

SOUTHEND-ON-SEA BOROUGH COUNCIL

SELECTIVE LICENSING SCHEME PROPOSAL

And

Supporting Evidence Base

Contents

1. Introduction.....	4.
2. Background.....	5.
<i>The Private Rented Sector in Southend on Sea</i>	
<i>Southend-on-Sea Context</i>	
<i>Southend 2050 and Housing, Homelessness and Rough Sleeping strategic plans 2018-2028</i>	
3. What is a Selective Licensing Scheme?.....	11.
4. What happens if I let a property without a Licence?.....	16.
5. The proposal.....	18.
6. Why do we need Selective Licencing?.....	20.
<i>Effectiveness of Selective Licensing</i>	
7. Aims and Objectives of the scheme.....	23.
8. The Evidence of Private Rented Sector (PRS).....	25.
<i>Locations of PRS in the borough</i>	
9. Summary of key findings.....	28.
10. What has the council done to improve the Private Rented Sector?.....	29.
<i>Use of existing powers</i>	
<i>Introductions of new powers and tools in PRS</i>	
11. What alternative courses of action has the council considered?.....	33.
12. How would the proposed Selective Licensing scheme be delivered?.....	37.
13. Selective Licencing in operation.....	39.
14. The proposed fee structure:.....	42.
15. Benefits of the Selective Licensing Scheme.....	44.
16. Risk Analysis.....	47.
17. How will the council consult?.....	49.
18. Supporting Evidence Base & Methodology	54.
<i>Criteria</i>	
19 Legal Framework	84.
20. How Selective Licensing would fit with other strategies.....	87.
21. Potential Risks and how they would be managed.....	92.
22. Review of designation.....	93.
23. How do I make comments on this proposal.....	94.

Sources of Guidance and Reference

1. This document has been researched and drafted with due reference to the following sources of guidance and good practice, in addition to those sources referenced within the body of the document:
2. Selective Licensing Review 2019 by *Ministry of Housing, Communities and Local Government* (MHCLG)
3. “Approval Steps for additional and selective licensing designations in England” published by MHCLG revised edition
4. “Selective Licensing for local authorities – A good practice guide” by Shelter
5. Selective Licensing in the private sector: A guide for local authorities.
6. Best practice examples have been gained from Local Authorities with a Selective Licensing Scheme in place and from those Local Authorities which have had their Selective Licensing designations subject to Judicial Review proceedings.

1. Introduction

- 1.1 This document contains the Council's proposal to implement a Selective Licensing of private rented homes in some parts of the borough and the Supporting Evidence Base to support the proposal. It includes the analysis undertaken to establish that Selective Licensing is necessary and the result of the research into whether there is evidence that the legal criteria to implement Selective Licensing has been met.
- 1.2 It also provides information on how the scheme would be implemented and what the anticipated outcomes would be in order that consultees have an opportunity to consider and provide an informed response to the proposal.
- 1.3 It is important to note that at this stage these proposals are not finalised. Following consultation the Council will consider all responses received, publish a Consultation Report and prepare a report for the Council's Cabinet for a decision on whether some parts of these wards (i.e. Kursaal, Milton, Chalkwell and Victoria) should be designated under the Selective Licensing scheme.
- 1.4 This document outlines the methodology and evidence used to justify the areas proposed for inclusion in designation to ensure that the Council's proposal meets the guidance issued the Ministry of Housing, Communities and Local Government (MHCLG).
- 1.5 A range of information/evidence from a variety of data sources has been considered in order to inform the proposed locations which would be most appropriate for inclusion in the provided Selective Licensing designation. This information has been critical in terms of being able to justify (or not) the inclusion of the identified areas in a proposed Selective Licensing (SL) scheme.
- 1.6 As a council, we are committed to ensuring that all residents in the borough including those in the private rented sector are living in accommodation that is safe and secure. One way that we are proposing to achieve this is by driving up standards in the private rented sector in order to foster stronger and safer communities.

2. Background

The Private Rented Sector (PRS) in Southend on Sea

- 2.1 The private sector within the borough has continued to grow over the years and the 2011 Census data estimated it to account for 22% of properties. Excluding the London Boroughs, Southend is the seventh most densely populated area in the United Kingdom.
- 2.2 The East of England is considered to be an affluent region and yet in Southend five Lower Layer Super Output Areas (LSOAs - geographical areas defined for statistical purposes of minimum population 1000, average of 1500) fall within the 10% most deprived areas in England. There is good evidence to suggest that deprivation and social exclusion can impact on a number of aspects of life including employment, crime, education/skills, health, housing and the environment.
- 2.3 Southend has a higher proportion of households classified as overcrowded compared with the East of England. Increased mortality rates, tuberculosis, respiratory conditions and childhood meningitis can all be linked to overcrowded conditions.
- 2.4 Many private landlords operating in Southend are professional and already provide a good standard of accommodation. Some local landlords are members of South East Alliance for Landlords (SEAL) which was previously formed to provide a coordinated response for the Council's previous proposal to introduce Selective Licensing over five years ago. However, whilst SEAL has helped some landlords improve their standards, the membership has remained low since its inception and therefore unable to have the desired outcome in the most needed areas and we have seen a continuation of significant amount of

privately rented properties with anti-social behaviour issues, poor condition and that are not well managed.

2.5 The negative impact of poor quality, badly managed accommodation can cause anti-social behaviour, crime, deprivation and poor property conditions which all can have a serious detrimental effect on tenants and the surrounding environment. Therefore, by improving the quality of private rented accommodation, the surrounding community should also improve along with cross tenure relations, reduced antisocial behaviour and stabilisation of local neighbourhoods.

2.6 Our aims for the private rented sector are;

- Improved housing conditions for those in the private sector
- A reduction in significant and persistent problems caused by anti-social behaviour
- Reduced levels of property related crime
- An increase in the proportion of good landlords and an elimination of rogue landlords
- To develop an improved private rented offer providing higher quality rented accommodation which would result in improved neighbourhoods.

2.7 It is proposed to introduce Selective Licensing as a key tool to help tackle the problems associated with persistent anti-social behaviour, poor quality, and poorly managed properties in some of the most deprived parts of the borough. We calculate that the introduction of Selective Licensing, alongside other initiatives in the selected areas, will ultimately improve these areas and make them more attractive places to live with improved neighbourhood environments.

Southend Context

2.8 Southend-on Sea is one of the largest built up areas in the East of England and the closest seaside resort to London. It is located on the north side of the

Thames Estuary approximately 40 miles east of Central London and is bordered to the north by Rochford District and to the west by Castle Point District. Southend has many geographic, demographic and economic characteristics that make it distinctive compared to other areas. Excluding the London Boroughs, Southend is the seventh most densely populated area in the United Kingdom.

- 2.9 Southend enjoys a diverse economy and unlike many of the traditional seaside resorts, is not wholly reliant on its tourism industry for employment.
- 2.10 The private rented sector within Southend has grown significantly over recent years and plays a vital role in the borough's overall housing market. Evidence would also suggest that this sector is still growing both nationally, regionally and locally.
- 2.11 According to the 2011 Census, there were 17,109 households privately renting in Southend on Sea. Whilst the census data is almost 10 years old, it is still the best source of data in order to estimate the PRS as the next census is not due until 2021. In May 2019, Southend Home Analytics estimated that out of 84,086 residential dwellings, 18,136 were privately rented. Whilst the next census data is not due until 2021, from the above estimates the sector has continued to grow and we can estimate it to be around 25%.
- 2.12 Given the stated increase above in the estimated numbers, it shows that the private rented sector has continued to grow over the years. The proposed scheme would not require approval from the Secretary of State (SoS) as it will only affect 19.7% of properties within the private rented sector based on the 2011 Census data.
- 2.14 The 2011 census data used estimated the private rented sector at around 17,109 which makes up 22% of dwellings within the borough and was found to be more prominent in LSOAs in Milton, Kursall, Chalkwell, Westborough, Victoria, Leigh, Prittlewell and Thorpe wards.

- 2.15 Whilst private rented housing is a tenure of choice in all of the borough's wards, in some areas of our borough the concentrations are significantly above the national and borough average and with this comes other problems.

Southend 2050 and Housing, Homelessness and Rough Sleeping strategic plans 2018-2028

- 2.17 Through the *Southend 2050* vision, Southend-on-Sea Borough Council has invited everyone to share their aspirations of the kind of place they want the borough to become in the coming years.
- 2.18 Ensuring that housing within the borough meets the needs of the local residents directly feeds into the 'Safe and Well' theme for *Southend 2050*, as well as more broadly underpinning community cohesion and participation aspirations.
- 2.19 Southend's *Housing, Homelessness & Rough Sleeping Strategy* aims to provide 'decent high quality, affordable and secure homes for the people of Southend'. An important priority within the strategy is to improve and make best use of the existing housing stock. To help achieve this the strategy is underpinned by a range of actions including advice, financial assistance, enforcement, bringing long term empty homes back into use and delivering demonstrable improvements to private rented homes through the use of licensing schemes.
- 2.20 Prioritising the supply of safe, locally affordable homes is a key priority within the *Housing, Homelessness & Rough Sleeping Strategy*. Improving access to good quality, well managed accommodation in the private rented sector is one of the strategic priorities underpinning this strategy¹ and actions proposed to help deliver this include:
- New approaches to working with the private rented sector including leasing
 - Improved joint working and support for private landlords

- Bringing empty homes back into use, reviewing the tools/software, resources and opportunities at our disposal to do so.
- Tackling Rogue Landlords
- Improving the condition of accommodation
- Addressing standards of management
- Licensing Houses in Multiple Occupation (HMO)
- Possible Selective Licensing in the private rented sector
- Addressing financial barriers to accessing accommodation
- Ensuring people have support to sustain tenancies
- Exploring opportunities for developing a Local Lettings Agency

2.21 Southend-on-Sea Borough Council is currently proposing the introduction of Selective Licensing within parts of the borough with known ASB, poor property conditions, high crime levels and deprivation. To do this, the Council commissioned Arc4 to carry out the initial work needed of gathering the evidence base which would inform the areas to designate, should the scheme go ahead.

2.22 Arc4 have a detailed understanding of housing markets, excellent knowledge of market intelligence and significant experience of collecting and interpreting data to identify areas for designation under Selective Licensing as set out in legislation. They have completed similar work for other local authorities and came highly recommended by their previous customers.

2.23 As with several other local authorities, Southend Borough Council (SBC) operates a mandatory licensing scheme for Houses in Multiple Occupation (HMOs) which are properties that are occupied by five or more people, forming two or more households, and with the occupants sharing amenities such as a kitchen or bathroom. These HMOs in the Selective Licensing area will be

exempt as they will already be licensed under that scheme but the non-mandatory HMOs will be included in the scheme.

- 2.24 Managing the private rented sector well plays an important role in providing choice and meeting the borough's housing need. However, the generally short-term nature of private tenancies also brings with it concerns about the impact on communities when the sector gets out of balance and especially when privately rented properties are not well managed. Too often poorly managed properties result in unacceptable levels of antisocial behaviour, which can be damaging to local neighbourhoods if not dealt with. In Southend the evidence suggests that higher levels of anti-social behaviour occur where renting is concentrated within the town. Within the privately rented areas there are also concerns about housing conditions and standards.
- 2.25 SBC has already established a Mandatory Licensing scheme for Houses in Multiple Occupation (HMOs) in various wards with a high concentration of HMOs. This helps address management issues affecting whole buildings, e.g. fire safety and common parts. If the proposal for Selective Licensing does go ahead, it will help to improve property standards of the rest of properties in these areas.
- 2.26 Working together to tackle crime and ASB in Southend is a key priority for the Safe & Well theme for Southend 2050. This would ensure that people in Southend feel safe in all aspects of their lives and are well enough to live fulfilling lives.

3. What is a Selective Licensing Scheme?

- 3.1 Selective Licensing is a discretionary licensing scheme which was introduced within the Housing Act 2004 (part 3, section 80) and allows local housing authorities to designate '*areas suffering from either significant and persistent anti-social behaviour and / or low housing demand*'. In 2015 the conditions were expanded to include to include poor property conditions, high crime, high levels of deprivation and high migration.
- 3.2 Selective Licensing requires the landlords of all privately rented properties operating within a designated area to operate under the terms of a licence awarded by the local authority. There are costs associated with administration of the scheme which are then recouped in the form of charges to the landlords. These charges vary across the country and discounts are often applied for early applications and multiple properties. All licences will have conditions which would typically include a range of requirements aimed at ensuring that properties are safe and managed correctly, this allows the local authority a tool to better regulate privately rented accommodation.
- 3.3 Following changes in the law on 1 April 2015, Councils now need to apply to the Secretary of State for Housing, Communities and Local Government for confirmation of any scheme which would cover more than 20% of their geographical area or that would affect more than 20% of privately rented homes in the local authority area.
- 3.4 Under these new arrangements, if a Council makes a designation that covers 20% or less of its geographical area or privately rented properties, the scheme will not need to be submitted to the Secretary of State, provided the authority has consulted for at least 10 weeks on the proposed designation.
- 3.5 Also, if two new designations account for more than 20% of the area or private rented stock when added together, they would both need to be submitted to the Secretary of State for approval.

- 3.6 Non-statutory guidance issued by the Department for Communities and Local Government (Selective Licensing in the private rented sector – A Guide for local authorities March 2015) ('the Guidance') recommends the following approach.
- 3.7 When considering whether to make a selective licensing designation a local housing authority must first identify the objective or objectives that a designation will help to achieve – it must identify whether the area is suffering problems (providing evidence of these problems) that are being caused or are attributable to any of the specified criteria for making a designation and what it expects the designation to achieve.
- 3.8 The Council must also consider whether there are any other courses of action available to it that would achieve the same objective or objectives as the proposed scheme without the need for the designation to be made. Only where there is no practical and beneficial alternative to a designation, should a scheme be made.
- 3.9 If the Council decides that there is no practical and beneficial alternative to the scheme, section 81 (4) (b) of the Housing Act 2004 states that they must not make a designation unless they consider that making the designation will significantly assist them to achieve the objective or objectives (whether or not they take any other course of action as well).
- 3.10 The Council must also ensure that Selective Licensing complements other measures. It should only be used where existing measures alone are not sufficient to tackle the underlying housing problems of a specific area. Local authorities should also carefully consider any potential negative economic impact that licensing may have in their area and some of the other possible effects of the designation (and to include any risk assessment they may have carried out).
- 3.11 The Council should ensure that the exercise of the power is consistent with its overall housing strategy and seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties, regeneration and anti-social behaviour both as regards combining licensing with other courses of action available to them and with measures taken by others.

- 3.12 The Council must also demonstrate the role of other partners (if any) such as the Police, Fire Services, Community Safety Officers or Social Services, in ensuring the designation reaches its goal.
- 3.13 It is important for the Council to demonstrate how licensing will work in conjunction with existing initiatives (such as landlord accreditation) and partnerships. The Council must decide what other measures they, or other persons together with the local authority, will take together with the selective licensing scheme to eliminate or mitigate the problems identified in the area and how they will work together. The Council must also assess what outcomes will be delivered through the making of the scheme and taking other measures. Selective Licensing is not a standalone tool.
- 3.14 For the Council to be able to declare a Selective Licensing designation it must be able to satisfy one or more of the following conditions as set out by the Government:
- low housing demand (or it is likely to become such an area)
 - high levels of migration
 - a significant and persistent problem caused by anti-social behaviour
 - poor property conditions
 - high levels of deprivation
 - high levels of crime.
- 3.15 Southend-on-Sea Borough Council seeks its designation on the basis of the latter four criteria, that is, due to significant and persistent anti-social behaviour, poor property conditions, high levels of crime and deprivation and a lack of appropriate action by private sector landlords.
- 3.16 Under the Selective Licensing scheme, the landlord of every privately rented property in the designated areas would be required to apply for a licence, subject to the exemptions below. A licensee can be the owner or, if considered appropriate by the Council, a suitable person designated by the owner, for example, a managing agent.

