



Borough of Telford and Wrekin

Cabinet

10 July 2024

Better Homes for All Update

Cabinet Member:	Cllr Richard Overton - Deputy Leader and Cabinet Member: Homes, Enforcement & Customer Services
Lead Director:	Katherine Kynaston - Director: Housing, Employment & Infrastructure
Service Area:	Housing, Employment & Infrastructure
Report Author:	Ravi Phull - Housing Strategy & Regeneration Service Delivery Manager
Officer Contact Details:	Tel: 01952 381731 Email: ravi.phull@telford.gov.uk
Wards Affected:	All Wards
Key Decision:	Key Decision
Forward Plan:	2 May 2024
Report considered by:	SMT – 14 May 2024 Business Briefing – 23 May 2024

1.0 Recommendations for decision/noting:

It is recommended that Cabinet:

- 1.1 Approves the refreshed Private Sector Housing Enforcement Policy, including the updated fee structure for Civil Penalties and Electrical Safety Regulations (Appendix A);
- 1.2 Delegates authority to the Director Housing, Employment & Infrastructure, in consultation with the Cabinet Member for Homes & Enforcement to make ongoing changes to the policy including fees, charges and fines as may be required;
- 1.3 Approves the new mandatory licensing conditions for Houses in Multiple Occupation (HMO) and amenity standards for HMO's in the Borough (Appendices B and C).

2.0 Purpose of Report

- 2.1 This report provides an update on the Better Homes for All programme which seeks to improve housing conditions in the private rented sector while tackling landlords who don't adhere to the rules.
- 2.2 This report also seeks approval for amendments to the Council's current Private Sector Housing Enforcement Policy along with associated fees and charges.

3.0 Background

- 3.1 Telford & Wrekin Council is committed to building safer, stronger & healthier communities while protecting and enhancing our environment and neighbourhoods.
- 3.2 The private rented sector (PRS) has doubled in size over the last 10 years. Home ownership continues to be unaffordable for many while a decline in social housing means the private rented sector is plugging an essential gap in the market.
- 3.3 **In Telford and Wrekin the 2021 Census shows:**
 - **The proportion of households privately renting is up to 21.3% (16,279 households) compared with 16.2% (10,793) in 2011;**
 - **A reduction in the proportion of owner occupiers at 60.7% of households compared with 64.1% in 2011; and**
 - **A reduction in social rent to 18.0% from 19.7% in 2011;**
- 3.4 Nationally, there is a spotlight on housing conditions in the private rented sector. In Telford and Wrekin, the Council works with tenants, landlords and external partners to improve conditions and supports landlords to ensure conditions are in accordance with national standards. As a council that is on the side of its residents, it continues to tackle landlords who do not adhere to the rules.
- 3.5 In supporting residents to create Better Homes for All, over the last 12 months the Council has:



4. **Summary of main proposals**

- 4.1 Acknowledging that the majority of landlords operate legally and ensure their properties meet the correct standards, our **Better Homes for All programme** works to **Educate** and **Encourage** before we move to **Enforcement**.
- 4.2 This report provides an overview of the work undertaken by the council in the last 12 months to support residents in rented accommodation and both support and hold landlords to account.
- 4.3 If approved, the council will continue to work with partners to track progress on actions to ensure the Borough’s housing needs remain compliant while seeking continued improvement.

Key Areas of Focus

- 4.4 Working in partnership the council continues to undertake targeted action to build safer and stronger communities. Having undertaken **564 proactive property inspections in wards with the highest PRS** re-inspections have shown the improvements in conditions in these areas to be sustained. Work continues to support tenants and landlords and to respond to reports of poor conditions or practices.
- 4.5 **Sharing intelligence across agencies** including the police, fire and UK Visa and Immigration the council is tackling landlords who exploit the most vulnerable.

- 4.6 Working with the Ageing Well Strategy Board, Age UK and Marches Energy Agency the council has **continued to support older tenants living in poor housing conditions** who are often afraid to report their concerns due to fear of eviction.
- 4.7 We have issued 44 HMO licences this year, bringing our total to 217 licensed **HMOs** across the Borough, with a further 56 applications under review. The council undertakes **inspections of each property to ensure it is suitable and free of hazards before any licence is granted**. The council continues to undertake unannounced and area based inspections where evidence suggests unlicensed HMO's may be present.
- 4.8 In November 2023, the council successfully prosecuted a local letting agent who failed to meet a number of safety regulations associated with HMO's. The letting agent was fined nearly £17,000.

Letting agency IHomes fined following a successful prosecution by Telford & Wrekin Council

Telford & Wrekin Council is continuing to take action against letting agents and rogue landlords who fail to meet important safety conditions at the properties they rent.



On 30 November 2023, IHomes Letting Limited pleaded guilty to all seven offences at trial, sitting at the Telford Magistrates Court.

