efficiency. For example an increase in electricity use could be offset by a decrease in electricity grid emissions
- Similarly, year-to-year changes in fuel consumption relate to factors such as weather and should therefore be interpreted with caution.

6 Modelling approach and assumptions

6.1 Using the data collected in the baseline analysis, working on behalf of the Council, AECOM, has projected carbon emissions to 2030, taking account of committed and planned national interventions e.g. retrofitting existing buildings, decarbonisation of the national electricity grid, heat and transport. The modelling methodology is described in detail In Appendix 3. This modelling work has ensured that the right actions are prioritised to achieve the desired reduction in carbon emissions over the next 10 years.

6.2 The projections consider the relative scale and impact of the following variables:

- National Electricity Grid Decarbonisation
- Energy Demand reduction through energy efficiency measures and behaviour change
- Switching from the use of gas-fired heating to electric systems
- Reducing demand for transport
- Uptake of Ultra Low Emission Vehicles (ULEVs)
- Carbon offsetting through renewable energy generation
- Carbon sequestration

6.3 The model assumes that, in a hypothetical ‘no action’ or ‘business as usual’ scenario no actions are taken to reduce emissions. This is used as a baseline for assessing the cumulative impacts of the intervention measures to reach carbon neutrality by 2030.

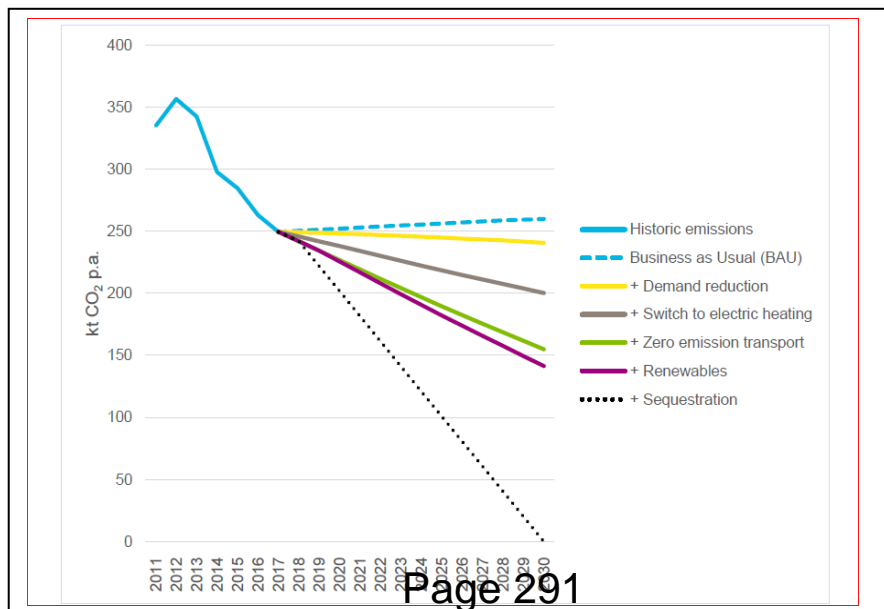
6.4 It is important to note that these scenarios are **NOT** intended to predict actual fuel consumption or CO₂ emissions. Instead, they are used to highlight key issues, providing additional context, and background to inform the actions and recommendations laid out in the Action Plan.

* in reality CO₂ emissions depend on many variables including economic trends, energy prices and weather.

6.5 The following Graphs show the historic emissions for Hastings, along with a hypothetical ‘Business As Usual’ trajectory and routes to new zero, showing the cumulative impact of sequentially adopting measure to:

1. Reduce energy demand in new and existing buildings
2. National grid decarbonisation
3. Switch from gas boilers to efficient electric heating systems
4. Reduce vehicle mileage
5. Switch from petrol and diesel vehicles to Ultra Low Emission Vehicles (ULEV)
6. Install the maximum Low and Zero Carbon energy generation capacity
7. Land sequestration and offsetting

Figure 5 CO₂ emissions in Hastings – No change to electricity grid emissions (2030)



6.6 Figure 5 shows the potential CO₂ reductions that could be achieved assuming there is no change in the national electricity grid. In this scenario, if all measures (excluding renewables and offsetting) are adopted, this would reduce total CO₂ emissions by approximately 43% by 2030. (The residual emissions (141 ktCO₂e p.a.) would need to be made up for through renewable electricity generation and carbon offsetting. For context, this would require around:

- 1,155 MW of ground-mounted PV (i.e. several large solar farms); or
- 425 MW of large-scale onshore wind (several hundreds large wind turbines);
- Approximately 173,300 acres of new woodland. (700 square miles)

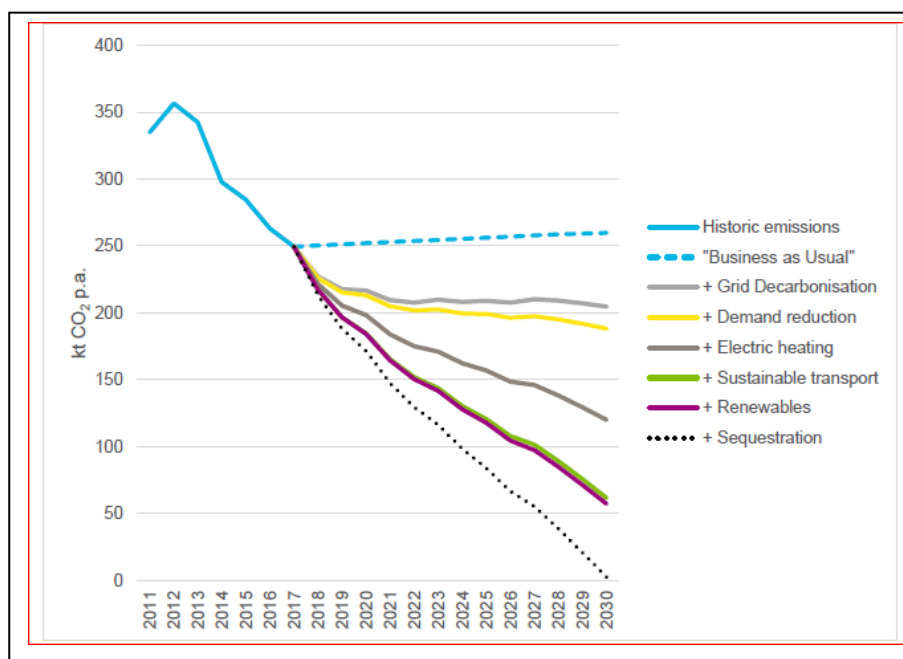


Figure 6 CO₂ emissions in Hastings –Accounting for grid decarbonisation (2030)

6.7 By contrast figure 6 shows what would happen using the same assumptions, and assuming the electricity grid decarbonises at the rate suggested by the BEIS Green Book Guidance. In this scenario, if all measures (excluding renewables and offsetting) are adopted, this would reduce total CO₂ emissions by 77% by 2030. The residual emissions (57 ktCO₂ p.a) would need to be made through renewable electricity generation and carbon offsetting.

6.8 This demonstrates the fact that grid decarbonisations and offsetting will not be enough for Hastings to achieve net zero emissions by 2030– to achieve net zero will require the support of strong actions to reduce demands for fuel in buildings and transportation.

Appendix 3 provides a more detailed discussion of the other trends and changes shown in these graphs. A summary of the relative impacts of each intervention is shown in Table 2

7 Key findings of the analysis

7.1 The table 2 below summarises the potential impacts of the measures described above. It reports the maximum potential percentage (%) reduction in CO₂ that could be achieved through adoption of each measure, compared with a 'Business as Usual' baseline

Table 2 Hastings potential changes in CO₂ emissions by 2030

Potential change in carbon emissions from these measures	Without grid decarbonisation	With grid decarbonisation*
Demand reduction in buildings		
Reduce demand for electricity and heat	-4%	-25%
...and switch to electric heating systems	-20%	-52%
Low carbon transport		
Mileage reduction, no other changes	-3%	-3%
..and switch to ULEVs (excludes HGVs)	-18%	-23%
Renewable electricity generation		
Potential CO ₂ savings from LZC energy generation	-5%	-2%
Total reductions		
All measures implemented (excluding offsetting / renewables)	-43%	-77%
Residual emissions (tCO ₂ e p.a.)	143	58

**Note: The figures quoted for the 'grid decarbonisation' trajectory include the 18% reduction that occurs from grid decarbonisation alone. Therefore, the total reductions may be larger than the proportion of current CO₂ emissions from a given source, and these figures are not directly comparable to those shown for the scenario 'without grid decarbonisation'.*

7.2 These illustrative scenarios are based on a set of assumptions that are considered technically achievable based on current, proven technologies and intervention measures. AECOM advise that in their view, they are not unreasonably ambitious from a technical standpoint. However, in practical terms, achieving this level of decarbonisation over such a short timescale would potentially be very difficult and costly without a significant change in consumer behaviour, along with national-level policies and incentive structures.