3.17 If a Selective Licensing designation is approved, it can last for up to five years and the landlord of every privately rented property in the designated area would have to obtain a licence from the Council, subject to a number of exemptions set out below.

3.17.i Exemptions to the designation include:

- HMOs which are required to be licensed under Part 2 of the Housing Act 2004
- Properties subject to a “temporary exemption notice”
- Properties subject to a Management Order
- Properties which are occupied under a tenancy or licence which has been granted by a non-profit registered provider of social housing
- Properties which are occupied under a tenancy or licence which has been granted by a profit-making registered provider of social housing in respect of social housing (within the meaning of Part 2 of the Housing and Regeneration Act 2008) or
- Properties which are occupied under a tenancy or licence which have been granted by a body which is registered as a social landlord under Part 1 of The Housing Act 1996
- Properties let under tenancies or licences described as ‘exempt’ from the requirement to be licensed by the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006/370.

3.18 A person would have to apply to the Council or its approved service delivery partner (if agreed following consultation) for a licence in accordance with certain requirements which the Council would specify. In particular, the Council is entitled to require that the application be accompanied by a fee.

3.19 When applying for a licence, landlords will have to provide evidence that they are “fit and proper persons” and that they manage their properties correctly, including taking appropriate action against tenants who are causing anti-social behaviour. A landlord would require a licence for each property in the

designated area, subject to the exemptions listed above. The 'fit and proper' criteria are set out in appendix B.

- 3.20 When an application is received, the Council or its approved service delivery partner would consider if the applicant is the most appropriate person to be the licence holder and if they are a 'fit and proper' person to hold the licence.
- 3.21 The Council has the power to refuse to grant a licence to the applicant, or it can grant the licence to another person if a mutual agreement is reached with the applicant. Applicants have the right to appeal against certain Council decisions relating to the grant, refusal, variation or revocation of licences. The Council must follow procedures when making these decisions and advise landlords of their right of appeal when appropriate.
- 3.22 A licence would be valid for five years (up to the expiry of the scheme) unless it is revoked following serious breaches. Every licence will have a set of conditions which the licence holder would be required to comply with. There are certain mandatory conditions which a Council must include in the licence. For example, if gas is supplied to the property, a licence holder would have to produce to the Council annually a gas safety certificate obtained within the last 12 months. The Council has the discretion to add other conditions as deemed necessary before the start scheme.

4. What happens if I let a property without a Licence?

- 4.1 It is a criminal offence to let a property in an area designated for Selective Licensing without a licence. Failure to apply for a licence could lead to prosecution and the offence is punishable of a fine. However, from the 6 April 2017, under the Housing and Planning Act 2016, the Council can impose a Civil Penalty of up to £30,000 as an alternative to a prosecution for this offence.
- 4.2 In addition, the tenants of the property or the Council could apply to the 1st Tier Tribunal Property Chamber for a Rent Repayment Order. This means that a landlord could be ordered to repay the rent they received during the period in which the property was unlicensed (subject to certain limits set out in sections 96 and 97 of the Housing Act 2004).
- 4.3 A landlord is also prevented from serving a Section 21 Notice under the Housing Act 1988 in relation to a shorthold tenancy of the whole or part of any property which is an 'unlicensed house'.
- 4.4 The Council must make what is called an 'Interim Management Order' in respect of a property which should be licensed under a Selective Licensing scheme but is not, and the Council considers that:
- There is no reasonable prospect of the property being so licensed in the near future, or
 - The 'health and safety' condition is satisfied. The 'health and safety' condition is that the making of an Interim Management Order is necessary for the purpose of protecting the health, safety or welfare of persons occupying the house, or persons occupying or having an interest in premises in the vicinity.
- 4.5 An Interim Management Order lasts for a maximum period of 12 months, during which time the Council has the right to do anything in relation to the property which the landlord would be able to do, save for certain powers such as, for example, creating tenancies (the landlord must consent to this in writing) or selling the property. In certain circumstances, a Final Management Order can

replace an Interim Management Order. A Final Management Order can last for a period of up to 5 years. For further information about Management Orders please contact the Private Sector Housing team at the Council.

- 4.6 A licence holder (or person upon whom restrictions or obligations are imposed by the licence) will also commit a criminal offence if they fail to comply with any condition of a licence. This offence is punishable by a fine not exceeding £5,000. Although, from the 6 April 2017, under the Housing and Planning Act 2016 a Council can impose a Civil Penalty of up to £30,000 as an alternative to a prosecution for this offence. However, prosecution is always a last resort, wherever possible we will work with landlords to educate and assist them in meeting their licensing duties.

5. The proposal

5.1 The Guidance states that to introduce a licensing scheme, the Council has to demonstrate that the area covered by the scheme is affected by one or more of a range of social factors outlined below, and that licensing will have a positive impact:

- low housing demand (or it is likely to become such an area)
- high levels of migration
- a significant and persistent problem caused by anti-social behaviour
- poor property conditions
- high levels of deprivation
- high levels of crime.

5.2 The Council is proposing to designate on grounds of anti-social behaviour, poor property conditions, and high levels of both deprivation and crime. The designation will be used as a tool to tackle the said issues in the proposed areas through improving the quality of the management of rented accommodation. It is proposed that Southend-on-Sea Borough Council designate some of the areas individually coloured on the map 8.15 as Selective Licensing areas found in appendix 1. These locations are the worst performing locations for all four designations and have the highest levels of PRS. This is widespread in Milton, Kursaal and Victoria and specific locations in Chalkwell. Lists of the individual streets can be found in Appendix 2, at the end of this document, including specific maps of each area with various types of Anti-Social Behaviour, crime, fire incidents and proportions of privately rented dwellings overlaid.

5.3 The housing conditions in the proposed areas are of concern as most are old buildings and it is believed that a designation would improve the buildings and also in the long term improve these areas. The Council is proposing a scheme in parts of the borough as listed in appendix 1.

5.4 Whilst there are specific areas of concern and a significant number of roads within, those areas are shown in the first map in appendix 1, the Council has areas which are of particular interest. However, part of the consultation process

is to seek public input in the neighbourhoods (LSOAs) that should be part of the scheme. A wide area has been researched and is being consulted on to ensure that all known problem areas within the wards of Milton, Kursaal, Victoria and some parts of Chalkwell have been considered and to ensure that the public can have significant input into the proposal.

- 5.5 Additional wards of Southend have been ruled out of inclusion in the scheme at this stage. The research, implementation and management over the five-year life of such a scheme is labour intensive and for the areas highlighted for inclusion, this action is considered warranted with the levels of anti-social behaviour recorded as well as a combination of deprivation, poor property conditions and crime.
- 5.6 It is anticipated that, where the evidence and findings supports it, the Selective Licensing scheme will be put forward for a decision in March 2021 and, if agreed, would become operative no sooner than three months from the date of approval. The designation would run for a maximum of 5 years. The Council is exploring resources and systems needed should the proposals go ahead.
- 5.7 Whilst the Council is consulting on the proposal to designate the specified areas of the borough for Selective Licensing, due to the logistics of implementing such a large scale selective licensing scheme, subject to the outcome of the public consultation and the review of the wider evidence based, it is proposed that the scheme could be delivered using a service delivery partner with experience in delivering such a scheme. This will require landlords to sign up with the successful delivery partner.
- 5.8 If the proposals were to proceed and a designation is made, initially it is expected that compliant landlords would apply for a licence shortly after the designation. It would also be necessary to introduce a comprehensive enforcement programme to capture unlicensed properties. Inspections would be carried out on a phased approach and could use a service delivery partner option, which would enable the Council to focus its resources on enforcement.

5.9 Proposed Licensing Scheme

- 5.10 The proposal is to introduce Selective Licensing in some specific neighbourhoods (LSOAs) of the borough mainly in Milton, Kursaal, Victoria and parts of Chalkwell, on the principle grounds relating to anti-social behaviour, poor property conditions, deprivation and crime.
- 5.11 The proposed scheme would look to tackle the worst affected areas. It is estimated to account for 19.7% of the private rented market in Southend as it will only look at targeted areas of the borough with the worst identified issues as well as high concentration of the private sector. This percentage is based on the 2011 Census data.
- 5.12 The Council is confident it has a robust evidence base to justify the designation of the scheme and can demonstrate the areas that are or are likely to be experiencing a significant and persistent problem caused by anti-social behaviour, are areas with high concentrations of private rented housing, high levels of deprivation, poor property conditions and high levels of crime. The designation will work in hand with other strategic interventions to ensure overall improvements in these areas. The proposed areas for inclusion have been identified as listed above in Appendix 2 of this report.
- 5.13 Southend-on-Sea Borough Council appointed Arc4 to develop the evidence based pack which helped to identify any potential locations within the borough where there are high levels of private rented sector and whether there were any links to anti-social behaviour, crime deprivation as well as poor property conditions. Arc4 provided housing analysis and assessments that informed the areas of designation that fit the said criteria. Further detail of these findings can be found in Chapter 20.

6. Why do we need Selective Licencing?

- 6.1 Before proposing a designation and commencing consultation, the Council needs to identify the problems affecting the areas to which the designation will apply and provide evidence to support its Selective Licensing proposal. This

chapter summaries the Council's evidence base for proposing the designation on the basis that the areas are, or are likely to become areas affected by anti-social behaviour, poor property conditions, high levels of deprivation and have high concentrations of private rented properties (well above the national average).

In addition, this chapter details what actions are being taken and alternative courses of action to be considered.

6.2 As highlighted previously the Council knows that many landlords of private rented properties are 'good' landlords and provide quality accommodation and a good standard of management. Unfortunately, there are a significant number who continue to let out poor quality properties or do not manage their properties well. The impact of this, coupled with issues such as anti-social behaviour, high crime rates and high levels of deprivation result in substandard neighbourhoods within parts of the borough.

6.3 The introduction of a Selective Licensing scheme in specific, targeted areas of the borough would be an additional tool available to the Council to tackle the problem of anti-social behaviour, poor property condition, and high levels of deprivation in the designated areas. The Council believes that Selective Licensing will:

- Ensure rented properties meet the minimum standards and that they are managed properly
- Support landlords, as licenced landlords should attract and retain good tenants whilst those who continue to allow occupation by irresponsible tenants or manage their properties poorly will be targeted and enforcement action taken where necessary and
- Make a direct and tangible difference to deprivation factors driven by high crime and poor housing conditions.

6.4 There is evidence from other authorities which demonstrates that Selective Licensing will bring benefits to an area. Key findings from the "Selective Licensing Review 2019" commissioned by MHCLG showed that:

- Selective Licensing sets clear standards that all landlords should follow
- Selective Licensing ensures that landlords and their agents will be readily identifiable
- Selective Licensing helps to improve the knowledge of landlords regarding acceptable standards in private rented housings
- Selective Licensing helps to ensure minimum standards for rented housing are met
- Selective Licensing enables targeted enforcement of landlords
- Selective Licensing contributes to protecting the health, safety and welfare of the community
- Selective Licensing helps authorities gain extensive knowledge about their private rented sector
- Selective Licensing helps to ensure minimum standards for rented housing are met

Further details on the Selective Licensing Review 2019 can be found [here](#).

6.5 Effectiveness of Selective Licensing

6.6 The research indicates that Selective Licensing can be an effective policy tool with many schemes achieving demonstrable positive outcomes. However, studies also indicate that when implemented in isolation, the effectiveness of Selective Licensing is often limited. Schemes appear to be more successful as part of a wider, well planned, coherent initiative with an associated commitment of resources – a finding entirely consistent with the expectations of Government.

7. Aims and Objectives of the scheme

- 7.1 As detailed throughout this proposal document, the Council considers that the proposed areas of designation are areas with high concentrations of private rented properties accompanied with high levels of anti-social behaviour, poor property conditions, high crime, and are experiencing high levels of deprivation.
- 7.2 The main aims for the proposed scheme is to:
- improve anti-social behaviour issues within the proposed areas
 - improving property conditions in the private sector
 - reduced crime levels
 - reducing deprivation by raising standards within the private rented sector
- 7.3 All the above will lead to improvements in the overall social and economic conditions in the areas to create strong, healthy and vibrant neighbourhoods across the borough. It is also considered that other community interventions alongside will assist in bringing about these improvements.
- 7.4 In order to achieve these aims, a number of key outcomes over the period of designation have been identified and these include;
- Improved housing conditions for those in the private sector
 - A reduction in significant and persistent problems caused by anti-social behaviour
 - Reduced levels of deprivation
 - Reduced levels of property related crime
 - An increase in good landlords and an elimination of rogue landlords.
- 7.5 Throughout the period of the proposed 5-year designation, the Council would adopt a robust monitoring and evaluation process of the scheme which would

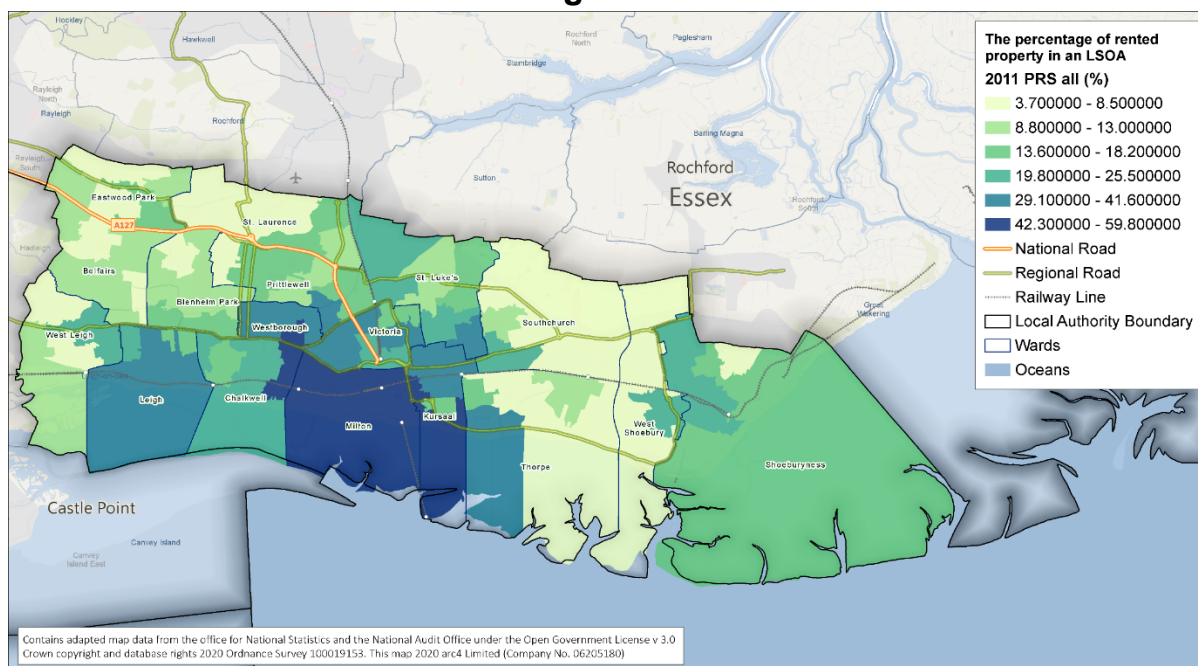
inform the evaluation (impact and effectiveness) of the Selective Licensing designation. Conversations are currently ongoing with a number of local authorities who already operate Selective Licensing to learn from their experiences and ensure a robust data set.