The letting agency was fined £16,970 for failing to meet a number of important safety regulations in a House in Multiple Occupation.

IHomes prosecution follows an inspection at the property in Sutton Hill carried out by the council's Private Sector Housing Team as part of the Safer Streets Sutton Hill Project.

- 4.9 The council works hard to ensure the safety of tenants and communities is at the forefront of landlords' focus. During the 12 months the council has undertaken several **targeted multi agency operations including a focus on blocks of flats across the borough**. This targeted activity continues to ensure that means of escape in the event of a fire, general fire safety and any crime and anti-social behaviour are addressed.
- 4.10 In Hollinswood alone, over the last 12 months the communal areas of 36 individual blocks of flats have been inspected by the council at least twice addressing issues of crime, ASB and rough sleeping in communal areas. This has been complemented by letter drops to residents with information and advice to flat owners/renters.

- 4.11 During the last inspection on 6th February 2024, a resident who had previously raised issues with rough sleepers and ASB in the block, said “**since the boards had gone in there’s been no-one sleeping in the block and there’s no problems now**”. This work continues to be rolled out across the borough.
- 4.12 Working with teams from across the council, a series of **Community Action Days** have been undertaken providing residents with access to a range of council services as a ‘one stop shop’ in their neighbourhood. These have been successful in raising awareness of local services and assisting the council in taking swift action across a range of services including housing standards and will continue for the coming year.
- 4.13 The council is committed to **bring long term empty properties back into use**. In accordance with the Empty Property Strategy 2021 – 2026 to date the council’s action have led to over 232 long term empty homes coming back into use.
- 4.14 As part of this work the council has **acquired 55 empty properties** which are now either being let to residents through Telford & Wrekin Homes or providing support as temporary accommodation for those facing homelessness. The council proactively works with empty property owner(s) who wish to dispose of their property and in parallel work with landlords who wish to leave the rented sector.
- 4.15 Unlike many local authorities across the country, the council provides a **Landlord Tenant Coordinator as a single point of contact** for landlords and tenants. This service provides initial advice, support, and the ability to signpost to specialist services when required. Since 1st April 2023 there have been 100 enquiries received with 65% of these enquires from Landlords, Managing Agents & Tenants.
- 4.16 The council has created a **dedicated webpage providing further self-help** including:
- Links to relevant documents such as correct notices;
 - Example rent accounts, tenancy agreements;
 - How to rent guide including what a tenant should check before renting and tenant and landlord responsibilities e.g. for repairs;
 - Damp and Mould advice;
 - Links to other support e.g. Benefits, Affordable Warmth, Empty Properties;
 - Report a Rogue Landlord;

This is regularly updated including a refresh of frequently asked questions based on feedback from residents, landlords and letting agents.

- 4.17 Recognising landlords, tenants and home owners face financial challenges working with our partners in Credit Union, the council has the ability through the **Better Homes Loan scheme** to offer residents on low incomes, landlords and owners of empty properties a loan package to help improve conditions in their properties. This includes essential repairs and energy efficiency measures.
- 4.18 In 2023 the Credit Union received 210 loan applications for home improvements of which 182 were approved. In one example a homeowner approached the Credit Union due to their bathroom being in severe disrepair and leaking through the

kitchen ceiling. The borrower had an outstanding loan for a replacement boiler. The Better Homes Loan paid for a new bathroom, the replacement shower and paid off the existing loan for the boiler. The applicant reported that they could now afford to eat each month as it allowed them to consolidate the existing loans and reduced electricity bills.

- 4.19 Supported **accommodation is key to enabling vulnerable residents to live independently** and preventing or delaying the need to access care services. This is a largely unregulated part of the housing sector which has meant that nationally, a number of providers have been found providing inadequate or no support at all to tenants while charging extremely high rents. This leaves vulnerable residents at risk.
- 4.20 Government have responded to this unregulated activity by drafting The Supported Housing (Regulatory Oversight) Act 2023. The Act aims to regulate property standards and support for vulnerable tenants including introducing licensing but remains at consultation stage.
- 4.21 Ahead of the Act becoming law, the council is taking a **proactive approach using a panel process to review all existing and new supported accommodation providers**. Working with colleagues from homeless services, housing commissioning and housing benefits, accommodation providers meet with the council to present their offer and outline the type of support they are/looking to provide. To date, this has proved successful enabling the council to improve property standards, ensure care and support provision meets need while monitoring rent levels.
- 4.22 As a council that is on the side of residents, a **continual review and update of policies and procedures is undertaken** in line with changes to national guidelines, tribunal decisions and caselaw. The council has updated its charging policies for enforcement action under Section 49 of the Housing Act 2004, Civil Penalties, Electrical Safety, Smoke and Carbon Monoxide and Minimum Energy Efficiency Regulations and contained in Appendix A.
- 4.23 The council has also **updated HMO licence conditions and amenity standards for all HMOs** and adjusted fees to align with other local authorities. The introduction of a small fee for advisory visits to assist landlords seeking to convert a property into an HMO will provide a report highlighting all safety standards required in the property. This will further support and enable landlords to ensure provision of suitable and safe accommodation to our residents.