7.3 Although CO₂ emissions have decreased in recent years, significant changes must take place across all sectors to achieve net zero emissions by 2030. Based on this analysis, the key priorities prior to offsetting or carbon sequestration are to:

- Reduce the demand for heat and phase out the use of natural gas by switching to heat pumps;
- Reduce demand for transport and switch from petrol/diesel to Ultra Low Emission Vehicles

- Reduce all other electricity demands, in part to minimise pressure on grid infrastructure;
- Meet any remaining energy demands with renewable energy.

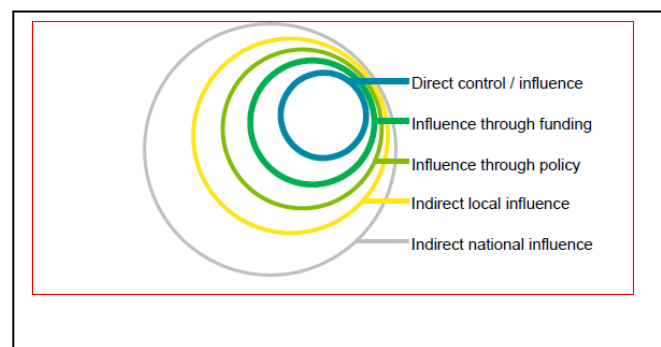
8 Hastings Council’s role in moving towards carbon neutral Hastings

8.1 The Council only has direct control over a small proportion of the total emissions of Hastings, achieving the carbon neutral target will also depend on changes that occur at a regional or national level, and the involvement of the towns business, organisations and residents.

8.2 However, the Council has an important role to play in

- providing leadership to enable, influence, communicate and develop responses that will facilitate the journey towards a carbon neutral Hastings; and
- drive a conversation with our partners and communities about a strong vision and strategy for our carbon neutral future, as well as
- engaging residents, organisations and businesses in taking action now.

Figure 7 Hastings Borough Council Spheres of Influence



For example within the Councils direct sphere of influence are

The Councils Corporate Plan – which sets out the services the Council directly controls
 The Councils funding, policy and local partnership activities
 The Councils regional and national partnerships and relationships and associated influencing role

On this basis potential responses from the Council could include

Direct control/ influence: Taking a leadership by adopting best practices wherever possible by reducing energy demand in our own buildings, adopting behavioural change programmes, switching to renewable energy sources, installing renewable energy on its land and buildings, adopting a zero-emission vehicle fleet, and installing EV charging points in Council-owned car parks.

Influence through funding: ensuring local grant funding , regional and national grant funding takes account of climate change in their delivery and the decarbonisation agenda;

supporting local SMEs that wish to carry out building energy audits through the promotion of local and regional schemes.

Influence through policy for example supporting the delivery of heat networks and renewable energy projects within the area by taking a positive approach to renewable energy generation in planning policies and decision-making. By designing infrastructure and the application of spatial planning policies that reduces the reliance on private vehicles, supporting initiatives that encourage the use of public transport, ridesharing, walking and cycling.

Indirect local influence: supporting higher standards of sustainable design and construction, through awareness and training, working with landlords to encourage the application of whole house retrofitting

Indirect national influence: Lobbying regional organisation and Government to bring forward more ambitious policies e.g. funding for off street EV charging infrastructure, active travel and public transport, national funding for retrofitting and updates to Building Regulations.

9 Action plan

9.1 Given the scale, complexity and urgency of responding to climate change, it is proposed that the 'Action Plan' is seen as something that is phased and iterative in Nature.

9.2 The first phase includes developing the evidence base, identifying the interventions and options to set us on a pathway to become carbon neutral and potential quick wins, as set out in the action plan below.

9.3 The next phase, will include the development of an implementation programme, alongside community and stakeholder engagement to enable the co-design and development of the next phase of the action plan to deliver the level of change needed to meet carbon neutrality. The responsible organisations and partners who are responsible for delivery will develop and become clearer as the plan develops during the coming months and years. Delivery is likely to require large scale mobilisation to deliver projects at scale and drive behavioural change.

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Appendix 1 Policy Drivers for Achieving Net Zero Emissions

International

The Intergovernmental Panel on Climate Change (IPCC) special report on Global Warming, published in October 2018, describes the risks that a 2.0°C rise is likely to cause compared to 2.0°C, including increased risks to health, livelihoods, food security, water supply, human security and economic growth. The IPCC highlighted that there were approximately 12 years, now 10 years, in which to respond to this challenge and reduce global greenhouse gas emissions, to avert this increasing risk of a 2.0°C temperature rise. The report emphasised that with ambitious action from national and sub-national authorities, civil society, business and local communities, it would be possible to limit warming to 1.5°C. Human activities are estimated to have caused approximately 1.0°C of global warming above pre-industrial levels. In addition, the recent Intergovernmental Panel for Biodiversity and Ecosystem Services (IPBES) stated that around 25% of the world's species are now at threat of extinction due to habitat loss and the effects of climate change.

National

UK Climate Change Act 2008 and UK Climate Change Act: 2050 Target Amendment Order

The Climate Change Act, legally commits the UK Government to reducing emissions by 100% by the year 2050, compared with a 1990 baseline. The Act provides a legal framework requiring the Government to set five-yearly 'carbon budgets' (identifying the steps needed to reduce and limit emissions over a set period of time, towards the 2050 target) and the development of a climate change adaptation plan.

The Committee on Climate Change "Net Zero – the UK's contribution to stopping global warming" (2019) written in response to the IPCC findings, advises that this level of carbon reduction is achievable using known technologies, including,

- Reducing demand through resource and energy efficiency
- Societal choices e.g. reducing meat consumption
- Electrification of transport and heating;
- Development of hydrogen gas and carbon capture and storage (CCS) technologies; and
- Land use changes that promote carbon sequestration and biomass production

The Paris Agreement

The UK ratified the Paris Climate Agreement in November 2016, The Agreement seeks to 'strengthen the global response to the threat of climate change by keeping a global temperatures rise this century well below 2°Celsius above pre-industrial levels and to pursue efforts to limit the temperature increase even further to 1.5°Celsius.

A study produced by the Tyndall Centre for Climate Change Researchs found that, to meet the commitments laid out in the Paris Agreement, *‘the recommended energy only CO₂ carbon budget for the Hastings area for the period of 2020 to 2100 is 1.7 MtCO₂.’* This could be achieved by adhering to the 5-year carbon budgets set out in Table 1, although the authors note that, *‘A smaller carbon budget, with accelerated reduction rates and an earlier zero carbon year, is compatible with this approach’*

Table 1 Recommended carbon budget for Hastings (source Tyndall Centre)

Budget Period	Carbon Budget (MtCO ₂)
2018-2022	1.0
2023-2027	0.6
2028-2032	0.3
2033-2037	0.1
2038-2042	0.1
2043-2047	0.0
2048-2100	0.0

National Planning Policy Framework

The National Planning Policy Framework (NPPF) sets out Government planning policy for England. It states that, ‘the purpose of the planning system is to contribute to the achievement of sustainable development, and ‘at the heart of the [Framework is a presumption in favour of sustainable development.’

Building Regulations (Part L)

In the UK, the Building regulations are the main mechanism for prescribing standards for the conservation of fuel and power in buildings, using metrics including the estimated level of energy demand and CO₂ emissions. The Government is currently consulting on a proposed ‘Future Homes Standard’ that would significantly reduce emissions from new domestic buildings in the UK. The consultation, also highlights that the Government intends to make further improvements to Building Regulation requirements for existing domestic buildings as well as new and existing non-domestic buildings.

The Clean Growth Strategy 2017

The UK Clean Growth Strategy set of policies and proposals to meet the grand challenge of ‘clean growth’ set out in the Industrial Strategy. It sets out the Government’s vision for decoupling economic growth from carbon emissions. The strategy includes objectives for increasing renewable energy generation, smart and flexible power and accelerating the shift to low carbon transport, smart grids and energy storage. The delivery of low carbon heating is highlighted as a priority, indicating heat pumps, district heat networks and a hydrogen gas grid could all support the scale of transition needed.

It also discusses the need to improve energy efficiency in existing buildings, including a strategy to progressively increase the minimum Energy Performance Certificate (EPC) ratings that will be considered permissible in order to allow the sale or rental of buildings, as required by the Minimum Energy Efficiency Standards (MEES) regulations.