8. The Evidence of Private Sector (PRS)

- 8.1 One of the primary difficulties for introducing Selective Licensing is the identification of the true extent of the private rented sector. Most local authorities who have introduced the scheme reported discovering more privately rented properties than they had previously believed to exist.
- 8.2 The lack of intelligence on the true extent of the private sector often provides a significant impediment to authorities, since there is a need to first demonstrate a connection between the problems an area is suffering (reports of ASB, high crime etc.) and the privately rented sector, and secondly that Selective Licensing will be an effective tool to tackle the issue. Even if a complete knowledge of the location of all privately rented stock at a point in time can be established, changes in tenure can be quite common, rendering such information less accurate over time. Many authorities reported benefitting from the assistance of licensed landlords and residents (both tenants and neighbours) in continuously updating their knowledge of the sector.
- 8.3 This issue can be mitigated by applying data analytic techniques to pooled data held borough-wide but this is again a resource heavy and potentially expensive solution. Some authorities related internal difficulties in obtaining data from other departments due to strict data protection policies; notwithstanding the fact that section 237 of the 2004 Act permits the use of data for such purposes.
- 8.4 The Council appointed Arc4 to undertake a detailed and robust assessment to determine whether Selective Licensing would be appropriate for the proposed areas of designation. A report was provided with the evidence of the areas to consider for designation. This report has been used to inform the final proposal of the areas for designation as outlined in this evidence base report. In arriving at our proposal the Council has closely followed the requirements of the MHCLG guidance.
- 8.5 In conducting its research, a variety of data sources were used including:
- Census data 2011
 - The National Rent Deposit scheme

- UKCrimestats data
- Police Recorded ASB & Crime data for 2017-2019 within Southend on Sea
- Council's ASB data from Environmental Services
- Overall Index of Multiple Deprivation (IMD) Score: IMD 2019.

8.6 Locations of PRS in the borough



The above map shows the highest concentration of privately rented properties in dark blue and are located within the wards of Milton, Kursaal, Victoria and some parts of Chalkwell.

8.7 In order to determine the streets to include in the proposed scheme for designation, the Council looked at the four areas designations to see whether they correlated with the private rented sector (PRS). The below table shows the breakdown of the private sector across the various neighbourhood listed at lower super output area (LSOA) level.

LSOA	Ward	Number in the PRS	Percentage of PRS	Rank
E05002216	Kursaal	640	59.8	1
E05002218	Milton	497	57.8	2
E05002218	Milton	409	54.7	3
E05002218	Milton	473	53.3	4
E05002214	Chalkwell	416	50.4	5

E05002214	Chalkwell	405	48.2	6
E05002218	Milton	484	47.6	7
E05002218	Milton	418	46.1	8
E05002218	Milton	334	42.8	9
E05002226	Westborough	274	42.3	10
E05002225	Victoria	257	41.6	11
E05002216	Kursaal	285	39.9	12
E05002216	Kursaal	276	38.7	13
E05002216	Kursaal	277	36.4	14
E05002217	Leigh	286	35.9	15
E05002226	Westborough	211	35.8	16
E05002225	Victoria	281	35.1	17
E05002226	Westborough	211	34.9	18
E05002216	Kursaal	320	34.7	19
E05002219	Prittlewell	219	33.6	20
E05002225	Victoria	284	33.3	21

Source: Census 2011 Table KS402EW Tenure

- 8.8 The above table shows the LSOAs with the highest concentrations of PRS and estimated numbers located in the wards under consideration. The percentage of PRS in Milton for the six LSOAs is averaged at 50.4%, followed by Kursaal with the five LSOA average of 41.9%, followed by Chalkwell at 49.3%, Westborough averages 37.7% and Victoria wards 36.7%. It should be noted and Leigh and Prittlewell both have one LSOA each with a high concentration of PRS.
- 8.9 Further investigations were undertaken in order to determine whether there is a correlation between the high levels of PRS and ASB, deprivation, crime and poor property conditions and the findings will be outlined in the evidence section of this report. Indeed it was determined that there was a correlation between LSOAs with the highest concentration of PRS and poorly performing locations in terms of antisocial behaviour, crime, deprivation and poor property conditions. These locations were identified and this report seeks to make a proposal for Selective Licensing based on the findings.
- 8.10 Further details on the prevalence of the private sector in the proposed areas are discussed further on in this report.

9. Summary of Key Findings

- 9.1 As noted previously in this document, the private rented sector has grown significantly over recent years and plays a vital role in the borough's overall housing market. Evidence would also suggest that this sector is still growing both nationally, regionally and locally. Whilst private rented housing is a tenure of choice in all of the borough's wards, in some areas of our borough the concentrations are significantly above the national and borough average.
- 9.2 In summary the assessment has identified the areas proposed for inclusion in the scheme for Selective Licensing designation:
- Have a higher than average percentage of private rented stock (when compared to all wards in the borough and national averages)
 - Experience disproportionately high levels of anti-social behaviour and crime when compared to other areas of the borough
 - Experience disproportionately high levels of environmental nuisance when compared to other areas of the borough
 - Experience high levels of deprivation (against a range of measures including income, health, educational achievement etc.).
- 9.3 The findings of the Council's research/evidence gathering identified that each of the locations to be included in the proposed Selective Licensing designation area, are experiencing a combinations of ASB, crime and poor property conditions. As discussed in the earlier section of this report, this negatively impacts on the surrounding neighbourhoods. In addition, these areas have high concentrations of private rented properties and suffer from high levels of deprivation.

10. What has the Council done to improve the private sector?

10.1 The Council is committed to improving housing conditions in the private rented sector and our actions to date are detailed below. It is important to note that a number of the projects are ongoing and compliment the proposed Selective Licensing scheme.

i. **Community Safety Team**

The Council has a dedicated Community Safety Team who work as part of the Community Safety Partnership in Southend which includes the Police, Essex Fire & Rescue, Probation Services, Youth Offending Team, Drug & Alcohol teams and other key agencies to tackle crime and disorder, anti-social behaviour plus drug and alcohol related offending within the borough.

Furthermore, the Environmental Care Team (ECO = environmental care officers) who are not directly part of the Community Safety Partnership, have dedicated teams which are also responsible for ensuring that the environment within the communities they serve remains clean, tidy and free from damage through a program of education and enforcement action around waste on both public and private land.

The team itself is made up of (7 in total from CST and 2 per shift from CCTV) members of staff who serve in teams such as the Civic Enforcement Service, Case Management Officers and CCTV operators with 167 CCTV cameras at their disposal. This group work out of a central control room which also acts as a community service hub. This enables the team to have access to a range of information and resources to ensure that their work continues to target the right problems with a view to ensuring the most vulnerable groups in our communities are protected regardless of tenancy or housing arrangements.

ii. **Landlord Engagement**

Practical support and information to both landlords and tenants is provided by the Council's Housing Solutions team, the Private Sector Housing team and the

Community Safety Team. Our experience would suggest that this support is welcomed by responsible landlords.

In order to try and prevent and relieve homelessness within the borough of Southend, the Council has looked at ways to best engage and work with local landlords and letting agents. We have compared many local authority schemes such as private sector leasing schemes and landlord incentives and have looked at which is more effective for both landlords and the Council. Due to the high costs of private sector leasing schemes, the Housing Solutions Team, opted to offer landlord incentive schemes. The scheme offers landlords the following:

- It's free - no finder's fee
- Advertising the property to potential tenants
- Providing a list of potential tenants ready and waiting
- Landlord financial incentives
- One month's rent in advance
- One month's deposit
- Ongoing support offered for tenants to ensure the tenancy is running smoothly
- Advice and support offered to landlords by a dedicated officer
- Assistance for tenants to claim any Housing Benefit or Universal Credit they may be entitled to
- Income assessments completed on potential tenants
- Landlords do not have to take the tenant if they feel the tenant is unsuitable
- 3 months check-ins with the tenant either by telephone or visit
- If S21 is served and we are immediately notified we will assist and advise both tenant and landlord and where possible prevent further eviction action and unnecessary costs.

The biggest landlord offer that we have is access to the private sector solutions officer. This officer is on hand to offer support for the duration of the tenancy and will, where possible offer support and advice for the landlord and tenant, therefore assisting to prevent rent arrears/ and addressing any ASB issues that may arise. In comparison to other councils who may offer larger cash incentives to place outside of their local

authority without the ongoing support, we believe that Southend's offer is more beneficial to both landlords and tenants and would help sustain communities for longer.

The service above is offered to encourage landlords to work with the council to prevent and resolve homelessness within the borough.

We have also recently launched 'call b4 serve' initiative which is designed to encourage landlords and tenants already in tenancies to engage with the Council's Housing Solutions team to try and help resolve any issues. This service is offered to all landlord and tenants not just those who have previously used the team or those in receipt of benefits. The aim is to prevent homelessness for all.

We are working with a rent guarantor company to offer guarantors for applicants who are either working or in receipt of benefits without family/friends who are guarantors.

We are also in talks with help2rent who offer landlord insurance.

We have a dedicated email for landlords mypropertytolet@southend.gov.uk

We have recently written to all owners who have homes registered empty for 6 months or less offering them to engage with the Council.

iii. Homelessness prevention.

The Council recognises that a good quality and well managed private sector can provide a viable, alternative housing offer. The Council's Housing Solutions team engages with landlords on a regular basis and offers a range of potential interventions to either prevent or relieve homelessness. These include the use of Rent Deposit Scheme and/or the use of financial initiatives such as Discretionary Housing Payments, landlord financial incentives to secure homes in the private rented sector.

iv. Use of existing powers

The Housing Act 2004 introduced the Housing Health and Safety Rating Scheme (HHSRS) which allows local authorities to inspect privately rented properties to ensure the condition of those properties do not have an adverse effect on the health, safety

or welfare of tenants or visitors to those properties. Where necessary the Council will serve statutory enforcement notices to ensure that conditions are improved.

In addition, it is likely that requests for assistance received by the Council from private rental tenants under-represent the scale of disrepair problems in private rented homes in the proposed areas of designation. It is believed that in some cases, tenants would not be able to report disrepair for fear of retaliatory evictions. The introduction of Selective Licensing will enable the Council to carry out proactive inspections of all properties within the proposed designated areas, ensuring that poor or unsafe housing conditions are identified and remedied, thereby raising standards in those areas. By improving property conditions this will assist in retaining and attracting occupants to the areas.

Selective Licensing will also ensure that the Council is made aware of the person responsible for managing the property, thereby reducing the pressures to trace down the liable party in order to raise concerns with them. Currently, this can be problematic and costly to the Council in terms of both time and resources, especially in the case of absentee landlords.

v. Introductions of new powers and tools in PRS

Through the Housing and Planning Act 2016 the Government introduced a range of new measures to help tackle rogue landlords who rent out substandard properties. These new powers include the extension of Rent Repayment Orders, the ability to impose Civil Penalties up to £30,000, Banning Orders, the introduction of a data base for rogue landlords/property agents and the introduction of a tougher “fit and proper person” test for landlords. The introduction of these new measures were broadly welcomed by private sector landlords and local authorities. The Council is and will be prepared to use these new powers as/when appropriate.

11. What alternative courses of action has the council considered?

11.1 As part of the exercise to consider Selective Licensing the Council is required to consider whether there are any other courses of action available that may provide an alternative and effective method of achieving the objectives that the designation of the Selective Licensing Scheme is intended to achieve. The overarching aims of the designation of the proposed Selective Licensing Scheme is to improve the management of the private rented sector in order to reduce the levels of anti-social behaviour associated with it and make a direct and tangible difference to deprivation factors (which are often driven by high crime and poor housing).

11.2 As noted previously within this paper, the Council is proposing to progress with a scheme approach which will provide a visible neighbourhood presence in those wards where Selective Licensing will be focused. To support this initiative the Council acknowledges that a significant proportion of resource will be used to fund the additional enforcement services that an effective Selective Licensing scheme will require and to also support a range of focused initiatives working with partner agencies and our local communities. This proposed, targeted based scheme demonstrates the Council's commitment to address the issues experienced by the proposed areas for inclusion within the scheme. To be effective, however, it needs to run in conjunction with other tools as Selective Licensing alone cannot succeed in improving the designated areas.

11.3 The table below summarises in further detail some of the alternatives to Selective Licensing the Council has considered:

Option 1: Housing Act 2004 Part 1 Enforcement of Housing Standards

Outcome	Barriers	Risks	Resource Implication
Repair of individual private rented properties Effective tool for dealing with health and safety	Effective tool but does not go far enough to tackle the scale of the issues across the designated areas	Taking action to tackle hazards can be slow (waiting for a report in the first instance). Not all landlords	Resource intensive. Can only achieve widespread impact in terms of property condition with a

standards.	<p>In the main a reactive approach i.e. we action when a complaint is received.</p> <p>Some tenants are fearful of reporting issues to the council (fear of eviction).</p> <p>Does not tackle ASB issues / poor tenant behaviour or poor management standards.</p>	<p>willing to engage/take appropriate action, Council needs to pursue formal enforcement action.</p>	<p>substantial increase in Council resources to implement.</p>
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Option 2: Management Orders (in isolation)			
Outcome	Barriers	Risks	Resource Implication
<p>Remove property from irresponsible landlord. Improves management standards.</p> <p>Is a forceful sanction for landlords that do not comply with Selective Licensing.</p>	<p>Process requires considerable resources/of evidence/authorisation by the Residential Property Tribunal.</p> <p>The Council does not manage housing stock, we would need to bring in another organisation to manage/ maintain the property.</p>	<p>Does not provide a long-term solution to poor management of the PRS (up to 5 years) and then returned to the original owner).</p> <p>Intervention is a last resort for a small number of properties.</p>	<p>Resource intensive</p>
Option 3: Driving Up Standards initiative			
Outcome	Barriers	Risks	Resource Implication
<p>Drive up individual private rented property standards in the 'focused' areas.</p> <p>Effective tool for dealing with health</p>	<p>Council only has the ability (with existing resources) to focus on limited, small-scale areas</p>	<p>Will not in isolation improve the range of issues faced by the localities proposed for inclusion within the selective licensing designation area.</p>	<p>Can only achieve widespread impact in terms of property condition with a substantial increase in Council resources.</p>

and safety standards.		Will not offer more than the Council does now.	
Option 4: Landlord Accreditation scheme (in isolation)			
Outcome	Barriers	Risks	Resource Implication
<p>Good landlords join and sign up to good property and management conditions.</p> <p>Enables good and effective engagement with landlords.</p> <p>Supports good property and management conditions.</p> <p>Prospective tenants access good quality accommodation.</p> <p>Supports the Council address housing need and relieve homelessness.</p>	<p>It's a voluntary scheme so unlikely that the irresponsible landlords would join the scheme.</p> <p>Experience to date demonstrates that not all landlords would be willing to join the scheme.</p>	<p>Limited effect on a concentrated area (demonstrated by the numbers of landlords who are current members).</p> <p>Less responsible landlords do not join / no direct impact on them.</p> <p>Less responsible landlords do not improve their standards of property management and / or condition.</p>	<p>No additional resource implication as a scheme is in operation.</p> <p>To provide more incentives to join the scheme would require Council resources.</p>
Option 5: Targeted Action Area (in isolation)			
Outcome	Barriers	Risks	Resource Implication
<p>Will provide a local neighbourhood based presence.</p> <p>Active engagement with partners, landlords and local residents.</p> <p>Will deliver of projects to support</p>	<p>No formal powers to address issues (other than those already available to the Council).</p> <p>Relies on engagement/ some residents and landlords may be unwilling to engage.</p>	<p>Relies on existing council enforcement powers to address issues of poor standards of property and management condition.</p> <p>In isolation will have a limited</p>	<p>Council has committed resources to support this initiative which will bolster enforcement support to the Selective Licensing proposal.</p>

local priorities.		impact on a concentrated area.	
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- 11.4 A coordinated Selective Licensing approach where landlords must register and adhere to the terms of the licence conditions and where the ultimate sanction is that the responsibility of managing a property can be removed from them (with a management order), represents a much clearer and stronger sanction.
- 11.5 The Council feels the proposal is justified and that using the options and powers detailed above is not a viable option, however combining and coordinating these activities with Selective Licensing will support the Council to achieve the aims of our proposed designation. Through this proposal the Council will focus resources in those areas displaying the worst problems of ASB, crime, deprivation and poor property conditions whilst also helping to empower residents and the wider community to come forward to report poor practices, knowing that there are robust sanctions in place.