Next Steps

- 4.24 The PRS will continue to provide accommodation for a significant number of residents and through Better Homes for All the council is committed to continuing to drive up standards, supporting tenants and landlords.
- 4.25 An intelligence based and multi-agency approach provides a clear picture of the quality of the housing stock in the borough and hotspots linked with ASB, crime and fly tipping. This supports further targeted activities to educate and advise residents on particular hazards associated with their property type or location and encourage and where necessary enforce improvements in conditions and landlord practices.

4.26 The council continues to monitor progress with the Renters Reform Bill which has been described as the biggest 'shake up' of the private rented sector for many years. The Bill aims to provide greater security of tenure for tenants by abolishing Section 21 'no fault' evictions and strengthens the grounds on which landlords could seek to repossess their property. There are currently no set timescales for implementation.

5.0 Alternative Options

5.1 The alternative would be to do nothing or to take a less active approach. This would make us non-compliant with our statutory duties under the Housing Act 2004 and associated legislation and almost certainly lessen our ability to truly ensure Better Homes for All.

6.0 Key Risks

6.1 The council is required to carefully review all our interventions to ensure that its enforcement action does not cause landlords to evict their tenants and cause homelessness.

7.0 Council Priorities

7.1 The Better Homes for All Programme supports the following Council priorities:

- Every child, young person, and adult lives well in their community
- All neighbourhoods are a great place to live
- A community-focussed, innovative council providing efficient, effective and quality services

8.0 Financial Implications

8.1 The resources within Private Sector Housing service area were approved within the 2024/25 MTFS. In 2024/25 there is a budgeted reliance on use of reserves to fund posts across the whole service area of £0.3m plus income targets of £0.09m from Penalty income and HMO licensing income. This resource supports the Better Homes for All programme. The levels of reserves will be closely monitored and a review undertaken when the approved use of reserves ends in a couple of years.

9.0 Legal and HR Implications

9.1 The Council has a wide range of powers to address issues relating to private sector housing which are contained in various pieces of Legislation to include the Housing Act 2004, the Housing and Planning Act 2026 which addresses rogue landlords and property agents together with introduction of Civil (Financial) Penalties for breach of offences under the Housing Act 2004. Powers will also exist under The Supported Housing (Regulatory Oversight) Act 2023 which has not yet been implemented and the Renters Reform Bill aims to provide greater security of tenure for tenants. Legal implications linked to statutory powers given under legislation are contained within the body of the report.

9.2 A number of amendments to the Council's Private Sector Housing Policy are in response to national legislative changes and updates to charging arrangements. The proposed amendments will ensure that activities are fair, consistent and transparent.

9.3 There are no HR implications directly arising from this report.

10.0 Ward Implications

10.1 The work of this programme has a positive impact on all wards across the Borough.

11.0 Health, Social and Economic Implications

11.1 The links between housing and health are well known with poor housing conditions a major contributory factor to a range of health conditions as well as falls, trips and other hazards.

11.2 While the council continues to do everything it can to support compliant and responsible landlords, Central Government have given Local Authorities a clear mandate to penalise landlords who do not maintain their properties and are therefore profiting from exploitation of vulnerable tenants with a view to them leaving the housing market completely.

12.0 Equality and Diversity Implications

12.1 The work of this programme aims to provide the best outcomes for all residents of the Borough.

13.0 Climate Change and Environmental Implications

13.1 The council continues to work to deal with excess cold and damp and mould growth in properties along with enforcing the Minimum Energy Efficiency Standards in rental properties along with our better homes for all offer for homeowners and landlords to improve the energy efficiency of their properties, are all contributing to the achieving of our zero carbon 2030 target.

14.0 Background Papers

- 1 15 February 2018 – Cabinet, Better Homes for All
- 2 14 March 2019 – Cabinet, Better Homes for All Update
- 3 9 July 2020 – Cabinet, Better Homes for All
- 4 4 November 2021 – Cabinet, Long Term Empty Property Strategy
- 5 19 May 2022 – Cabinet, Better Homes for All
- 6 16 February 2023 – Cabinet, Long Term Empty Property Strategy update
- 7 13 July 2023 – Cabinet, Better Homes for All Update

15.0 Appendices

- A Private Sector Housing Enforcement Policy
- B Telford and Wrekin Mandatory Licensing Conditions
- C Telford and Wrekin Amenity Standards for HMOs

16.0 Report Sign Off

	Date sent	Date signed off	Initials
Signed off by			
Legal	09/05/2024	09/05/2024	SH
Finance	09/05/2024	13/05/2024	DR
Director	10/05/2024	13/05/2024	KK