The Road to Zero: next steps towards cleaner road transport and delivering our industrial strategy (2018)

The Road to zero sets out the Government's mission to *'put the UK at the forefront of the design and manufacturing of zero emission vehicles and for all new cars and vans to effectively be zero emissions by 2040'*. The strategy furthers the ambitions of the NO₂ Plan and Clean Growth Strategy in defining key policies with primary focus upon introduction of low and zero emission vehicles, with the aim that at least *'50% and as many as 70% of new car sales and up to 40% new van sales being ultra low emissions by 203. By 2050 we want almost every car and van to be zero emission'*

It is anticipated that local action will be supported through new policies including the provision of funding to extend ultralow emission bus schemes and taxi charging infrastructure, and the provision of electric vehicle charge points.

Regional

South2East Local Energy Strategy 2018

The South2East Energy Strategy was developed by the three Local Enterprise Partnerships including the South East Local Enterprise Partnership. The strategy outlines a vision for achieving clean growth in the region focusing on the power, heat and transportation sectors.

It highlights several key opportunities for the region, including:

- Renewable energy potential, especially solar, wind, energy from waste and landfill gas;
- Rich natural assets (including a high proportion of woodland); and
- Large amounts of planned new development within the region, offering opportunities for deployment of smart, integrated, sustainable energy system models.

Draft Local Industrial Strategy

South East Local Enterprise Partnership is developing a Local Industrial Strategy (LIS) to promote the coordination of local economic policy and national funding streams, and establish new ways of working between national and local government and the public and private sectors, and will inform a strategic agreement with Government. The aim of the LIS is to increase regional economic activity, and meet regional and national policy commitments, A coastal communities prospectus has been developed to ensure that the coastal communities of the SELEP region are fully included in the LIS and the role they can play in mitigating the impacts of climate change

Draft East Sussex Environment Strategy 2019

The revised Environmental Strategy for East Sussex seeks ‘to contribute to the emerging urgent global and local environmental challenges and to maximise the available opportunities. The strategy identifies local specific challenges and opportunities. The following five priority environmental themes have been identified within the strategy: climate change, natural capital, air quality, water and resource efficiency. The draft Environment Strategy includes:

- Long term aims for each of the environmental themes;
- Actions that the Environment Board will lead on in the short-term;
- Examples of programmes and projects already being delivered nationally and locally;
- Indicators to monitor progress in implementing the Environment Strategy.

East Sussex Local Transport Plan (2011)

The Local Transport Plan¹² (LTP3) covers the years 2011-2026. It includes a broad-ranging strategy for improving transport within East Sussex, through means such as:

‘... promotion and infrastructure for public transport e.g. accessible bus stops, shelters [...] implementation of infrastructure to support integrated sustainable travel –walking, cycling, public transport, car sharing etc. For example –bus priority measures, cycle lanes and facilities, improvements to pedestrian routes to key trip attractors, better rail / bus / cycle interchanges [and] charging points for electric vehicles and smart ticketing initiatives...’

LTP3 also acknowledges the need to ‘look at non-transport measures which reduce the need to travel to access services.’ As evidenced in Section 4, the transportation sector accounts for a significant portion (26%) of CO2 emissions in Hastings and is therefore considered a priority area for intervention measures.

Local planning policy a guidance

Hastings Borough Council is responsible for preparing the strategic development plans for the borough; The adopted Local Plan for Hastings Borough Council comprises several documents, including the ‘Hastings Planning Strategy’ (2014) and the ‘Hastings Development management Plan’ (2015). At the time of writing, the Local Plan is under review, and public consultation on a draft Plan is expected to begin in 2020/21.

Hastings Planning Strategy 2014.

The Hastings Planning Strategy sets out the ambition and vision for development within the borough and provides a long term plan to deliver the regeneration and sustainable growth in the borough until 2028. The plan sets an overall framework for the future of the town.

Development Management Plan 2015.

The Development Management Plan sets out policies for the management of development in the town as well as specific allocations to meet the overall targets set in the overarching Hastings Planning Strategy.

At the time of writing, the Local Plan is under review with public consultation on a draft plan expected in 2020/21. The Local Plan plays a key role in addressing climate change setting out key policies and measures to adapt to and mitigate against climate change.

Appendix 2 Fuel Consumption in the Borough

This section sets out the sectors and fuels that contribute to the town wide emissions within the Borough of Hastings. This helps to provide the context for understanding the carbon emission baseline.

Fuel Consumption

The dataset provides a breakdown of emissions by sector and fuel type. Fuel consumption figures are taken from BEIS publication ‘Sub-national total final energy consumption statistics: 2005 – 2017’ (published in 2018) – 2017 is the most recent year for which data is available. Within the data set non-domestic uses include fuels used in industrial, commercial, public and agriculture sectors, for uses other than transport.

In 2017, total fuel consumption in Hastings was approximately 1157 GWh – where the largest proportion of fuel consumed was gas (46%)., with electricity and petroleum accounting for 26% and 23%, respectively. Other fuels, including bioenergy and waste, coal, and manufactured fuels make up the remaining 5%.

Table 2: Fuel consumption by sector and fuel type in 2017 (BEIS, 2018)

	Non-domestic (GWh)	Domestic (GWh)	Road transport (GWh)	Rail (GWh)	Bioenergy & waste (GWh)	Total (GWh)
Gas	88.1	444.9	-	-	-	533.1
Electricity	147.1	154.0	-	-	-	301.1
Coal	0.8	4.3	-	-	-	5.1
Petroleum	24.7	3.0	232.7	1.3	-	261.6
Manufactured fuels	0.1	4.4	-	-	-	4.5
Bioenergy & waste	-	-	-	-	51.9	51.9
Total by sector	259.5	610.5	232.7	1.3	51.9	1,157.2

Figure 1: Fuel Consumption by fuel type in 2017 (BEIS, 2018)

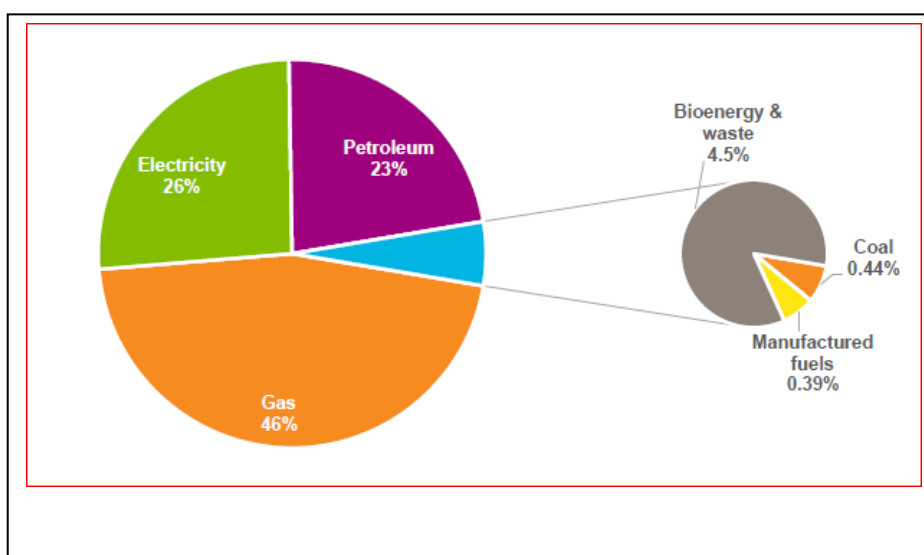


Figure 2 below, show that the domestic sector accounts for the highest proportion of energy consumption, followed by road transport and other non-domestic sectors.

Within the domestic sector, approximately 73% of fuel consumed is gas and 25% is electricity. In the non-domestic sector, approximately 34% of fuel consumed is gas and 56% is electricity. Petroleum products are predominantly associated with road transport. Electricity used for transport (e.g. rail and Ultra Low emissions vehicles (ULEVs)) is not represented in the data set.