12. How would the proposed Selective Licensing scheme be delivered?

- 12.1 Should the designation be granted it will come into force no sooner than three months from the date of designation. Once the designation is in force, every privately rented property (house, flat or room) unless already licensed as a House in Multiple Occupation (HMO) will require a licence to operate in the area and landlords will be responsible for making an application to the Council or its designated service delivery partner if the proposal for this method is eventually approved after the consultation.
- 12.2 It is expected that compliant landlords will apply for the relevant licence shortly after the designation, however if necessary, the Council will introduce a proactive enforcement programme to identify unlicensed properties.
- 12.3 Failure to apply for a licence can lead to an unlimited fine upon conviction in the Magistrates' Court or a Civil Penalty of up to £30,000 imposed by the Council. Following a conviction any rent or Housing Benefit that has been paid to the landlord by either the tenant or the Council during the period the property was rented out without a licence (up to a maximum of 12 months) may also be reclaimed back through a Rent Repayment Order.
- 12.4 An application for a licence would need to be submitted for each property in accordance with the specified requirements. Part 3 of the Housing Act 2004 outlines that the Council may require the application to be accompanied by a fee fixed by the Council. The Council is not permitted to make a profit from the introduction of Selective Licensing and fee income ringfenced for use on the scheme. The fee, however, should take into account the costs incurred in administering the Selective Licensing Scheme. The Council's proposed Selective Licensing fee structure is detailed in Chapter 14 of this report.
- 12.5 As part of the application process, proposed licence holders and managers will be required to provide information that they are 'fit and proper persons' and that they have satisfactory management arrangements in place, including dealing with anti-social behaviour. In circumstances where the Council are not satisfied that the licence holder or manager are not 'a fit and proper persons', and/or the

management arrangements are unsatisfactory, then it can refuse to grant a licence. Further guidance relating to the 'fit and proper person' criteria can be found in appendix B

- 12.6 It is the Council's intention to ensure that the actual application process for landlords is as streamlined and as simple as possible. The licence application process will involve landlords (and/or their managing agents) submitting a large amount of supporting documentation as well as completing an application form. The Council is currently exploring options of how to best deliver the scheme and this includes an online application process which will allow for the application to be completed, supporting documentation to be submitted and payment of the licence fee to be made online or using a service delivery partner, details of which can be found in appendix A.

12.7 Licence Conditions

A licence is valid for up to 5 years or the length of the period of designation. Every licence will have a set of conditions which the licence holder will be required to comply with. There are certain mandatory conditions which the Council must include in the licence. For example, if gas is supplied to the property, a licence holder would have to produce an annual gas safety certificate obtained within the last 12 months.

A copy of the licensing conditions proposed areas is given in appendix C.

13. Selective Licencing in operation

- 13.1 The Council is committed to ensuring that the introduction of Selective Licensing is meaningful in terms of improving the areas by raising the standard of property management of privately rented properties and give residents and local businesses within the area confidence. The Council's intention is to ensure that the properties licenced under the proposal are inspected. The purpose of the inspection is to both ensure that properties meet the required standard and provides an opportunity to provide advice and assistance to landlords and tenants.
- 13.2 Licensing also places a legal requirement on landlords (or their managing agents) to undertake a reference check on tenants prior to offering a tenancy. By doing so the licence holder will be able to make an informed choice as to whether a prospective tenant is suitable for the property.
- 13.3 All aspects of the administration of the licensing application process, including the undertaking of inspections and advice to support landlords through the whole process will be undertaken by a dedicated Selective Licensing Team. Fee income from licence fees shall be used to cover the additional costs incurred by the Council in administering and running the scheme.
- 13.4 If passed, the Council anticipates that the introduction of Selective Licensing will see an increase in the level of housing conditions and ASB enforcement activity within the areas. In addition, enforcement action will also be needed if a landlord fails to licence their property or fails to comply with the licence conditions. Where enforcement action is needed then this shall be carried out by the Council's Private Sector Housing enforcement team and not the Selective Licensing officers. The Council will identify additional funding to strengthen these teams to ensure necessary enforcement action is taken quickly and effectively and also provide an increased resource to assist/support landlords (to help them deal with problem tenants). The use of Council

resources together with the income from Selective Licensing will facilitate an increased presence on the ground in the designation areas.

13.5 The Council also recognises that a tenant's behaviour is equally as important as a landlord's in securing improvements within our local communities. We therefore intend to work closely with occupiers to ensure they understand their responsibilities as a tenant and as local residents. As already highlighted, Licensing Officers will provide an increased local presence within the designated areas, which will allow them the opportunity to get to know and build up relationships with residents, with the aim of increased information sharing and the identification of issues/concerns. The property inspection visit will also provide an opportunity to discuss tenant responsibilities as detailed in their tenancy agreement (i.e. expected behaviour, reporting of repairs, refuse storage and disposal etc.) as well as offering any general and specific support required to ensure the tenant can successfully sustain their tenancy.

13.6 In addition to the above the Council will also offer the following support services:

- Information and advice to landlords and residents in the proposed Selective Licensing areas to help address issues relating to anti-social behaviour, crime and poor property conditions
- Where a family is identified as requiring support it may be appropriate to make a referral to the Council's Early Help service and or other statutory or support services;
- To prevent homelessness a referral can be made to the Council's Housing Solutions Team who will consider whether a floating supporting service would be appropriate (to support vulnerable tenants and help them to sustain their tenancy) and
- Tenant information to increase tenant awareness of their rights, where to seek help and also regarding their responsibilities to behave and act within the terms of their tenancy agreement will be distributed.

- 13.7 The Selective Licensing team will also work closely with partner agencies (including the police and fire authority, community safety teams, community and voluntary services, and other housing providers) to ensure a joined approach to tackling and resolving neighbourhood specific issues.
- 13.8 In conclusion, the Council's Selective Licensing proposal will enable a period of intense support to landlords, tenants and residents which will:
- Ensure all private rented properties within the designation areas are inspected to ensure that standards are good (and the Council will take necessary enforcement action to drive up standards)
 - Offer training to all landlords, to ensure all are aware and are able to fulfil their responsibilities
 - Facilitate contact/opportunities to provide advice to tenants to ensure they understand their rights and responsibilities
 - Strengthen close working with partner agencies to ensure that ASB concerns are addressed as quickly and effectively as possible
 - Result in enforcement action being taken to tackle landlords who fail in their duties to manage their properties effectively.

14. The Proposed Fee Structure

- 14.1 It will be necessary to charge a fee to cover the costs and overheads associated with operating the scheme. The Council's proposed fees are based on the actual costs of administering a scheme in the proposed designation areas. The Council is not permitted and does not intend to seek or make a financial profit for licensing. The scheme will be cost-neutral and the fees will be calculated accordingly.
- 14.2 Proposed fees will be calculated based on the staff needed to cover the processing of the estimated number of applications, the operation and development of the scheme. Cost estimates for the scheme include salaries and on costs and all anticipated non-salary revenue spend.
- 14.3 Each year the Council will review the cost of running the scheme and the projected revenue stream from licences. This may mean that the fee charged may need to be adjusted upwards or downwards after each annual review depending upon whether the applications received deviate from the assumed number of private sector rented properties we have assumed will need to be licenced.
- 14.4 The Council proposes to set the fee at a level that ensures full cost recovery for the scheme and is a balance between a reasonable cost for landlords whilst also seeking to ensure that the scheme is successful and appropriately resourced.
- 14.5 The proposed fee:**

In accordance with the Housing Act 2004 section 87(7), the fee amounts are based on:

- (a) The staff employed to process and issue the application; and

(b) The costs of monitoring and delivering the scheme, including staff, on costs and internal recharges.

- 14.6 The proposed licence fee has been worked out at **£668.00 for each property**. The fee will be payable in two parts, which include an application fee (charged at the time of the licence being applied for) plus a compliance and management fee. All licence fees would be reviewed each financial year.
- 14.7 A licence would normally be granted for a period of five years and no further fees would be payable during the life of the licence. Following the consultation, if the Council's proposal to use a Service Delivery Partner is approved, and landlords start signing up for membership, in the event that the membership is cancelled due to repeated or serious non-compliance, then a new licence application would need to be made directly to the Council for the rest of the term. Licences are non-transferrable in accordance with section 91(6) of the Housing Act 2004.
- 14.8 The proposed licence fee and charges take into account all costs incurred by the Council in administering the scheme. It has been calculated based on the amount of officer time it is expected to take to complete the processing of a licence application and subsequent property inspection and yearly monitoring of the licence conditions over the five year life of the licence.
- 14.9 It should be noted that there are no refunds for licences that are created part way through the 5-year term before the scheme ends. The funding relates to the five years of the scheme and not the length that a licence is held.
- 14.10 Whilst the fees are an additional business expense for landlords, it is anticipated that this would be offset by the overall improvements in properties and neighbourhoods, as well as better tenant retainment and sustainment in the long term when the benefits of the Selective Licensing scheme are eventually recognised. Improvement in property standards will also increase property values in the designated areas over time.

15. Benefits of the Selective Licensing Scheme

15.1 It is expected that introducing the Selective Licensing designation will bring a number of direct and indirect benefits to the community, landlords, tenants, property owners and the Council. In summary we believe the proposal will:

- Help us to improve the proposed designation areas (by providing a period of ‘intensive support’).
- Allow us to tackle a whole neighbourhood at the same time rather than properties on an ad-hoc and individual basis; and
- Give a clear message to landlords and tenants that bad practice and behaviour is not acceptable and will not be tolerated.

15.2 The defined aim of the scheme and a key outcome for the project is to take measures that will lead to the improvement in the management of private rented properties in the area during the 5-year period of the proposed designation. A key benefit for landlords, tenants and the wider community will be a dedicated point of contact within the Council’s Selective Licensing Team for advice, support and, where necessary, complaints. Other expected benefits include:

a. Benefits to landlords:

- Improved communication with Council services (better links and knowledge between local landlords and the Council)
- Better understanding from landlords and managing agents of their statutory responsibilities through training and briefing sessions
- Support and advice for inexperienced landlords
- Improved confidence in the local housing market and potential growth in property values and rental income
- A level playing field where all landlords in the proposed area will be required to operate to the same standards
- Support for landlords in dealing with anti-social tenants/occupiers

- Informing and educating tenants/occupiers regarding their responsibilities (to act within the terms of their tenancy agreement).

b. Benefits to tenants:

- Better understanding of what is expected of them and a better understanding of what they should expect in terms of minimum property condition and management standards
- More professional landlords should bring improvements to the quality and management of properties
- Improvements to neighbourhoods will also benefit private tenants (i.e. improved sense of security/pride in their neighbourhood)
- Better management practices should help to increase length of tenure and reduced incidence of unplanned moves or homelessness and
- Protecting vulnerable groups, who are often occupiers of privately rented accommodation which is poorly managed and maintained.

c. Benefits to the Community:

- Improvements in the physical condition, management practices and overall quality of the private rented stock
- Improve the image of the areas
- Associated benefits of more stable communities i.e. reduced anti-social behaviour
- Increased tenant/occupier awareness of their responsibilities (to act within the terms of their tenancy agreement) and
- Prevention of rogue landlord activity.

d. Benefits to the Council:

- Landlords will have to engage with the Council, thereby opening communication channels

- Landlords will proactively be required to provide information of the location and details of their privately rented homes they are responsible for
- Increased ability to provide information to landlords / and sign-post them to a wide range of support services (if required)
- Non-compliant landlords will be forced to improve their practices or leave the privately rented market
- Schemes should be easy to administer and explain, as all private landlords in the designated areas will now be covered by licensing of some kind; and
- The Council will gain more knowledge about private renting in the particular areas, enabling the Council to target support, information and compliance more effectively, and to better understand the root of the problems the areas face.

16. Risk Analysis

16.1 The 2015 Selective Licensing Guidance requires local authorities to carefully consider any potential negative economic impacts that Licensing may have in their area. In considering the proposed implementation of Selective Licensing the Council has considered potential risks and how these can be mitigated (managed and/or prevented). A detailed Risk Register will be prepared showing the current and proposed controls that would be implemented subject to the scheme getting approval to proceed. Risks would be managed within the Council's existing management systems.

16.2 An overview of the key risks is detailed below:

Making a designation could have a negative impact on the proposed areas:

Whilst the Council has identified the areas as needing support and intervention the proposed introduction of Selective Licensing is not a negative action. In essence it will provide a period of 'intensive support'. As part of the consultation process the Council will listen to the views of landlords, residents and stakeholders to discuss and address any concerns and should the proposal proceed, will actively engage throughout the 5-year Selective Licensing designation.

Rental charges may increase as a result of landlords passing on the cost of obtaining a licence to their tenants:

The Council will try to discourage this by keeping the licence fee as low as possible to enable a cost neutral delivery of the scheme.

Displacement:

Potentially both compliant and non-compliant private sector landlords could decide to sell their properties and/or decide to move elsewhere due to the proposed introduction of Selective Licensing (linked to the licence fee and the perceived increase in obligations). During the period of consultation Council

officers will actively engage with local landlords to both listen and address any concerns.

Having spoken to a number of local authorities operating similar schemes, there is little evidence to suggest that displacement has occurred. And the MHCLG review also supports this view.

Increase in empty properties:

Landlords may decide to leave their properties empty, to avoid paying a licence fee and complying with the management condition. The Council's Empty Property officer will provide advice and support and ensure long term empty properties are actively targeted for intervention. The Council will take enforcement action on all long-term properties that are in disrepair and are causing negative impacts in the local community.

Increased homelessness:

The Council's *Housing, Homelessness & Rough Sleeping Strategy* has recognised the need to improve engagement with all private sector landlords. This is in addition to the services (both in preventing and addressing homelessness) currently provided by the Council's Housing Solutions Team.

If a landlord decides to sell their property within the proposed designation area, the household will be supported by the Council (as required by the Homelessness Reduction Act 2017). The Council will also use its powers under the Protection from Eviction Act 1977 to intervene and will seek to prosecute landlords who have unlawfully evicted tenants.

Resistance from private sector landlords:

As noted above throughout the consultation phase, all attempts will be made to engage with landlords to help them understand the likely benefits that Selective Licensing will bring to the areas proposed within the designation. Furthermore, we will promote the package of measures the scheme will offer in terms of landlord training and support and tenant guidance etc.

17. How will the Council consult?

17.1 Part 3 of the Housing Act 2004 Section 80(9) states that when considering designating an area for Selective Licensing the local authority must:

- Take reasonable steps to consult persons who are likely to be affected by the designation; and
- Consider any representations made in accordance with the consultation and which are not withdrawn.

17.2 In preparing our consultation we have given due consideration to MHCLG Guidance on 'Selective Licensing in the private rented sector: a guide for local authorities' (published March 2015) and our statutory duty to consult i.e. to ensure we have taken reasonable steps to consult those likely to be affected by the proposed designation.

In order for the Council to discharge its statutory obligation, it will provide consultees with detailed information about the proposed designation. This will include:

- The areas affected
- The need and evidence for the proposed designation
- The alternative options considered by the Council to the proposed designation and the reasons why they have been discounted
- Those likely to be affected by the designation
- The likely effect of the designation
- The process by which those affected may apply for and obtain a licence
- Likely licence conditions and
- The proposed licence fee and licence fee structure.

17.3 Details of the Consultation Plan

17.4 The Council has appointed M·E·L Research to conduct the consultation on its behalf who will use a variety of methods to consult with all persons likely to be affected by the proposed designation. Due to the current Covid19 guidelines, M·E·L will virtually conduct the public workshops via a Zoom platform (dates of these to be advised) but would still encourage all stakeholders to engage and give feedback.

Below is an overview of the various consultation methods:

- The Council's website: M·E·L will conduct the consultation on behalf of the Council, hosted on the Council's Your Say Southend platform. This will have all the details of the designation and will include copies of this report (and all supporting appendices including the proposed licence fee structure and proposed licence conditions), consultation arrangements, a summary information leaflet, details of the timetable for implementation and responses/feedback to consultation once considered.
- In addition, all interested parties and wider members of the community will be able to complete an online questionnaire.
- A summary information leaflet and a paper questionnaire will be posted to all residents within the proposed designation areas. This will include a pre-paid envelope to post back completed questionnaire replies (as well as detailing the option to reply online).
- The same summary information leaflet and a paper questionnaire will be delivered to a sample of residents in adjacent areas of the proposed designation areas. This will include a pre-paid envelope to post back completed questionnaire replies (as well as detailing the option to reply online).
- A summary information leaflet and a paper questionnaire will be mailed out to all known businesses in the proposed designation areas and a sample in the adjacent/surrounding proposed designation areas. It will include details of how to complete the online questionnaire if this is the landlord's preferred method of reply.

- Workshop events for tenants/residents/local community members and interest groups will be held online using Zoom. These events will provide information, will allow members of the community to find out more about the proposal, to ask questions and provide comment and feedback. Council staff will be on hand to answer any questions. Owing to the current Covid19 restrictions, the events will be virtual via a Zoom platform.
- Virtual workshop events for landlords and/or their representatives will be held via the Zoom platform and the dates will be advised soon.
- All known landlords and managing agents will be contacted (mail-out) with the aim of bringing the proposed consultation to their attention.
- Direct contact (mail out/or email) to organisations which represent private sector landlords.
- Direct contact (mail out/or email) to known community and landlord groups operating within the proposed designation area, with the aim of bringing the proposed consultation to their attention.
- Direct contact (mail out/or email) to key partner agencies i.e. the Police, Fire Authority, Registered Housing providers etc. operating within (or in close proximity) to the designation areas, with the aim of bringing the proposed consultation to their attention.
- Direct contact (mail out or email) with local MPs and all members.
- Press release to announce and publicise the proposed designation consultation including the timescale of the consultation period and how landlords/residents/ other stakeholders and all potential interested parties can respond.
- Southend Borough Council's Facebook
- Southend Borough Council's Twitter feed

The above demonstrates that all reasonable steps will be taken to ensure that local residents, including private rented tenants, landlords and where appropriate their managing agents, local businesses, stakeholders and wider

members of the community who live or operate a business or provide services with the proposed designation will have been consulted on the Council's proposal.

17.5 Details of the consultation period

The Council has adopted a 10-week period for consultation regarding its proposed Selective Licensing scheme. The consultation period will run from 2nd November 2020 and will end on 11th January 2021.

17.6 Consultation feedback

After the consultation period, all responses will be analysed and feedback provided to the consultees. All responses received (that have not been withdrawn) will be analysed and published as an anonymised summary explaining how they have been either acted upon or not (and give reasons). A copy of this consultation report/responses will be published.

Details of the above will then be reported back to the Council's Cabinet. Subject to the outcome of the consultation, the Council's Cabinet will then make a final decision as to whether or not to proceed with the Selective Licensing proposal (including the scope and the scale of the designation).

17.7 Proposed implementation timetable

Analysis of all consultation responses received (and not withdrawn) will be undertaken throughout the consultation period and will conclude by end of January 2021.

There will be then a report back to the Council's Cabinet for final consideration in February/March 2021 (report will include details of consultation replies).

If full Council endorse the Selective Licensing proposal, a notice of proposed designation will be published and this will run for 3 months.

Commencement of the Selective Licensing scheme would be no earlier than the end of June 2021 - 3 months after the designation as required by the Housing Act 2004.

17.8 Contact details for further information on the consultation

<https://yoursay.southend.gov.uk/selective-licensing-southend>

Tel: 0800 073 0348

Email: southendprs@melresearch.co.uk

18. Supporting Evidence Base

The proposed areas for designation meet four of the six legal tests set out in the Housing Act 2004 and regulations made thereunder. The designation is proposed based on anti-social behaviour, crime, housing conditions and deprivation. A designation based on migration or low demand is not proposed.

Only one test needs to be proved to make a designation lawful. The Council considered data from a wide range of sources, collated and analysed by Arc4 (who have undertaken similar work for numerous other local authorities in support of Selective Licensing schemes) before coming to this conclusion. This chapter outlines the key evidence that supports the proposed designation.

For clarity, and to present evidence regarding the challenges faced by some communities within the borough, the following evidence will be presented in most cases at the Government LSOA (Lower Super Output Area) level. These are communities or areas that the UK Government use for Census and Office of National Statistics data and reporting. There are 8 LSOAs being proposed in the scheme and they are located in the wards of Kursaal (014A, 014B, 014C, 014F), Milton (015A, 015B, 015E) and in Victoria (010B). Each LSOA community has a code as stated in the brackets which can be used to identify the area on the maps, figures, and tables within this proposal.

In total the number of units accounted for in these LSOAs is 12,530. The total number of units in Southend-on-Sea is 81,750. This accounts for 15.3%.

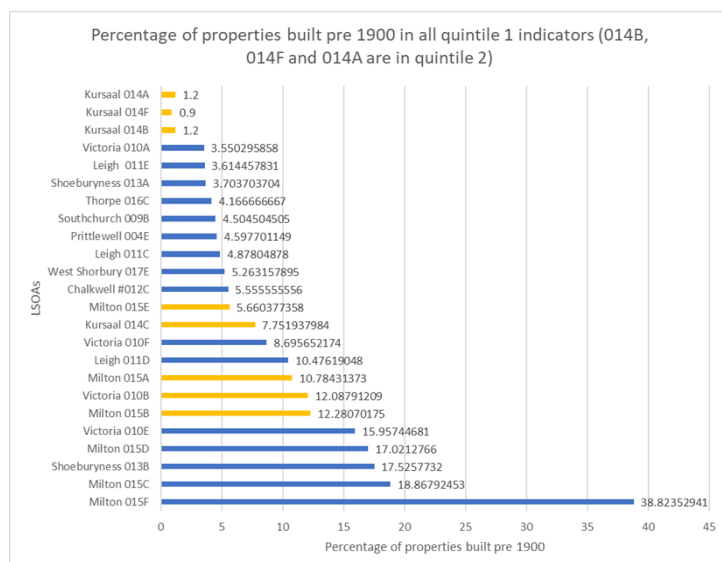
Housing Stock Overview

Number of properties and residents:

The wards of Milton, Kursaal and Victoria are urban areas characterised by a high density of dwellings and occupants, within mostly older 19th century terraced housing, flats, and houses in multiple occupation.

The bar chart below shows that 5 out of the 8 LSOAs (in yellow) proposed for designation are in quintile 1. Indicating a high prevalence of properties built before the 1900.

Percentage of properties built pre 1900



This graph shows the percentage of properties built pre 1900 in quintile 1. 5 of the 8 LSOAs proposed in the scheme are within quintile 1, the remaining are in quintile 2.

VOA, Table CTSOP4.1 2019

Pre-qualification criteria

The four new tests or “set of conditions” are set out in The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 (SI 2015/977), hereinafter referred to as the “Order”. However, before they can be applied, there are two initial legal tests that must first be met. They are set out in Article 3(1)(a) and (b), and are:

- (a) that the area contains a high proportion of properties in the private rented sector, in relation to the total number of properties in the area
- (b) that the properties referred to in sub-paragraph (a) are occupied either under assured tenancies or licences to occupy.

The first test has been met, due to the size of the PRS, as discussed in Chapter 8 above, and the second test has been met, as the Council is aware that almost every privately rented property in the proposed designated area is the subject of an assured shorthold tenancy agreement (AST).

In the Council’s opinion, the pre-qualification criteria have been met, and the four new sets of conditions may be applied if appropriate: anti-social behaviour, housing conditions, deprivation, and crime. These conditions, or criteria, will be considered and evidenced, during the rest of this chapter.

Methodology

The methodology and evidence used to identify the proposed Selective Licensing designation areas and the Selective Licensing scheme proposal is built upon analysis of data from a wide variety of information sources. The exercise was undertaken by Arc4 which is an independent company with proven experience in such work and the exercise was conducted in a robust manner using the most recent statistics.

Arc4 was originally appointed to support Southend-on-Sea BC to develop the evidence base to identify potential locations for licensing through a Selective Licensing arrangement. The report was complete and has supported the Council to prepare a proposal for consultation for Selective Licensing. The report identified a number of locations where areas were exhibiting poor performance and correlated to locations with high levels of private rented property.

Criteria

For the Council to be able to declare a selective licensing designation it must be able to satisfy one or more of the following conditions:

- low housing demand (or it is likely to become such an area)
- high levels of migration
- a significant and persistent problem caused by anti-social behaviour (ASB)
- poor housing conditions
- high levels of deprivation
- high levels of crime.

The Council's proposal for designation is based on the last four, that is ASB, poor property conditions, crime and deprivation.

In considering whether to designate an area for Selective Licensing on these grounds, the local housing authority may only make a designation if the area has a high proportion of property in the private rented sector.

An initial assessment was undertaken to identify areas within the Borough with high levels of private rented stock, and it was established that PRS was more prominent in LSOAS in Milton, Kursall, Chalkwell, Westborough, Victoria, Leigh, Prittlewell and Thorpe. These wards were then compared with all wards within the Borough using a range of measures including:

- Census data 2011
- The National Rent Deposit scheme
- UKCrimestats data
- Police Recorded ASB data for 2018-2019 within Southend on Sea
- Police Recorded Crime data for 2017 & 2018 within Southend on Sea
- Council's ASB data
- Overall Index of Multiple Deprivation (IMD) Score: IMD 2019.

This high level appraisal determined that the LSOAs in the wards identified above are areas which tended to suffer from higher than average levels of private rented accommodation, anti-social behaviour, high levels of deprivation and higher than average levels of crime as well as poor property conditions.

The initial assessment was then followed by a robust examination of each of the wards in detail to examine whether the issues faced were consistent across the full ward or whether there are concentrations or pockets of areas experiencing issues which would justify the implementation of Selective Licensing.

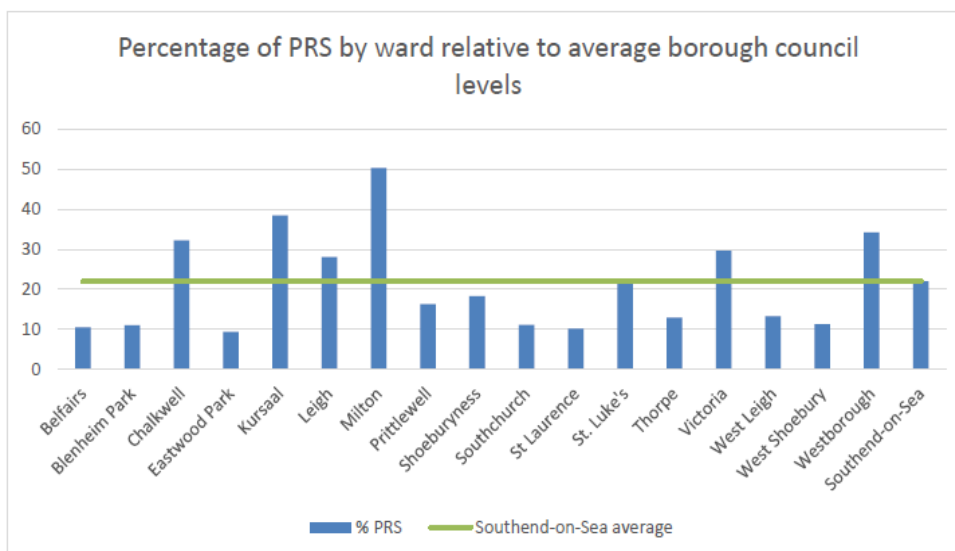
As detailed in appendix 1 (map 8.15 for the overall scores), data was geographically mapped which was used to refine the proposed areas for inclusion within the proposed Selective Licensing designation area. Following this assessment the Council is confident it has a robust evidence base to justify the designation of a Selective Licensing scheme and can demonstrate the areas are (or are likely to become areas) experiencing a significant and persistent problem caused by anti-social behaviour, are areas with high concentrations of private rented housing and are areas with high levels of deprivation and high levels of crime. Those LSOA areas proposed for inclusion within the Selective Licensing designation have been identified (and will be referred to throughout this chapter) as Milton, Kursaal, Victoria and parts of Chalkwell.

Detailed assessment

A wide variety of statistical information was gathered and used to inform this assessment as listed above.

Wherever possible geographical (GIS) mapping of the data was undertaken which helped to identify where the most problematic areas within the wards Milton, Kursaal Victoria and parts of Chalkwell were, and therefore the streets that could be justified for inclusion within the proposed Selective Licensing designation area.

Chart 2.1 Private renting 2011



Source: Census 2011 Table KS402EW Tenure.

The above graph shows that the percentage of the private sector in the wards of Chalkwell, Kursaal, Milton, Victoria and Westborough are considerably higher than the whole of Southend's average of 22%. The investigation found that the worst performing LSOAs were within the above wards. Further analysis of the data was carried out in order to determine the worst affected neighbourhoods within each ward which would potentially form part of the scheme for Selective Licensing.

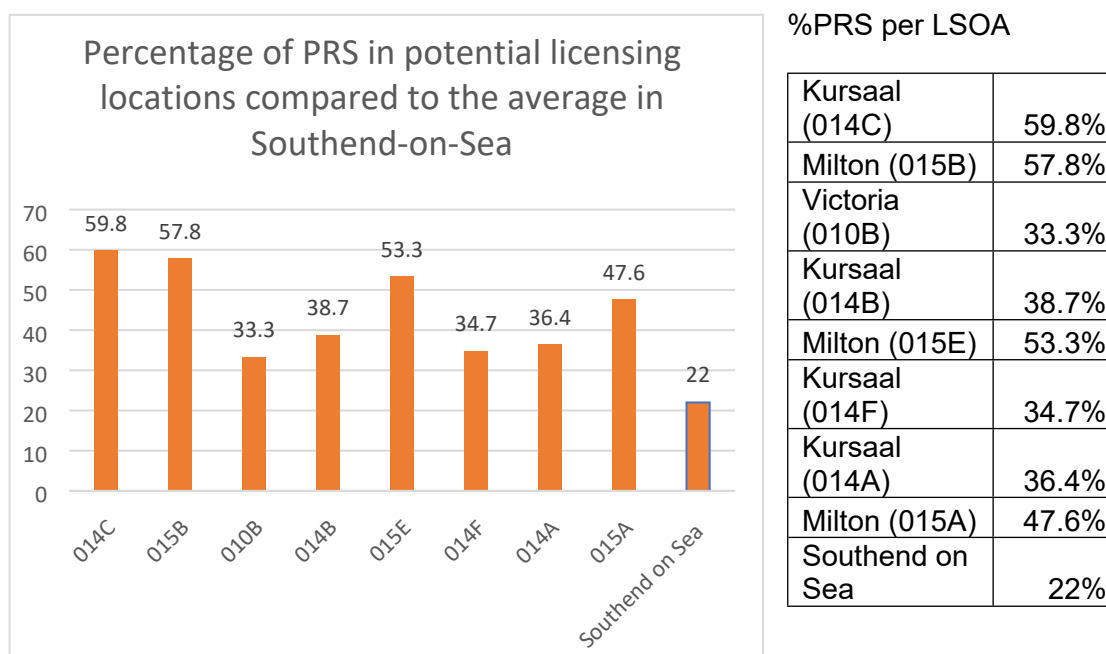
The measure/score for each indicator was recorded and each LSOA scored in terms of the quintile it is within in Southend-on-Sea on the basis of: quintile 1 being the lowest/worst 20% LSOAs for each indicator and 5 being the best/highest LSOAs for each indicator.

Each LSOA is then ranked within a final quintile by adding each individual indicator quintile score to provide an overall rank retaining the assumption that quintile 1 LSOAs overall are the worst performing LSOAs for the indicators that have been identified.

The investigative work undertaken by Arc4 identified all the indicators in quintile 1 for each designation in detail and individual maps were provided for this which are included in appendix 1. A further report was undertaken to focus the data on the worst affected areas and the LSOAs for each indicator in quintile 1 and summarises the information in maps in appendix 1.

As there are 107 LSOAs in Southend-on-Sea, the worst 21 LSOAs were reviewed and recorded as Quintile 1. The number of LSOAs in quintile 1 can increase, where there are identical scores in LSOAs. And the following designations are proposed following that work.

The following chart shows the PRS located within the proposed areas for designation and it demonstrates that all of them have a considerably higher percentage than the borough's average of 22%, with 3 having more than double.