Figure 2: Fuel Consumption by sector and fuel type in 2017 (BEIS 2019)

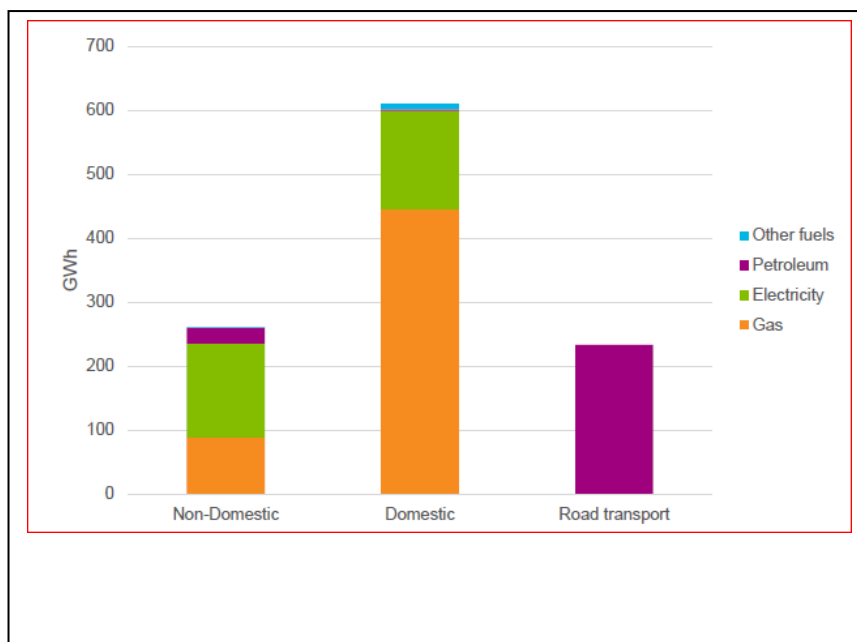
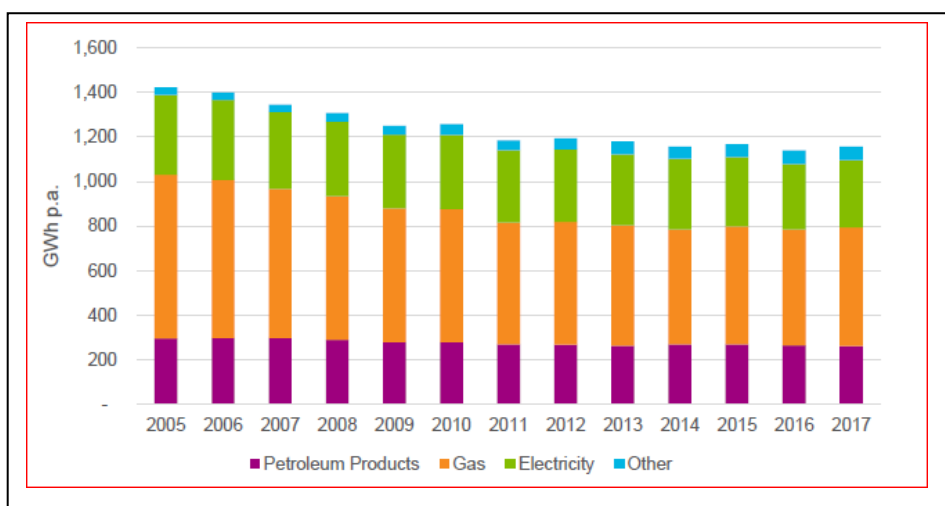


Figure 3 shows the changes in fuel consumption in Hastings between 2005 to 2017. During this period, the use of gas, electricity and petroleum products has decreased by 27%, 16% and 12 % respectively. This can be due to a number of reasons, including consumer behaviour, the uptake of energy efficient measures, economic trends, fuel prices and the weather.



Appendix 3 Carbon projection modelling methodology

Scope of the analysis

For the purpose of greenhouse gas reporting, CO₂ emissions are divided into three categories:

- **Scope 1** – Direct emissions that arise from burning fuels in Hastings. This primarily includes fuel used in boilers to provide heating and hot water, fuel used in any vehicles while they are driving within Borough boundaries, and fuels (other than electricity) used for cooking.
- **Scope 2** – Indirect emissions associated with the use of electricity in Hastings.
- **Scope 3** – Indirect emissions that result from other activities outside the border of Hastings, but that take place as a result of the actions of people or organisations within Hastings, e.g. emissions from commuting, shipping, or aviation.

This report only quantifies Scope 1 and 2 emissions, based on publicly available datasets produced by the Department of Business, Energy and Industrial Strategy (BEIS). This covers a range of sectors and fuel types but does not cover *all* potential sources of greenhouse gas emissions within the Local Authority. For example, in the agricultural sector, it includes the emissions from fuels used in agricultural processes and vehicles but excludes methane emissions from livestock. At the time of writing it is understood that such information is not published by BEIS at a Local Authority level.

The table below shows the categories of emissions reported in the BEIS dataset. In this report, some of the categories representing a small proportion (<1%) of total emissions have been consolidated in order to align the emissions baseline with the fuel consumption figures as much as possible

Category	Sub-categories as listed by BEIS	Sub-categories as listed in this report
Industrial & commercial (Note: This includes public sector and agricultural fuel consumption and is referred to as 'Non-domestic' in this report)	<ul style="list-style-type: none"> • Electricity • Gas • Large industrial installations • Other fuels • Agriculture (Note: Fuel not specified) 	<ul style="list-style-type: none"> • Electricity • Gas • Other fuels Agriculture (all fuels)
Domestic	<ul style="list-style-type: none"> • Gas • Electricity • Other fuels 	<ul style="list-style-type: none"> • Gas • Electricity • Other fuels
Transport	<ul style="list-style-type: none"> • Road transport (A roads, motorways and minor roads) • Diesel railways • Other 	<ul style="list-style-type: none"> • Transport (all fuels)

The methodology used by BEIS to estimate carbon emissions varies depending on the source of emissions under consideration. For example, for gas and electricity, a carbon emission factor is developed for each fuel and applied to the sub-national fuel consumption data to provide an estimate of the CO₂e emissions associated with the use of that fuel. In the case

of transport, emissions are estimated based on the types of vehicles and vehicle movements that take place on each stretch of road within the UK, and these are allocated to a Local Authority dataset based on geographic boundaries. Total emissions may also include point-source estimates for certain consumers, and therefore it is not possible to directly align the fuel consumption data with the emissions data.

It should also be noted that the BEIS dataset *excludes* various potential sources of other GHG emissions. For example, it does not include methane emissions from livestock digestion.⁸⁶ This study has only considered sources listed within the BEIS dataset because at present there is no published information on total GHG emissions for Local Authorities within the UK.

For further information, see the *‘Technical Report: Local and Regional Carbon Dioxide Emissions Estimates for 2005-2017 for the UK’* (BEIS, 2019).

Summary of Key Inputs

The following assumptions have been applied to the projection modelling scenarios:

Topic	Model input	Data source
Demand Reduction		
Potential reduction in gas use in existing buildings over time to 2030	10%	NEED 2019 Report, <i>‘Table 3: Typical savings following multiple energy efficiency measures’</i> suggests 12% reduction in heating is possible; 10% has been used as a conservative estimate.
Potential reduction in demand for heating in new buildings over time to 2030	75%	This reduction is in line with the levels indicated by the Future Homes Standard consultation.
Potential reduction in demand for electricity for appliances and lighting over time to 2030	5%	Assumes that appliance use will increase but a small reduction could be achieved through behaviour change. Research indicates up to 10% possible – low / conservative estimate used.
Fuel Switching		
Existing buildings switch to electric heating over time to 2030	90%	Assumes that, in the next 10 years, it will become a requirement to switch when otherwise replacing boilers. Based on a 15-year replacement cycle, this means that the majority of boilers would be replaced by 2050. 90% is used as a conservative estimate assuming that some heating systems cannot be replaced
New buildings that are built with electric heating	100%	Assumes all new builds will be required to use electric heating.
Proportion of existing building electric heating systems that are heat pumps	50%	Estimate. The remainder are assumed to be direct electric systems where it is not feasible to install heat pumps.
Proportion of new building electric heating systems that are heat pumps	90%	Estimate. The remainder are assumed to be direct electric systems where it is not feasible to install heat pumps.
System Efficiencies		
Typical gas boiler	80%	Low / conservative estimate
Heat pump	250%	Low / conservative estimate
Direct electric heating	100%	1:1 conversion is normal
Transport		
Reduction in mileage over time to 2030	10%	Estimate.
Vehicles that switch to zero emission over time to 2030	92%	Assumes that HGVs do not switch.

Key assumptions

Built environment

Existing buildings

The modelling assumes that existing buildings will continue to have the same gas and electricity consumption in a 'BAU' scenario. Reductions to fuel consumption are then applied to test the relative impact of different intervention measures (described below) as part of the carbon projection modelling

New buildings

The amount of proposed new development (number of dwellings and m2 of employment floorspace) is multiplied by benchmarks to provide an estimate of energy demand.