The Council is proposing a designation on grounds of anti-social behaviour, crime, poor property condition and deprivation. It should be noted that for the scheme to go ahead, the Council only needs to satisfy just one of the said criteria. We will now look at each of these four designations in detail.

Anti-Social Behaviour (ASB)

When identifying if an area is suffering from ASB, it is recommended by the MHCLG that the local housing authority consider the following factors:

- Crime: tenants engaged in poor tenant type behaviour, engaged in vandalism, criminal damage, burglary or theft
- Nuisance Neighbours: resulting in harassment, intimidation, noise or nuisance affecting members of the public. Tenants engaged in begging, anti-social drinking, drugs or prostitution as examples
- Environmental crime: where tenants are engaged in graffiti, fly-posting, fly-tipping, litter, waste and drugs as examples in/around the curtilage of the property

ASB is not exclusively defined but can include acts of: verbal abuse, intimidation or harassment behaviour of tenants or neighbours, noise, rowdy and nuisance behaviour

affecting persons living in or visiting the vicinity, animal related problems, vehicle related nuisance, anti-social drinking or prostitution, illegal drug taking or dealing, graffiti and fly posting and litter and waste within the curtilage of the property.

If ASB is being carried out within the immediate vicinity of the property, and is being caused by the occupiers of it, then it would be reasonable to expect a landlord to ensure that those persons are not conducting themselves in such a way that is adversely impacting on the local community. This applies equally to visitors to the property.

To inform the assessment data recorded by the Council, the police and UKCrimeStats ASB rate 2019, Population estimates E&W NOMIS 2018 was analysed and there was a clear demonstration of problems of ASB in the proposed areas.

To designate under ASB, the legal test is set out in section 80(6) of the Housing Act 2004. For an area to be designated under this section, the conditions are:

(a) that the area is experiencing a significant and persistent problem caused by antisocial behaviour

(b) that some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take and

(c) that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, lead to a reduction in, or the elimination of, the problem. "Private sector landlord" does not include a registered social landlord within the meaning of Part 1 of the Housing Act 1996 (c. 52).

A legal definition is contained in Section 1 (1) of The Crime and Disorder Act 1998 which states:

"Acting in an anti-social manner, that is to say, in a manner that caused or was likely to cause harassment, alarm or distress to one or more persons not of the same household as himself".

This means that a complaint of anti-social behaviour cannot be made against a perpetrator who lives in the same household as the complainant.

The different types of anti - social behaviour are dealt with by a number of different enforcement agencies and data has been gathered from them to show the extent of the problems in the areas proposed for the Selective Licensing designation and where possible for the areas immediately adjacent to the proposed areas and the Borough as a whole to give a comparison.

There are known areas within the borough that have serious issues relating to anti-social behaviour (ASB), or poor property conditions as well as several other issues

listed earlier in this report. Wards such as Milton, Kursaal, Victoria and a small part of Chalkwell as well as Leigh are known to have several ASB issues. This is usually due to a higher proportion of privately rented accommodation within such areas. This is evidenced as shown in Map 8.2 of appendix 1.

Whilst it would not be feasible to declare the whole of such wards as part of the designation due to staff resource implications, targeting areas with the highest degree of anti-social behaviour for instance would be the most effective and successful way forward.

This report is therefore proposing to designate specific neighbourhood of these wards by focusing on those wards that have been identified as having the worst problems to be part of the scheme for Selective Licensing.

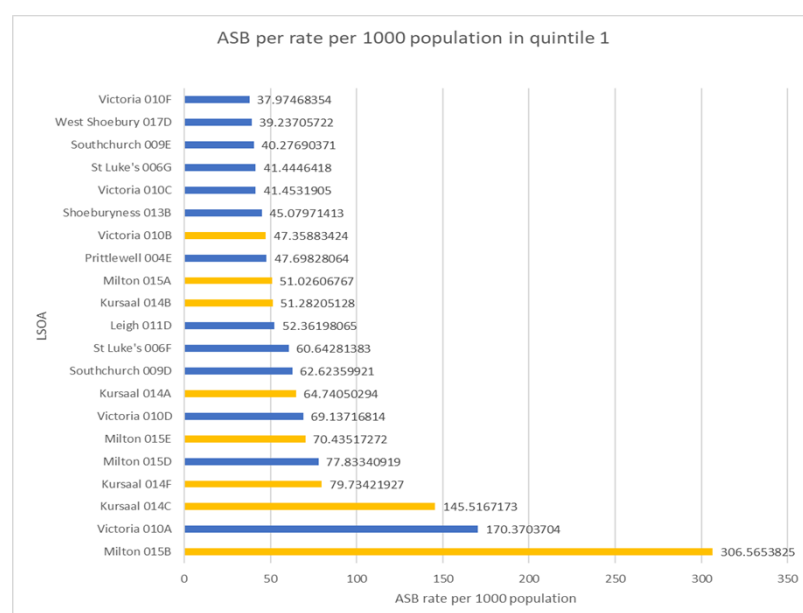
For this designation, Council data from the Environmental Health service as well as UKCrime stats data were used. The data examined was related, as far as possible to the private rented sector and the maps linking ASB to the private sector can be found in appendix 1. It is believed that a designation would be able to have an impact on these problems.

The investigation found that LSOAs with the highest levels of anti-social behaviour are widespread across Milton, Victoria, Kursaal and in specific locations in Southchurch Chalkwell, Leigh and St Laurence.

It can be clearly demonstrated that the LSOAs being considered suffer from higher than average incidents of ASB:

- The ASB rate per 1,000 population in the chart below is more than double that of other areas within the borough.

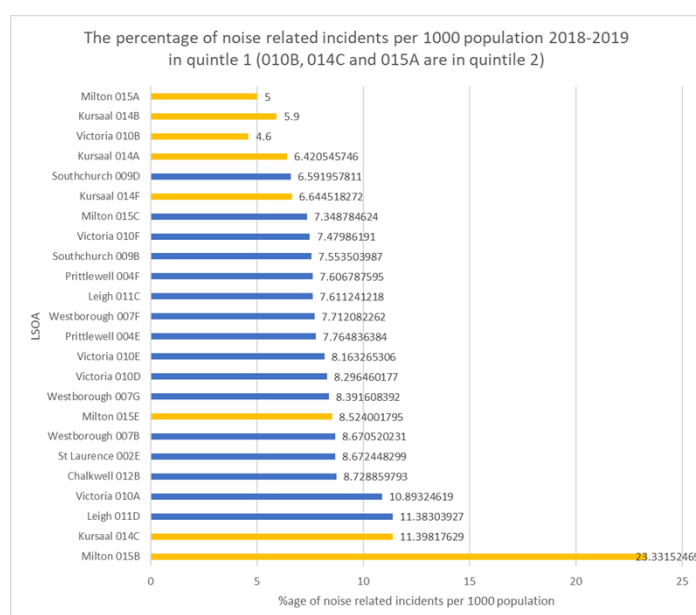
The following graph shows the number of ASB incidents per 1000 population in quintile 1. All of the proposed LSOAs (in yellow) for licensing are in quintile 1



Source UKCrimeStats ASB rate 2019, Population estimates E&W NOMIS 2018

The chart shows that the LSOAs with the highest levels of recorded ASB are mostly found within Milton, Victoria, Kursaal. This is consistent with the fact that these three wards have the higher concentration of privately rented properties. Therefore, the Council proposes that the worst LSOAs (quintile 1) in these wards are included in the scheme as this will help improve these neighbourhoods in time.

Map 8.2 (in appendix 1) illustrates the overall quintile score for each LSOA under the anti-social behaviour designation and it is clear that ASB issues are widespread across Milton, Victoria, Kursaal and Leigh and in specific locations in Southchurch and Chalkwell and St Laurence.



This graph shows the percentage of noise related incidents per 1000 population 2018-2019 in quintile 1 for Southend-on-Sea. 5 of the 8 proposed LSOAs for licensing are in quintile 1.

Source Southend-on Sea Council data

Milton ward, which is in the town centre, suffers from a disproportionate amount of ASB, compared to the borough average. Incidents within this ward vary from adult related ASB, alcohol related incidents to neighbourhood disputes.

Milton includes the High Street and Town Centre area where the majority of the night time economy and alcohol related issues occur. Despite these factors we can evidence that the proposed Selective Licensing designation area suffers from high levels of ASB. This was determined by undertaking geographical mapping of Police ASB incidents and tenure information. This exercise identified that there were clusters ('hotspots') of high rates of ASB across the location of private rented housing stock in the proposed LSOAs, which could therefore be proposed for inclusion within the designation area.

Furthermore, recorded ASB incidents from the Council's Environmental Health team data were also analysed and mapped in order to ascertain if the 'hotspot' locations correlated ASB and high levels of private rented stock. Map 8.7 in appendix 1 shows the overall anti-social behaviour in quintile 1 combined with quintile 1 for the private sector in the LSOAs being proposed.

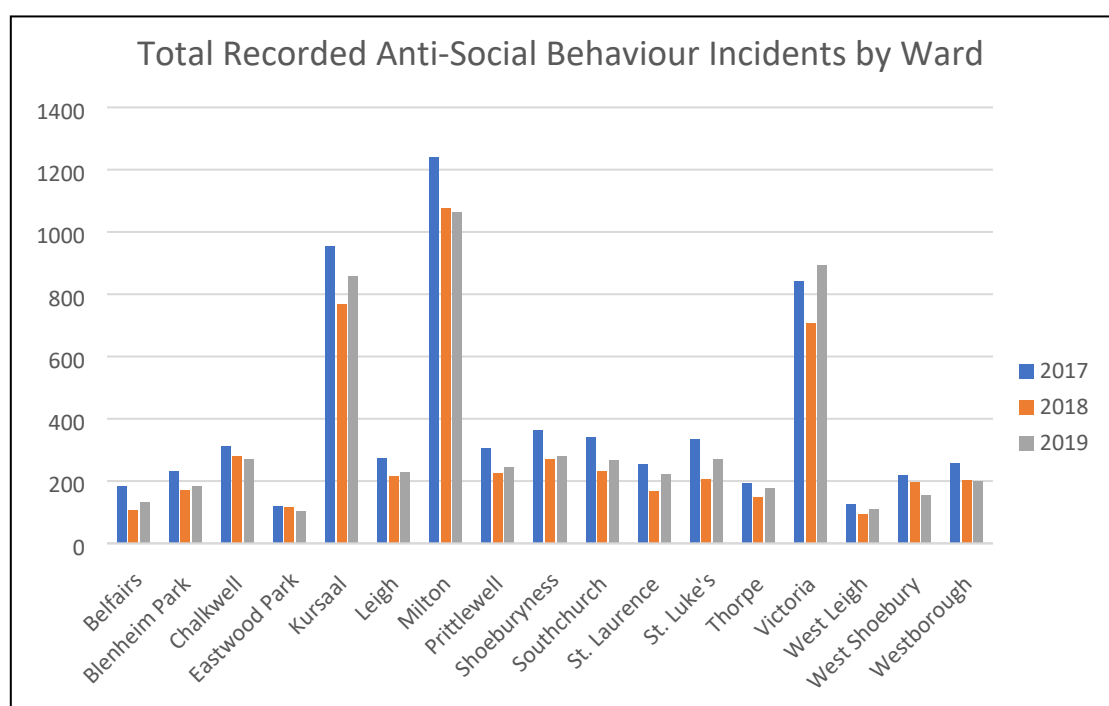
Geographical mapping of the data alongside tenure information has identified that across the proposed LSOAs for designation, there are high rates of recorded ASB by both the Council's records and Police data.

Police recorded ASB

It can be clearly demonstrated that the wards currently being looked at for designation do suffer from higher than average incidents of ASB:

The graph below shows that the cases of reported ASB incidents between the years 2017 – 2019. It should be noted that the wards of Milton, Kursaal and Victoria recorded considerably higher incidents than the rest of the Southend. The ASB in the three wards alone accounts for more than 50% of the ASB reported in the whole borough.

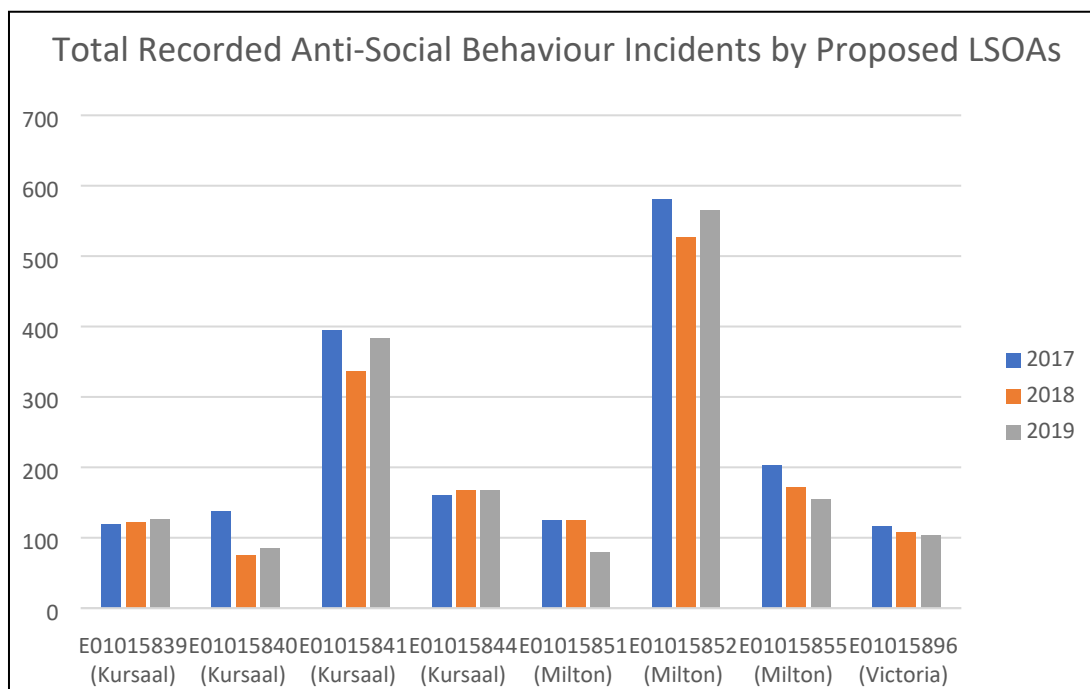
Police recorded ASB in Southend on Sea



Source -
[https://](https://data.police.uk/data/)

data.police.uk/data/

The reported ASB was further focussed to look at the LSOAs that are being proposed for designation and the below graph shows the recorded incidents in the LSOAs under proposal for designation.



Source - <https://data.police.uk/data/>

All the LSOAs proposed for the scheme do have many incidents of recorded ASB in the three years shown above. It should be noted that Milton figures include reports of shoplifting on the high street which accounts for why they are excessively high.

How will Selective Licensing help improve the ASB?

Conditions of the licence will help to tackle ASB within these areas by ensuring good property management by landlords including making tenants aware of their responsibilities regarding theirs and their visitors' behaviour. The Council will offer support to landlords to deal with ASB in an effective, targeted and timely manner. The proposed draft conditions can be found in appendix C.

Licensing will help to tackle environmental nuisance (such as noise, waste accumulations in yards and incidents of fly tipping in the streets and alleyways) as the proposed property inspections and contact with tenants will help to identify the source of problems and facilitate opportunities to provide tenants with advice about their responsibilities. If necessary, the Council will also pursue appropriate enforcement action to address these issues.

Crime

In considering whether an area suffers from a high level of crime the Council may wish to have regard to whether the area has displayed a noticeable increase in crime over a relatively short period e.g. the previous 12 months; whether the crime rate in the area is significantly higher than in other parts of the local authority area or that the crime rate is higher than the national average. In particular, the local authority may want to consider whether the impact of crime in the area affects the local community and the extent to which a Selective Licensing designation will contribute to reducing local crime.

- For this designation UKCrimeStats website data was used. UKCrimeStats launched in April 2011 and is a leading independent crime, property price and postcode analysis platform.
- The Crime Domain of the Multiple indices of deprivation measures the risk of personal and material victimisation at local level. It is expressed as a decile where 1 is the bottom 10% and 10 is the top 10%.