In order to estimate the impact of new construction / development within the Borough as a whole, benchmarks were used to estimate the fuel consumption of new buildings. For domestic buildings, benchmarks were derived from median consumption figures for Hastings as reported in NEED. For non-domestic buildings, CIBSE Guide F benchmarks were used to estimate gas and electricity demand. In both cases, the heat / gas demand figures were reduced by 75% to reflect higher fabric performance standards. The level of heating demand reduction was informed by the recently published consultation documents related to Parts L and F of the Building Regulations, and the introduction of a Future Homes Standard.

Grid decarbonisation pathway

Carbon emission factors (CEFs) for electricity were taken from HM Treasury/BEIS '*Green Book Supplementary Guidance: Toolkit for valuing changes in greenhouse gas emissions, Table 1*' (2019) which is intended for use by organisations reporting on their greenhouse gas emissions. Note that this trajectory reflects the level of decarbonisation that would be necessary for the UK to meet its current decarbonisation targets. It is not a projection of the likely emissions from grid electricity.

Electricity demand reduction

Evidence suggests that reductions of around 5% can be achieved through measures such as behavioural changes, smart metering, and zone lighting. Case studies suggest that greater reductions are possible for some organisations. However, in recognition of the fact that electricity use has increased in the past decade due to factors such as increasing use of electronic appliances, 5% has been used as a conservative estimate.

The model assumes that total electricity consumption will decrease linearly through to the year 2030, at which point this reduction will be achieved.

Heating demand reduction from energy efficiency measures

Evidence from NEED indicates that installing multiple energy saving measures (such as cavity wall or loft insulation) can reduce heating bills by around 5-12%. From a technical standpoint, higher savings (over 75% in some properties) could be achieved with more ambitious retrofitting strategies,⁸⁷ but 10% has been used as a conservative estimate. This would not necessarily require all buildings to undergo a retrofit – it represents an average across the entire stock. In other words, some buildings could be retrofitted to a higher standard, while others (such as Listed buildings) receive no upgrades.

The model assumes that total gas consumption will decrease linearly through to the year 2030, at which point this reduction will be achieved.

Impact of fuel switching

This calculation assumes that the metered gas consumption is delivered by individual gas boilers (80% efficiency). The total metered gas consumption data is used to provide a rough estimate of the amount of electricity that would be required if this level of demand was instead met using direct electric heating (DEH) with 100% efficiency or heat pumps with COP of 2.5 (this is intended as a conservative estimate that reflects the performance of air source heat pumps (ASHPs) in situ).

The model assumes that 90% of existing buildings will switch to an electric heating system by 2050. This would require an ambitious programme of heating system replacement with significant cost implications. Therefore, the calculation also assumes that 50% of the new heating systems will be DEH and 50% will be ASHP as an illustrative scenario, in recognition of the fact that DEH may be cheaper and more practical to install. Additional carbon reductions could potentially be achieved if more systems were replaced with ASHPs.

The model assumes that gas heating systems will be replaced with electric heating systems at a consistent rate (i.e. linearly) to 2030.

Vehicle mileage reduction

In the baseline scenario, it is assumed that demand for transport remains stable. This will likely tend to increase over time due to factors such as population growth. A stable trajectory would imply that measures are being implemented to mitigate this demand through encouraging other forms of travel such as walking, cycling or public transport.

According to the 'Road to Zero' report: 'Evidence from 60,000 fleet drivers receiving training through the Energy Saving Trust (EST), a key partner supporting the efficient motoring agenda, gave an average 15% saving of fuel and CO2 [...] Organisations that have incorporated a wider package of behavioural and procedural measures in managing their fleets (see the case study below) have delivered typical emission savings of between 10-30%.'

The model assumes that a 10% reduction in either journeys, vehicles, or miles travelled will result in a 10% reduction in CO₂e emissions from those vehicles. A travel strategy aimed at reducing emissions would likely seek to target certain types of trips, vehicles, or users, so this approach should be understood as an estimate. However, for the purpose of this analysis, it is considered enough to show a simple proportional reduction to highlight the relative scale of impact such a measure could have, relative to other interventions. The model assumes that total mileage will decrease linearly through to the year 2030, at which point this reduction will be achieved.

Impact of switching to Ultra Low Emission Vehicles (ULEVs)

Based on the estimated mileage for each vehicle type, we have re-calculated CO₂e emissions using BEIS Green Guide figures for electric vehicles.

Carbon savings from Low or Zero Carbon (LZC) technology energy generation

Carbon savings from Low or Zero Carbon (LZC) energy generation are based on the amount of National Grid electricity that would be offset by renewable electricity. A total figure for the amount of LZC capacity that will be installed by 2030 is inputted into the model, and the model assumes that the total savings will increase linearly up to that point.

An estimate is then made of the potential amount of renewable electricity that could be generated by those technologies (large-scale PV or wind). The electricity generation figure is multiplied by the CEF for a given year to provide an estimate of the total CO₂e savings in a given year.

– *Large-scale PV*: Assumed output of 827 kWh/kWp based on typical performance in the UK

– *Large-scale onshore wind*: Capacity factor of 2,081kWh/kWp

Note that, as the electricity grid decarbonises, more LZC energy generation is required to offset any residual emissions. Therefore, although the amount of LZC capacity is assumed to increase linearly, the savings per MW decrease as the grid decarbonises over time.

Carbon reductions from woodland creation and tree planting

Based on nation-wide statistics from the Woodland Carbon Code, new woodlands created from low-grade agricultural land have the potential to sequester around 356 tCO₂e per hectare over 100 years, or 3.56 tCO₂e per hectare per year on average. In practice, this depends heavily on the type of woodland and its maturity level.

The scale of offsetting has been input in order to target net zero carbon by 2030 assuming all previous measures and changes in market come to pass. This allows HBC to understand the approximate scale of investment in offsetting required to overcome the likely gap shown by our projection modelling. Proposals would need to be backed up with detailed modelling / evidence and supported by a long-term management plan. Therefore, these figures are intended only to provide a rough sense of scale.

Limitations

As stated previously, this study has only considered sources of CO₂e emissions that are listed for Hastings Borough within the published BEIS dataset. Due to lack of information about other GHG emissions at a Local Authority level, therefore, the baseline presented in this report is likely to be an underestimate of the total.

A key overarching limitation of this approach is that any changes modelled would need to be backed up by policies, funding, changes in technology, and user / consumer behaviour which are uncertain.

The analysis does not account for other changes e.g. population growth, energy prices, weather, economic growth, and the many other trends that would impact energy demand – it is primarily focused on built environment measures with consideration given to changes in transportation technology.

Appendix 4 Understanding the interventions to meet net zero carbon emissions by 2030

Impact of grid decarbonisation

A comparison of these results shows that grid decarbonisation is one of the most important variables that will determine whether the decarbonisation target is achieved. This has both positive and negative implications. On one hand, if the BEIS decarbonisation scenario were to occur, Borough-wide emissions could decrease by up to 18% by 2030 even if no other actions were taken. On the other hand, this presents a key risk, because it means that much of the reliance on achieving the net zero target will rely on factors outside of the Council's ability to influence

To address and mitigate this risk, consideration must be given to how the Council can best facilitate the government's objectives in decarbonising the grid as well as what measures it can take to best insulate itself from the eventuality that grid decarbonisation does not happen as quickly and/or as deeply as the Government intends

Impact of new development

If new development in Hastings between now and 2030 uses roughly the same amount of gas and electricity as existing buildings, if all other variables hold constant, this would result in a 4% increase in Borough-wide CO₂ emissions by 2030 (and more than 10% by 2050). Even if they were built to meet the proposed Future Homes Standard, there would still be a small increase.

Therefore, it will be vital to ensure that any new buildings are constructed or retrofitted to be capable of being carbon neutral, or if not, then the emissions need to be mitigated through demand reduction measures, renewable energy generation and other forms of offsetting.

However, as important as it is that all future developments achieve carbon neutrality, the overall impact is relatively small compared to the scale of emissions from existing buildings and transportation, given the planned for number of new homes and commercial buildings within the Planning Strategy.

New buildings are assumed to meet the CO₂ reduction levels described in the Future Homes Standard which include significantly higher targets for energy efficiency and carbon savings.

Future Homes Standard

Under the Future Homes Standard new buildings would be required to meet significantly higher targets for energy efficiency and carbon savings.

The Government has proposed that from 2025 all new homes will incorporate world-leading energy-efficiency levels of performance, incorporating low-carbon heating systems, and that new homes from 2025 will not be able to connect to the gas network.

Changes to Building regulations are planned for 2020 and 2025, where the 2020 changes will be a partial step towards the planned 2025 standard.