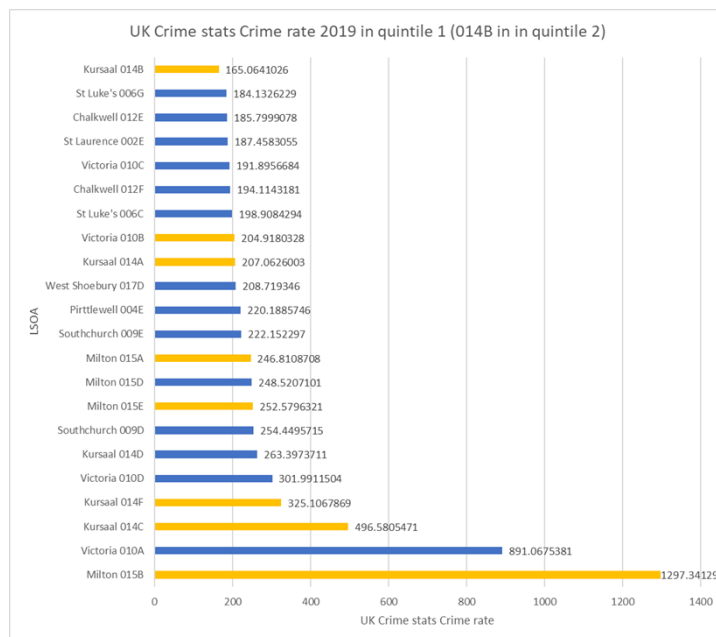
Table 7.1 below identifies the LSOAs with the highest rates of total crime per 1000 population compared with the levels of PRS in each LSOA (this is illustrated by the quintile that each LSOA falls into, where 1 is the highest).

It is appropriate to note that crime levels within Milton ward are particularly high due to offences linked to the number of crimes associated with the High Street (shoplifting etc.).

Table 7.1 Highest rates of total crime				
LSOA	Ward	Level of PRS in the LSOA	Rank	Score for Q1 LSOAs
E05002218	Milton	1297.3	1	1
E05002225	Victoria	891.1	2	2
E05002216	Kursaal	496.6	3	1
E05002216	Kursaal	325.1	4	1
E05002225	Victoria	302.0	5	2
E05002216	Kursaal	263.4	6	3
E05002223	Southchurch	254.4	7	4
E05002218	Milton	252.6	8	1
E05002218	Milton	248.5	9	1
E05002218	Milton	246.8	10	1
E05002223	Southchurch	222.2	11	4
E05002219	Prittlewell	220.2	12	3
E05002228	West Shoebury	208.7	13	3
E05002216	Kursaal	207.1	14	1
E05002225	Victoria	204.9	15	1
E05002221	St. Luke's	198.9	16	4

E05002214	Chalkwell	194.1	17	2
E05002225	Victoria	191.9	18	3
E05002220	St Laurence	187.5	19	3
E05002214	Chalkwell	185.8	20	1
E05002221	St. Luke's	184.1	21	3

Crime Rate 2019

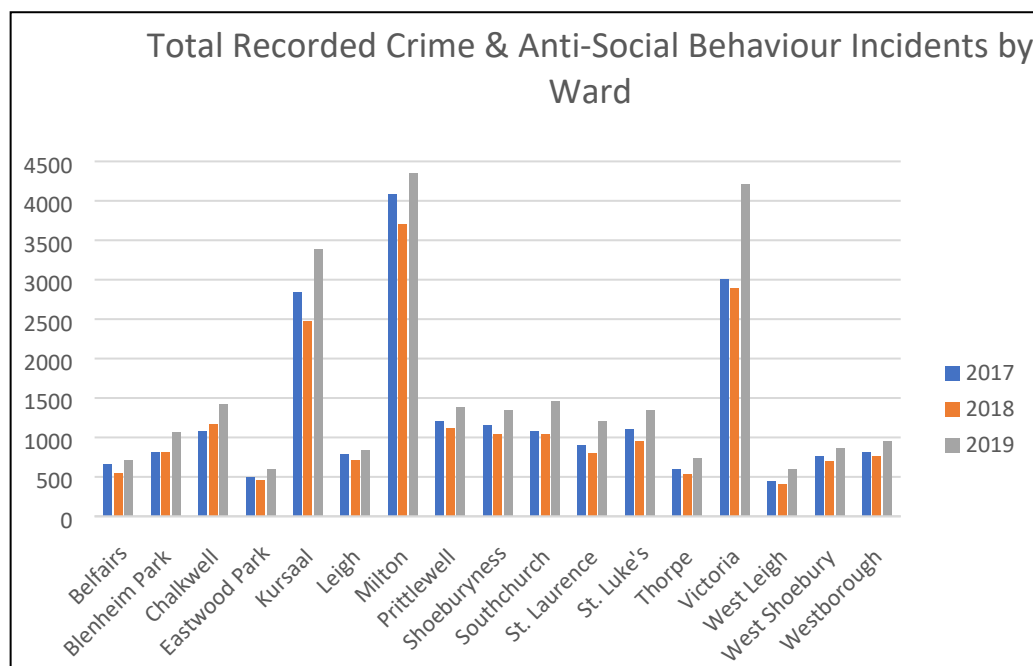


This graph shows the UK Crime stats Crime 2019 that fall within quintile 1. 7 of the 8 proposed LSOAs for licensing are in quintile 1.

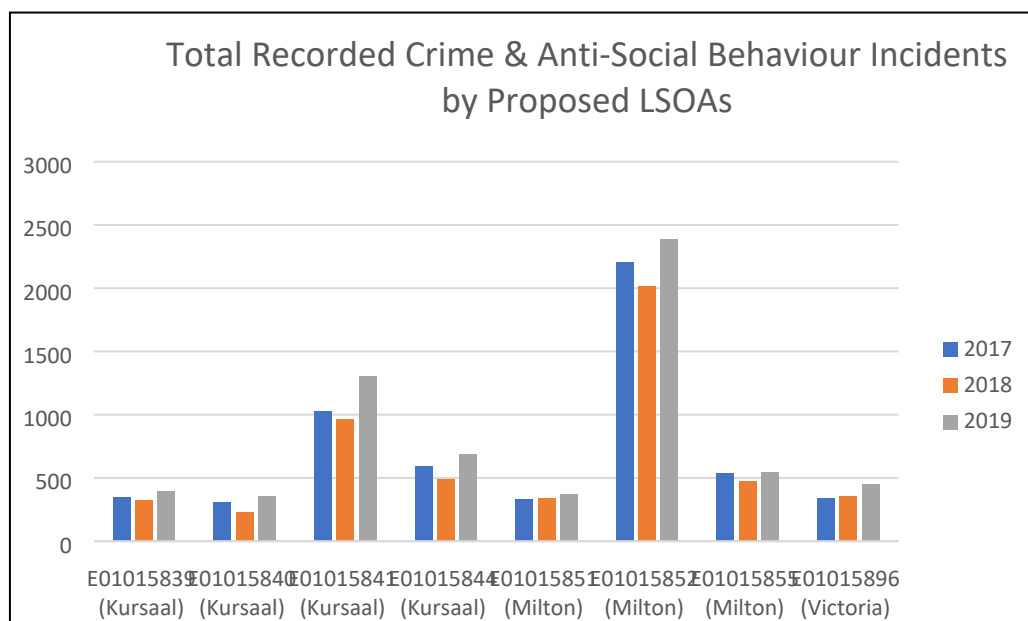
Source UKCrimeStats, Population estimates

E&W NOMIS 2018

All the indicated LSOAs are shown in Map 8.13 in appendix 1, mainly situated within the wards of Milton, Kursaal, Victoria and a small part of Chalkwell and Westborough, and all have a clear link between the PRS and the crime.



Police recorded crime



Source - <https://data.police.uk/data/>

The above charts show that the incidence of crime and ASB in all wards increased between 2017 and 2019 but with significantly high levels in the wards of Milton, Victoria and Kursaal. The second chart shows the spread of crime and ASB across the LSOAs proposed for designation.

It is appropriate to note that crime levels within Milton ward are particularly high due to offences linked to the number of crimes associated with the High Street (shoplifting etc.).

It is evident from the statistical and mapped data that residents living in the proposed designation area are more likely to suffer from crime related issues than other localities within the borough. These levels of crime and fear of crime increase negative perceptions of the areas and have a detrimental impact on the community.

How will Selective Licensing help?

The Council recognises that a tenant's behaviour is equally as important as a landlord's in securing improvements in our local communities. We therefore intend to work closely with landlords to ensure their tenants understand their responsibilities as local residents. Licensing officers will need to provide an increased local presence within the designated areas, which will allow them the opportunity to get to know and build up relationships with the aim of increased information sharing and the identification of any issues/concerns. The property inspection visit will also provide an opportunity to discuss tenant responsibilities as detailed in their tenancy agreement (including for example expected behaviour, reporting of repairs, refuse storage and disposal etc.) as well as offering any general and support required to ensure the tenant can successfully sustain their tenancy.

Licensing also places a legal requirement on landlords to undertake a reference check on tenants prior to offering a tenancy. By doing so the licence holder will be able to make an informed choice as to whether a prospective tenant is suitable for the property.

Poor property conditions

This legal test is set out in Article 4 of the Order. For an area to be designated under this article (subject to Article 3), the conditions are:

- (a) that having carried out a review of housing conditions under section 3(1) of the [Housing Act] 2004 Act, the local housing authority considers it would be appropriate for a significant number of the properties referred to in article 3(1)(a) to be inspected, with a view to determining whether any category 1 or category 2 hazards exist on the premises;
- (b) that the local housing authority intends to carry out such inspections as referred to in paragraph (a), with a view to carrying out any necessary enforcement action; and (c) that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, including any licence conditions imposed under section 90 of the [Housing Act] 2004 Act, contribute to an improvement in general housing conditions in the area.

Where a significant number of properties in the private rented sector are in poor condition and are adversely affecting the character of the area and / or the health and safety of their occupants, this could support a Selective Licensing designation. In that case, as part of a wider strategy to tackle poor housing conditions, the local housing authority may consider it appropriate to make a selective licensing scheme.

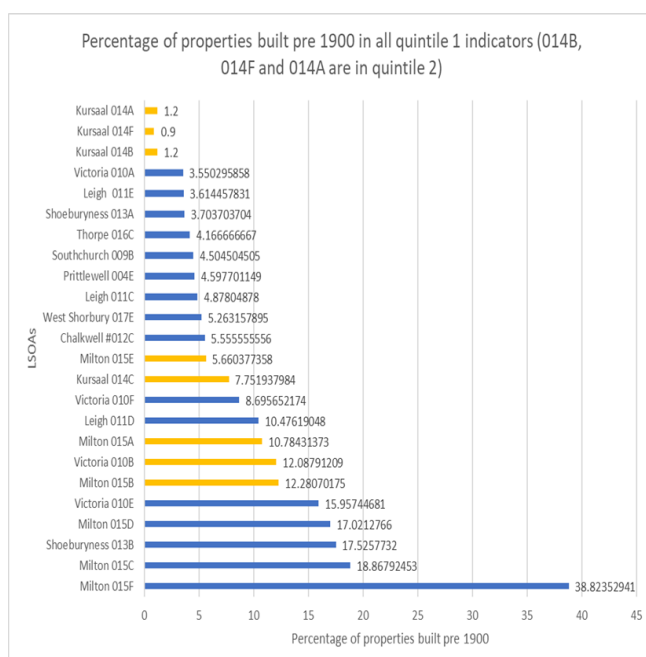
For this designation, the council relied on published datasets in support of the designation and the following indicators were used;

- property age and
- the Living Environment Deprivation Domain which measures the quality of the local environment. The 'indoors' living environment (used here) measures the quality of housing. It is expressed as a decile where 1 is the bottom 10% and 10 is the top 10%

The chart below illustrates the LSOAs with the highest percentage of properties that predate 1900 compared with the levels of PRS in each LSOA (this is illustrated by the quintile that each LSOA falls into, where 1 is the highest levels of PRS).

Further analysis showed that 11 out of the 21 LSOAs had properties that were built pre 1900 and were found to have several problems with excess cold, poor energy rating and several disrepair categories.

of



This graph shows the percentage properties built pre 1900 in quintile 1. 5 of the 8 LSOAs (in yellow) are in quintile 1, the remaining are in quintile 2. The LSOAs being proposed for designation have a high proportion of older properties.

It is worth noting that the LSOAs with a low PRS proportion of all dwellings (i.e. 014A, 014B and 014F), have a high proportion of social housing and therefore the lowest stock of pre 1900 PRS buildings.

The LSOAs with the poorest property conditions are widespread across Milton, Victoria, Kursaal and in specific locations in Leigh, Belfairs, Thorpe, Chalkwell, Prittlewell, St Laurence, St Luke's and Westborough. Map 8.3 in appendix 1 illustrates the overall quintile score for each LSOA under the poor property conditions designation.

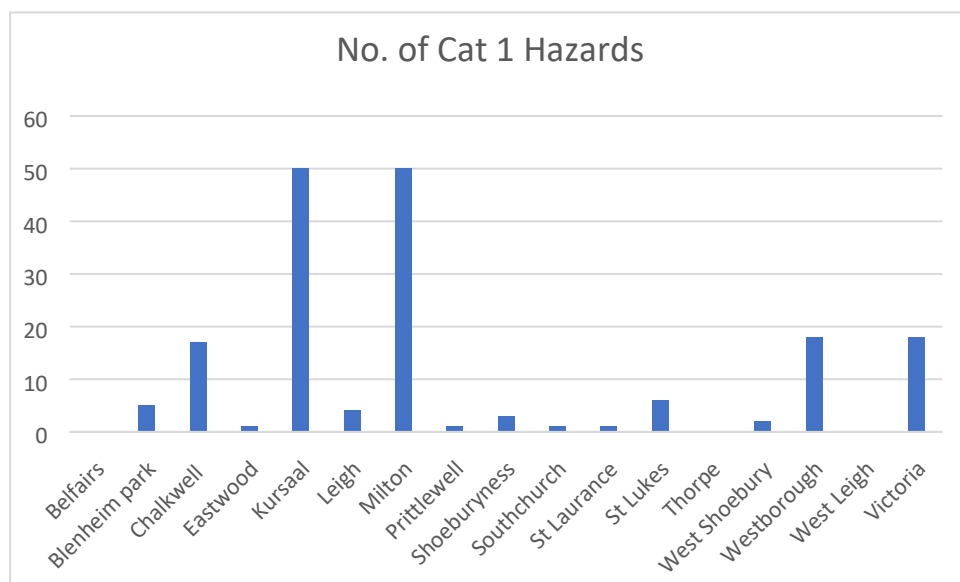
Due to the benefit cap on the local housing allowance for larger families, many of the large properties in these areas have become attractive investments for landlords to purchase and sub divide, creating additional flats and HMOs. These flats are easily accessible housing for benefit dependent individuals and people on low incomes.

Many single-person benefit dependent households are transient and this can lead to a high turnover of residents. This constant movement of single people within the privately rented sector means it is difficult to maintain and develop any feeling of community and this is likely to contribute to the high levels of crime and anti-social behaviour (ASB) in the proposed areas.

The areas selected for this proposed designation were chosen due to high number of private rented properties and high numbers of HMOs with higher than average and higher than should be expected levels of anti-social behaviour considering the sizes

of the areas under consideration. Many of these are older converted properties as described above.

Furthermore, we have also looked at historic complaints to the private sector team at the Council and it is clear from the graph below that Kursaal and Milton recorded the highest number of complaints for cat 1 hazards, with Chalkwell, Westborough and Victoria also showing a significant number of complaints from the general public.



The Council has undertaken research regarding tenure type in the areas of interest and found that the proportion of privately rented dwellings is significantly higher in the proposed areas than for the remainder of Southend.

With regard to the Milton and Chalkwell Ward Station Road area, 38% of dwellings are privately rented. In the Milton Ward Town Centre area, 56% are privately rented and in the Kursaal Ward area, 50% are privately rented.