By 2025, the energy performance of new dwellings will achieve a 75-80% reduction in carbon emissions over that required by the current Approved Document L1A 2013.

Revised approved documents are expected in Spring 2020 and will likely come into formal use during Autumn 2020.

Changes to existing buildings

Reducing demands for electricity and heating

Emissions from fuel use in buildings accounts for 73% of total gross CO₂e emissions across Hastings. For the purpose of the analysis AECOM have modelled two key changes to the existing building stock – reducing demands for electricity and heating and phasing out gas (switching to electrical-driven heating systems)

The demand reduction measures modelled could result in up 6% CO₂ emissions saving compared to 2017 levels, a relatively small impact compared if considered in isolation of the other interventions. Although this is, a relatively conservative estimate of the reduction in demand that could be achieved from a technical standpoint, the timescale is extremely challenging and would require an immediate and ambitious programme of energy efficiency improvements.

One of the key obstacles would likely be the absence of a policy driver that requires energy efficiency upgrades to existing buildings. The Minimum Energy Efficiency Standards (MEES) regulations are intended to drive progressive improvements in the existing stock but the impact this will have is not yet clear. Therefore, it will be important to identify any potential sources of funding to implement this measure.

At present, owners of existing buildings are not required to introduce energy efficiency measures; incremental changes to a building can be made when planning permission is sought for an extension, or as part of a building control application for major works to the roof or walls.

Minimum Energy Efficiency Standards

Under the MEES regulations, as of 1st April 2018, any properties newly rented out in the private sector must have a minimum Energy Performance Certificate (EPC) rating of E (some exceptions apply). Fines will be applied for non-compliance.

Owners of buildings with a lower EPC rating will be required to implement energy efficiency measures, though consideration will be given to financial viability, the anticipated payback time and impacts on property value.

Over time, the Government intends to progressively increase the minimum EPC rating, meaning that buildings must become more efficient in order to be sold or rented. A recently-published consultation proposed that the minimum rating should be raised to B by 2030, subject to actions meeting a seven-year payback test.

Historically, a range of Government schemes have been implemented to improve the emissions of the existing building stock including

- The Carbon Emissions Reduction Target (CERT)
- The Community Energy Saving Programme (CESP)
- The Energy Company Obligation (ECO)
- Green Deal

As well as local schemes such as the Affordable Warmth programme ‘Keep Warm and Well’ to tackle fuel poverty whilst making home energy efficiency improvements.

In order to meet the 2030 (and beyond target), it will be important to identify potential sources of funding to implement measures to support the delivery of energy efficient measures, and indeed a whole house retrofit approach in the existing buildings, especially local homes.

Hastings has a relatively high number of older properties that are considered ‘hard to treat’ from an energy efficiency perspective, for example there are 933 listed buildings and 18 conservation areas, which can limit the type of measures that can be installed in these properties.

As the existing building stock accounts for such a high proportion of total emissions, and considering the technical constraints to decarbonising heat, reducing our energy demand is a high priority for achieving net zero. In addition, for low carbon technologies such as heat pumps to work properly, it is essential that energy efficiency measures are carried out first.

Electricity demand is expected to increase in the future as a result of increased use of digital technology, electronic devices, the uptake of ultra-low emission vehicles and the transition to electric heating systems.

Interventions such as behaviour change measures and community engagement and the use of smart meters and devices can support the reduction of electricity consumption in buildings.

Phasing out Natural Gas

Unlike electricity, which can be generated from a range of renewable technologies, natural gas is a fossil fuel which unavoidably emits CO₂ during combustion. In order to meet the net zero target, it will therefore be crucial to phase out the use of gas, because the scale of investment that would be required to offset these emissions would be significant.

The Clean Growth Strategy 2017 highlights that in order to meet the carbon emission reductions of the Climate Change Act 2008, it will be necessary to fully decarbonise the supply of heat. There are two main options for delivering this, based on currently available technologies:

1. Reduce the total demand for heat, and
2. A switch to using electrically driven heating systems such as direct electric heating and heat pumps.

Of these, heat pumps are the preferred option due to the lower running costs and smaller impact on the electrical grid. This would have the effect of reducing the Borough's emissions by around 24%, depending on the technology used, assuming there is no change in the electricity grid emissions. As the grid decarbonises, the savings would increase, so fuel switching (with necessary enabling works) could potentially result in a 52% decrease in emissions by 2030 (%% by 2050).

One method of reducing heat demand which has not been included in this Borough-wide analysis would be to develop heat networks. A heat network involves the centralised generation of heat to serve multiple buildings, which can enable the use of larger and more efficient equipment, thereby delivering higher carbon savings with lower capital and operational costs than solutions for each individual building. Although heat networks at present often utilise gas-fired Combined Heat and Power (CHP) systems, future heat networks will need to deliver low or zero carbon heat and therefore are likely to utilise heat pump technology or waste heat sources.

Heat networks can be applied for certain types of development where there is a high and consistent heat demand. The Government provides financial support to local authorities to investigate the feasibility of a heat network and capital construction costs through the Heat Network Delivery Unit and Heat Network Investment Management program

The Future Homes Standard recommends that the use of gas boilers in new buildings is prohibited from 2025 onwards; the impact of this policy has been taken into account in the modelling.

Green Gas

The recently published 'Pathways to Net Zero' sets out a detailed plan to deliver a zero carbon gas grid and highlights that decarbonising the gas network will be critical for the UK to meet its Net Zero targets, with heating being one of the most challenging issues to face.

The Gas Distribution Networks (GDNs) including SGN who provide gas in Hastings are committed to maximising the opportunities to use biomethane and other renewable gas sources in the UK and are working with stakeholders, trade associations, the Regulator and Government to progress this and remove any barriers to entry, both regulatory and financial where possible. It may be possible to decarbonise the gas grid by injecting it with biomethane or hydrogen, but this would require a technological step-change and has therefore not been considered given the timeframe for the Councils to reach net zero.

Changes to transportation

Switching to Ultra Low emission Vehicles

The Government has announced an intention to prohibit the sale of new petrol and diesel cars by 2040, as part of its 'Road to Zero' strategy. There has been a gradual increase in the number of electric vehicles in recent years and Hastings is no exception, where there has

been a ten-fold increase in the number of Ultra Low Emission Vehicles (ULEVs) registered in Hastings between 2011 and 2019 –although with only 140 registrations at the end of 2019.

It is estimated that the price of electric, hybrid and traditional fuel cars could converge within the next decade, which would help to facilitate the shift towards sustainable transport. The National Grid report 'Future Energy Scenarios 2019' suggests there could be between 2.7 and 10.6 million EVs in the roads by 2030, which would present a broad-ranging challenge across all areas of electricity infrastructure. Increasing LZC energy generation, the use of smart EV charging and, potentially, vehicle-to-grid systems could mitigate some of the effects on peak demand and help to alleviate some of this pressure.

Switching to ULEVs would reduce total CO₂ emissions by around 18% if they were charged using national grid electricity. The savings would increase as the electricity grid decarbonises, or if the vehicles were charged using 100% renewable energy – for instance, generated by PV on the roof of a Council-owned car park.

There are of course some CO₂ emissions associated with the electricity used to charge EVs (except where supplied by 100% renewable energy). Further uptake of this technology will rely to some extent on the expansion of existing workplace, public and destination based EV charging infrastructure, accepting that most cars are likely to be charged at home or in neighbourhoods using smart charging technology.

A large-scale shift to the use of electric vehicles must also be accompanied by a significant modal shift towards walking, cycling, ridesharing, and an increase in the use of public transport, as well as spatial planning policies that reduce the need for car travel. This is necessary to reduce electricity demand –with added benefits in terms of air quality and, potentially, improving people's health and vibrant neighbourhoods and community spaces.

Reducing emissions from HGVS

At the time of writing, ultra-low emission HGVs are not widely commercially available and are not expected to become so in the next decade, barring a technological step-change. In the short-term the Government has suggested a target of reducing emissions from HGVs by 15% through efficiency measures such as driver training. Because HGVs represent a small portion of the total emissions in Hastings, this would probably have a relatively small impact.

In practical terms it will be important to consider what the Council and local businesses can do to support the further deployment of appropriate EV infrastructure.

Increasing Renewable Energy Generation

As buildings and vehicles switch away from the use of fossil fuels and towards electricity, it becomes increasingly important to ensure that electricity is supplied from renewable sources. Reasons include:

- reducing pressure on grid infrastructure
- ensuring security of supply, and
- protecting consumers from rising electricity prices.

Offsetting residual emissions – carbon offsetting through land management and afforestation

The modelling has demonstrated that, even with the most optimistic assessment of grid decarbonisation, switching to low emission transport, and uptake of other efficiency measures and LZCs in buildings, there will be significant residual CO₂ emissions that would require offsetting to meet net zero ambition.

The Land Use, Land Use Change and Forestry (LULUCF) (including agriculture land use and forestry) data shows that LULUCF has resulted in a 2.7% net reduction in Borough wide LULUCF emissions to date.

Further work and consultation would be required to identify the most appropriate and cost-effective opportunities, but these might include tree planting or new woodland creation. The UK Woodland Carbon Code, for instance, provides a means of gaining certification for this type of project.

Other opportunities to reduce emissions

These technologies have not been included in the quantitative analysis above, but present further opportunities for the Borough to reach net zero emissions:

District heat networks. Heat networks offer an opportunity to switch multiple buildings on to lower carbon heating systems and use larger and more complex technologies to deliver higher carbon savings with lower overall capital and operational costs than addressing each building separately. However, by virtue of being larger projects they can be more complex to deliver although the Government is providing technical support and funding through the Heat Network Delivery Unit and Heat Network Investment Programme to assist local authorities in delivering these projects.

Smart energy management: The Clean Growth Strategy includes a target to make smart meters available to all homes by 2020. One of the key benefits of smart meters is by improving transparency and user access to their own energy data, making it easier to identify areas of waste. Although it is not clear to what extent this affects user behaviour in the long term, the improved data collection could also facilitate the introduction of demand side response, and on a broader scale, help to balance energy demand and supply, which is particularly important at peak times. In principle, therefore, these have the potential to reduce energy consumption.

Battery storage: There have been significant improvements in battery storage in recent years with implications for energy consumption across all sectors. Although batteries are likely to become crucial to future energy infrastructure, they do not offer CO₂e savings per intermittency of wind and solar energy generation. Combined with EV uptake and the introduction of vehicle-to-grid systems, this could have a transformative effect on the design of energy infrastructure and the built environment.

Carbon capture and storage: At present, carbon capture and storage technologies have been deployed as pilot projects in the UK. Although these form part of the Government's *Clean Growth Strategy* (2017), at present there is insufficient evidence to provide a realistic estimate of their potential contribution towards the decarbonisation target.

A note on overheating, cooling and climate change

Although one of the biggest challenges in decarbonising buildings in the UK relates to heat demand, it is generally agreed that demand for cooling is likely to increase in the future as a result of climate change.

It is important to consider interventions such as

- Passive cooling measures in order to reduce the need for electrically driven cooling e.g. air conditioning
- Deliver any required cooling using highly efficient systems
- Heat pumps offer energy efficient heating and cooling
- Incorporate building mounted solar PV where possible as solar panels can offset the energy demands for cooling systems on hotter days with higher cooling demands

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Agenda Item 7



Report To: Cabinet
Date of Meeting: 23rd March 2020
Report Title: Energy Procurement
Report By: Tom Davies, Chief Auditor
Key Decision: Y
Classification: Open

Purpose of Report

To decide the preferred procurement route option for energy supply.

Recommendation(s)

1. **To decide the preferred procurement route for electricity from one of the 2 shortlisted following Local Authority South East Region (LASER) buying consortium options:**
 - (i) **LASER: Fixed Term Fixed Price Framework 2019-2023 – Ecotricity Option.**
Purchase of 100% green energy at a competitive cost with flexibility to change supplier early. The forecasted cost will be approximately £1,200 (or 0.5%) than we currently pay.
 - (ii) **LASER: Flexible Framework (2020–2024) – Renewable Energy Guarantees of Origin (REGO) backed electricity from Npower.** Npower will match the equivalent certificates produced with the council’s consumption for the same period. Electricity is largely generated from wind, hydro, biomass, sewerage/landfill gas or solar sources. The forecasted cost is an increase of £2,000 on what we currently pay.
2. **To approve purchase of our gas supply through the LASER gas flexible framework.**
3. **To delegate authority to the lead officer or their nominee in consultation with the respective portfolio lead member, to finalise the agreements.**

Reasons for Recommendations

The Council's Constitution, Part 9 Financial Rules Section 3, requires Cabinet approval for expenditure exceeding £200,000.

The LASER Energy Buying Group is a government approved public sector buying agency (a trading arm of Kent County Council), providing an energy procurement service to some 207

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member authorities in the South East of England, with a successful track record of purchasing performance for the period April 2009 to March 2020.

They have requested that they need an indication of commitment by the end of March 2020 as they are unable to undertake any purchases until the contracts are in place which can take some time in terms of drafting the documentation based on each authority`s individual requirements.

Introduction

1. On 5 September 2016, Cabinet took the decision and endorsed the proposal continue to support and participate in the LASER Buying Group's flexible procurement framework for the period from September 2016 to October 2020.
2. Following the EU compliant tendering exercise carried out by LASER, NPower is the preferred supplier for electricity and Total Gas for the supply of gas. About 2/3rds of the Council's electricity spend is used in its main buildings (i.e. Town Hall and Muriel Matters House) and the rest is spread over approximately 60 smaller sites.

Current Situation

3. The Council's total energy spend for 2018/19 was £314,851. This is made up as £265,680 for electricity and £49,171 for gas.
4. As the Council spends in excess of £200,000 per year on its energy, there is a requirement under the Council's Financial Rules that approval must be obtained from Cabinet to enter into any new agreements.

The LASER (London & South East Region) Buying Group

5. The LASER Energy Buying Group provides a comprehensive energy management service to some 207 local authorities and therefore has one of the biggest energy client portfolios for public sector authorities in the country. There is currently no comparable agency that can provide a similar service which has such a large client base. This is an important factor when making comparisons as the total purchasing power is linked to the number of member authorities that participate in the flexible framework. LASER has a staffing organisation of around 60 who dedicate themselves to all the detailed analysis of each authority's individual requirements but this is then extended into a consolidated purchase alongside all of the other participating members. Hastings Borough Council is relatively small compared with other authorities but the prices obtained via the flexible procurement framework are the same prices being paid by the larger authorities.
6. LASER do charge a small service fee of 0.081p (per kWh) for their gas accounts and 0.170p (per kWh) (Half hourly) and 0.213p (per kWh) (Non-Half Hourly) for their electricity bills which covers the cost of providing a validation service on electricity accounts. These charges are the norm for a non-domestic user in the energy supply industry. Hastings Borough Council only uses their procurement service which regulates energy prices. Supplementary services are available but at an extra charge which include planning, management, and energy/carbon management. More information is available on their website

www.LASERenergy.org.uk.

Renewable Energy Options through LASER

7. LASER are able to offer a number of renewable energy solutions. The following options have been reviewed with a view to implementation from the start of the new flexible framework and supply period 1st October 2020:

Option 1) Flexible Framework (2020–2024) - REGO backed electricity from Npower

8. **Renewable Energy Guarantees of Origin (REGOs)** backed electricity to be purchased from npower with certificates being issued for every megawatt-hour (MWh) of renewable generation fed into the UK's national grid.
9. Npower will match the equivalent certificates produced with the council's consumption for the same period. Electricity is largely generated from wind, hydro, biomass, sewerage/landfill gas or solar sources.
10. Purchasing certificated green/renewable energy allows the council to offset some of its consumption from the grid. This supports the development of renewable energy sources and can improve national energy security.
11. The Business Energy product (supplying the REGO's) from npower meets stringent carbon reporting requirements set by the World Resource Institute (WRI) for the Greenhouse Gas Protocol Scope 2 guidance 2015.
12. Typical premiums in the current market place are around **0.09p/kWh** for a 1 year contract, with additional years, if required, attracting a further risk premium. Based on current annual volume this would incur an extra cost to the council of approximately **£2000** per annum.
13. In order to implement the above we would require contract arrangements with the council, supplier and LASER to be completed by **30th April 2020**.

Option 2) Flexible Framework (2020-2024) – Power Purchase Agreement (Renewable Electricity)

14. Following discussions with npower regarding the possibility of sourcing the council's import requirement directly from a renewable generator, it has been concluded that this is not currently a viable option due to the relatively small volume of ~ 2GWhs. Most generators have fed back that for this route to be worthwhile, and with a market reflective price, they would require a minimum contract volume in the order of 10GWhs.

Option 3) Fixed Term Fixed Price Framework (2019-2023) – Ecotricity Option

15. Ecotricity have recently been awarded a place on our new fixed term fixed price framework and could provide a potential solution for sourcing 100% renewable backed electricity directly from a supplier on a fixed basis.
16. Their renewable electricity is derived from onshore and offshore wind, solar and hydro with around 15-20% being generated from their own assets and the remainder purchased from other green generators.

17. Fixed contracts for a 1st October 2020 renewal are typically settled 3-6 months in advance of the supply start date so a tender process would have to be run at a convenient time with the council between April–June taking into account market price volatility.
18. A contract can typically be awarded for 12, 24 or 36 months but may incur some additional risk premiums being factored in by the supplier for longer duration periods. Prices will be based on wholesale market costs at the time of tender but as an indicative example wholesale prices for Winter 20/Summer 21 (October 20 – September 21) are currently trading at around £44.40/£39.75 MW (22nd January 2020) which would equate to an annual wholesale cost in the order of £42.54 MW. If prices were to be at a similar level at the time of any settlement of a fixed term contract then current delivered contract costs could potentially be reduced by approximately 5-10%.
19. An additional analysis was made on 13 March 2020 using live commodity prices. Whilst commodity prices have fallen by approximately 16% in comparison to the rates last year, this has been offset by an expected rise in non-commodity costs of 9%. Overall, the forecast is that based on current rates, Hastings Borough Council would pay approximately £1.2k or 0.5% more than what we currently pay if we were to switch to a fixed term fixed price (FTFP) contract.
20. In order to proceed with a fixed term contract option LASER would require notification by **31 March 2020**.

Option 4) PPA Framework (2020 - 2024) – Aggregated Renewable Basket

21. LASER is currently in the process of developing a Power Purchase Agreement framework for delivery in June/July 2020. This will give access to a range of renewable generators with the option for customers to be part of an aggregated purchasing strategy that sources renewable energy directly from the generator.
22. The intention is then to sleeve the electricity directly via a Power Purchase Agreement into a flexible framework using the import supplier. REGO certificates will then transfer directly to the end user and therefore provide a direct link between the generator and the customer.
23. Whilst the timeframe associated with this option may not be achievable for 1st October 20 it could in the future provide a more suitable and longer term solution for delivery of a sustainable supply of renewable energy for the council.

Summary of Renewable Energy

Options	Solution	Decision Required
1	Flexible Framework 2020–2024 - REGO backed electricity from Npower	30th April 2020
2	Flexible Framework 2020-2024 – Power Purchase Agreement (Renewable	Not applicable due to small volume requirement

	Electricity)	
3	Fixed Term Fixed Price Framework 2019-2023 – Ecotricity Option	31st March 2020
4	PPA Framework (2020 - 2024) – Aggregated Renewable Basket	31st March 2021 (Review)

Renewable Energy Options through Crown Commercial Services (CCS)

24. There is an option to either opt direct for the Crown Commercial Services framework (RM6011) as used by East Sussex County Council or request a framework mini-competition, Crown Commercial Services vs LASER where all the key data such as cost and supply of renewable electricity would be evaluated. There is time to do this before 1 October 2020.

East Sussex Procurement Hub

25. Energy Procurement led by the East Sussex Procurement Hub has been discussed. However, there are slightly differing requirements amongst the authorities, for example, some purchase a percentage of green energy but most significantly, those authorities with housing stock are statutorily obliged to consult with the resident associations which is a lengthy process and can take up to a year.

East Sussex County Council

26. Street lights and council buildings in East Sussex will be powered by 100% renewable electricity from next year. Under the new contract, all electricity used by East Sussex County Council will come from renewable sources from April next year. It is not yet switching to 100% renewable gas yet as the cost is prohibitively high but the Council is keeping the situation under review with the aim of switching when it's possible to get value for money for taxpayers.

Wealden District Council

27. Wealden District Council currently uses the same LASER framework as Hastings Borough Council but specifies a percentage of renewable electricity. The cost is currently more expensive but only because prices were higher when the contract was taken out. Prices have now reduced.

Green Energy Suppliers

28. There are companies emerging that just supply green energy only. Their costs are a little more expensive but nowhere about as much as they used to be. None of them offer the same portfolio of services that LASER does.

General Outlook

29. Different sources provide widely differing opinions as to price projections. We receive a monthly newsletter from LASER that indicates the state of the market. There was a spike in energy prices during 2018 but electricity prices have plateaued out and gas is rising incrementally. Another government source indicates that prices will rise remain fairly constant but rise steeply towards 2025.
30. Reliance on price projections is risky but energy prices are currently relatively low when purchases of up to 6 months in advance will be made soon.

Risk Management

31. The advantage with using the LASER Energy Buying Group's services is that they possess the necessary expertise to measure all the risks associated with energy procurement which by definition are many in the volatile energy markets which include changes to oil prices, gas supplies from Russia, natural disasters, political unrest, 'Brexit' etc. These risks are also shared by all the other member authorities of the framework.

Environmental Issues

32. The Council is committed to reducing on its carbon emissions and aspires to a renewable energy strategy developed in partnership with others. It has been confirmed with LASER that there would be a cost of breaking the tripartite agreements early but if adequate notice is given, these should not be cost prohibitive.
33. This report has taken into consideration of the recent draft Climate Change Emergency Strategy and Action Plan.

Economic/Financial Implications

34. The performance of the LASER Energy Buying Group has demonstrated that the Council has benefitted from some pricing stability on both electricity and gas. It is impossible to predict with any accuracy the way energy prices will be. However, it is considered that the LASER organisation will continue to negotiate the best possible rates for all of the authorities that are a party to their framework and that the Council's budget allocation for energy should be sufficient to cover the authority's requirements.

Analysis and Conclusion

35. In view of East Sussex County Council's position, we should also defer purchasing renewable gas at this time but keep the situation under close review.
36. A key consideration is the carbon intensity within the information about switching to a green electricity tariff (whether direct or through REGO's with NPower). Based on current spend and averaged electricity cost (from information on the bills that are on Laser) we use roughly 2,000,000 kWh/a of electricity.
37. The current carbon intensity of the grid is 0.277kg/CO₂e, so our Scope 2 emissions in relation to purchasing electricity is 554T CO₂e. To clarify scope 2 emissions are

‘greenhouse gas emissions arising from the purchase of electricity’. Whilst we all acknowledge that in reality when you buy ‘green’ electricity you are not in reality getting a flow of ‘green’ electrons into your home/ business – as all power sources get mixed up when it is passed through the power networks - However by buying green electricity – we are directly investing and as such are sending more green energy into the grid.

38. Depending on the fuel mix our Scope 2 emissions can drop significantly.
39. Solar carbon intensity is 0.045kg/CO2e, wind is 0.011kg/CO2e.
40. Ecotricity state their fuel mix is 99% wind, Octopus is 59% wind, Npower just say ‘renewable’.
41. If we switch to Ecotricity then our relevant Scope 2 emissions drop by nearly 96% to 23T CO2e.
42. If we switch to Octopus then our relevant Scope 2 emissions drop by 91% to 50T CO2e.
43. We would expect NPower to be somewhere in the middle.
44. In deciding the preferred procurement options for recommendation by Cabinet, the Crown Commercial Services framework has been discounted because it doesn’t offer the same added value as LASER. LASER’s option 2, Flexible Procurement Framework 2020–2024 isn’t open to us because we do not meet their minimum consumption requirement and option 4, PPA Framework 2020-2024 Aggregated Renewable Aggregate Basket is not certain to be ready by 1 October 2020 when our current contract expires.

Acknowledgement

45. I would like to thank the staff of the Hastings Climate and Energy Management Service for their assistance.

Timetable of Next Steps

46. Please include a list of key actions and the scheduled dates for these:

Action	Key milestone	Due date (provisional)	Responsible
Instigate procurement route chosen	Inform LASER of intention	24 March 2020	Chief Auditor
Sign agreements	Legal check of contract(s) and sign-off	30 September 2020 (latest)	Chief Legal Officer

Relevant project tools applied? ~~Yes/No~~/N/A

Have you checked this report for plain English and readability? Yes (30%) ~~No~~

Climate change implications considered? Yes/~~No~~

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness

Crime and Fear of Crime (Section 17)

Risk Management

Environmental Issues

✓

Economic/Financial Implications

✓

Human Rights Act

Organisational Consequences

Local People's Views

Anti-Poverty

Additional Information

LASER newsletter December 2019

Draft Climate Change Emergency Strategy and Action Plan.

<https://democracy.eastsussex.gov.uk/ieListDocuments.aspx?CId=158&MId=3931>

<https://www.ecotricity.co.uk/our-green-energy/energy-independence/our-fuel-mix>

<https://bulb.co.uk/generators/>

<https://octopus.energy/business/>

Officer to Contact

Officer Tom Davies

Email tdavies@hastings.gov.uk

Tel 01424-451524

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