Combined, the three areas alone have an average of approximately 45% of all dwellings being in the private rented sector. This is extremely high compared to the national average of 22% and the local average of 19%.

Despite all these issues, Kursaal, Milton, Victoria and Chalkwell are still a priority for improvement for Southend-on-Sea Borough Council. The areas are viewed as having considerable prospects for the future with determination from the community, public sector services and voluntary services to intervene and make a difference to the current negative perception of specific neighbourhoods of these wards.

It is essential that the community are engaged with this proposal and have the opportunity to make comment. This document sets out the detail behind the proposal and the reasons why making a designation will enhance the existing activity and

welcomes any views or comments. Details on how to make representation are at the end of this document and in Chapter 17

Following the 10-week consultation period, a final report will be submitted for a decision on whether to proceed with the designation. The consultation is an important part of the process and its results will contribute to which streets may eventually be confirmed under the designation.

Deprivation

The Index of Multiple Deprivation (IMD) is an official measure of deprivation in England, and an updated version was published by government in September 2019.

In determining whether an area is suffering from a high level of deprivation, the local authority may have regard to the following factors in relation to the area:

- the employment status of adults
- the average household income
- the household's health
- the availability and ease of access to education, training and other services for households
- housing conditions
- the physical environmental and
- levels of crime.

The Index of Multiple Deprivation ranks all LSOAs in England, with 1 being the lowest – or most deprived area. These are shown in the table below for the LSOAs in the wards, along with the average rank for all Southend on Sea LSOAs. Also showing is the decile (where the ranks are placed within 10% bandings based on their national rank) for the LSOA, and the average decile for Southend, again with 1 being the most deprived area nationally.

This legal test is set out in Article 6(1) of the Order. For an area to be designated under this article (subject to Article 3), the conditions are:

(a) that the area is suffering from a high level of deprivation, which affects a significant number of the occupiers of properties referred to in article 3(1)(a) and

(b) that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, contribute to a reduction in the level of deprivation in the area.

Where the local authority considers the area suffers from a high level of deprivation which is related to concentrations of private rented stock, it is recommended that the LA considers the following factors, compared to other similar neighbourhoods in the local authority or neighbouring authorities.

It would be important to identify worsening in rankings over five-year periods for IMD data. The data used for this designation is based on the most recent IMD figures which were published in 2019 and provides a good starting point in order to look at this in five years' time when the next set of data is published.

Every small area in England is ranked according to its deprivation score from Rank 1 (being the most deprived) to Rank 32,844 (being the least deprived). This is what forms the Index of Multiple Deprivation.

Thirty-eight separate indicators, organised across the seven distinct domains are combined, using appropriate weights, to calculate the Index of Multiple Deprivation (IMD). This is an overall measure of multiple deprivation experienced by people living in a certain area.

For the purposes of the IMD, England has been broken down into 32,482 relatively similar areas known as Lower layer Super Output Areas (LSOAs). Each LSOA relates to a geographical area in which around 1500 people reside. The IMD ranks every LSOA in England according to its relative level of deprivation, with ranking 1 being the most deprived and 32,482 being the least deprived.

In Southend, over a third (35%) of our residents live in the top 30% most deprived areas in England, and this is particularly high in the East Central Locality, which is in the town centre. This includes wards St. Luke's, Victoria, Milton and Kursaal.

We know that a large proportion of our children and working age residents live in the most deprived areas, compared to our residents aged 65+.

Deprivation is directly linked to life expectancy and the length of disability free life. This essentially means that those living in poorer areas do not only die sooner, but they will also spend more of their shorter lives with a disability.

The consequences of poverty, higher levels of harmful behaviour and lower levels of protective behaviours are seen more clearly in the distribution of illnesses and health status. When compared to those living in more affluent communities, populations living in areas of high deprivation statistically have:

- Higher levels of mental illness
- Increased likelihood of developing a long-term condition, particularly chronic respiratory conditions, cardiovascular diseases and arthritis
- A higher prevalence of unhealthy lifestyle behaviours such as obesity, physical activity and smoking

The research conducted by Arc4 concluded that wards of Kursaal, Victoria and Milton were among the least deprived in the borough and with this there are significant negative consequences experienced by the residents in these wards.

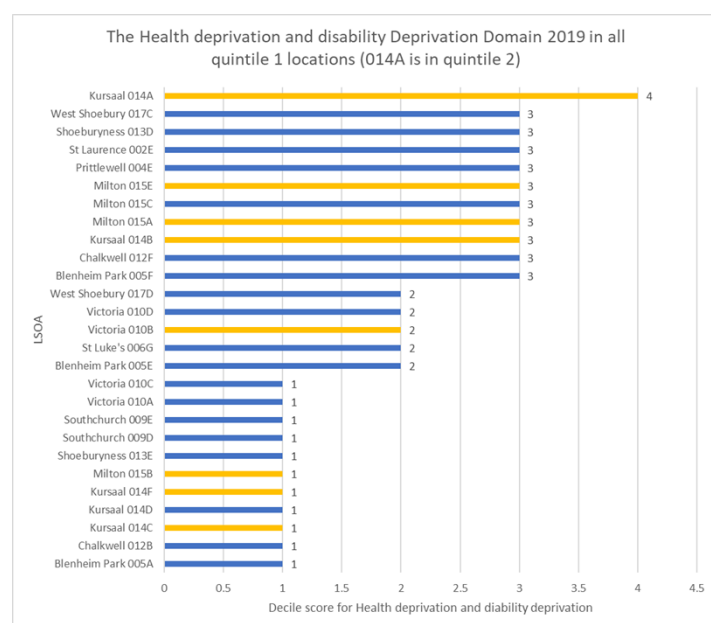
The impact of high deprivation to children can include: higher risks of infant mortality, higher risk of acute illnesses requiring hospital admissions, may be more likely to experience emotional and behavioural problems, less likely to maintain a healthy weight, more likely to experience problems with oral health and are more likely to achieve lower levels of educational attainment.

In addition, young people growing up in areas of high deprivation are more likely to conceive and become teenage parents, more likely to enter the youth justice system, more likely to start smoking at young age, are at a higher risk of becoming NEET (Not in Education, Employment or Training) and may experience lower earnings and poorer qualifications in adulthood.

The following charts look at the 7 domains of deprivation and illustrates how the eight LSOAs under proposal are ranked in each domain

i. The Health and Disability deprivation domain

The Health Deprivation and Disability Domain is expressed as a decile where 1 is the bottom 10% and 10 is the top 10%



This graph shows the decile score for quintile 1 LSOAs for Health Deprivation and Disability Deprivation Domain. 7 of the 8 proposed LSOAs for licensing are in quintile 1.

Source Ministry of Housing, Communities and Local Government, The English Indices of Deprivation 2019, London: MHCLG 2019.

Health & Wellbeing

In summary the health of people in Southend-on-Sea is varied compared with the England average.

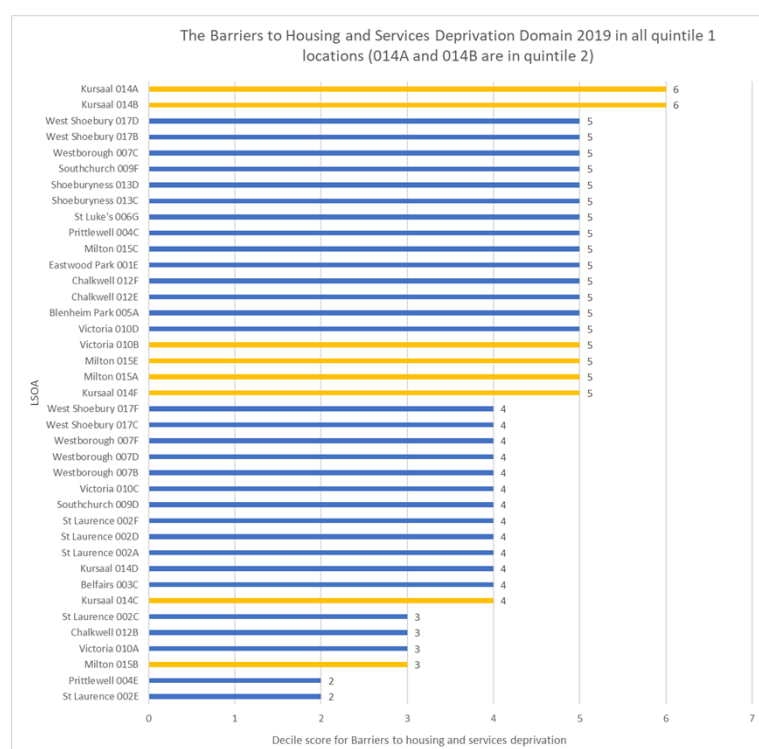
Approximately 6,365 children live in low-income families, this equates to 19.1%.

- Life expectancy for both men and women is lower than the England average

- Life expectancy is 11.5 years lower for men and 10.3 years lower for women in the most deprived areas of Southend-on-Sea than in the least deprived areas
- In child health, levels of teenage pregnancy are worse than the England average
- In adult health, the rate of alcohol-related harm hospital admissions is approximately 595 per 100,000 population, which is lower than the average for England
- The rates of homelessness and employment are better than the England average
- The rate of under 75's mortality rate from cancer is worse than the England average
- In child health, the under 18 teenage conception rate is above the England average

ii. Barriers to Housing and Services

This domain measures the physical and financial accessibility of housing and local services. The indicators fall into two sub domains; that is, 'geographical barriers' which relate to the physical proximity to local services and 'wider barriers' which includes issues relating to access to housing such as affordability and homelessness.



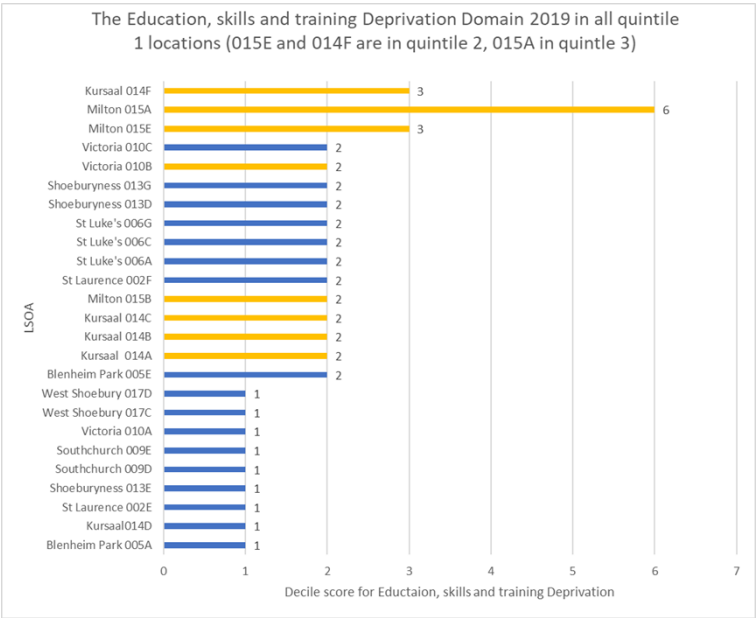
This graph shows the decile score for quintile 1 LSOAs for the Barriers to Housing and Services Deprivation Domain. 6 of the 8 (in yellow) proposed LSOAs for licensing are in quintile 1.

Source Ministry of Housing, Communities and Local Government, The English Indices of Deprivation 2019, London: MHCLG 2019.

The above domain represents physical and financial accessibility of housing and local services, representing deciles 1 & 2 being in the bottom 10% for England.

iii. Education, Skills and training deprivation domain

The Education, Skills and Training Deprivation Domain is expressed as a decile where 1 is the bottom 10% and 10 is the top 10%.



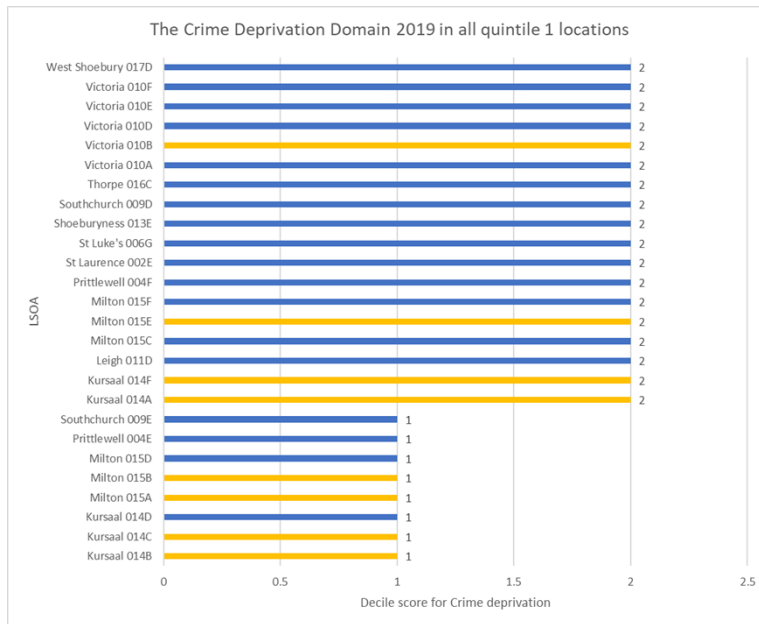
This graph shows the decile score for quintile 1 LSOAs for Education, Skills and Training Deprivation domain. 5 of the 8 proposed LSOAs for licensing are in quintile 1. These include; 014A, 014B, 014C, 015B and 010B.

Source Ministry of Housing, Communities and Local Government, The English Indices of Deprivation 2019, London: MHCLG 2019.

This domain measures the lack of attainment and skills in the local population. The indicators fall into two sub domains: one relating to children and young people which measures the attainment of qualifications and associated measures while the other relates to adult skills measuring the lack of qualifications in the resident working age adult population.

iv. Crime Deprivation Domain

The Crime Domain measures the risk of personal and material victimisation at local level. It is expressed as a decile where 1 is the bottom 10% and 10 is the top 10%. All 8 of the proposed LSOAs are among the worst performing in this domain.

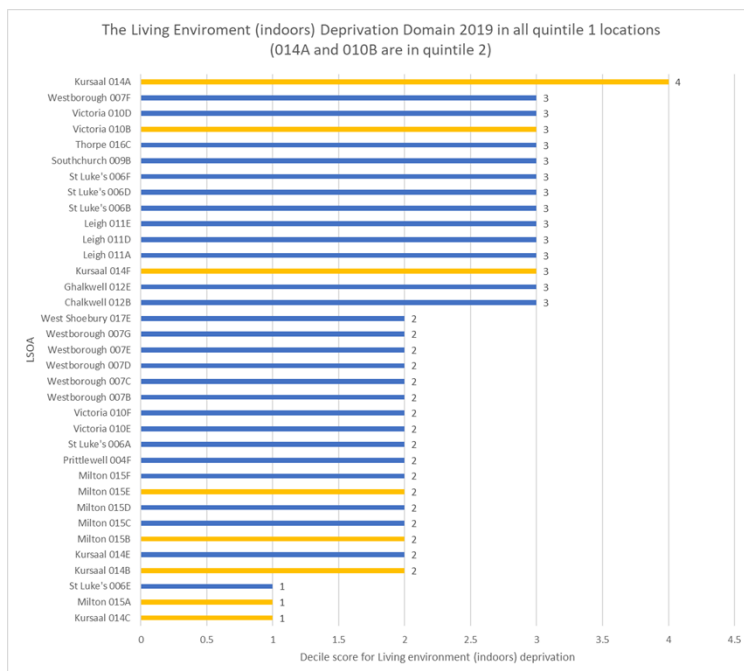


This graph shows the decile score for quintile 1 LSOAs for Crime Deprivation Domain. All 8 of the proposed LSOAs for licensing are in quintile 1.

Source Ministry of Housing, Communities and Local Government, The English Indices of Deprivation 2019, London: MHCLG 2019.

v. Living Environment Deprivation Domain

This domain measures the quality of the local environment. The indicators fall into two sub domains; the 'indoors living environment' measures the quality of housing while the 'outdoors' living environment contains measures of air quality and road traffic accidents.

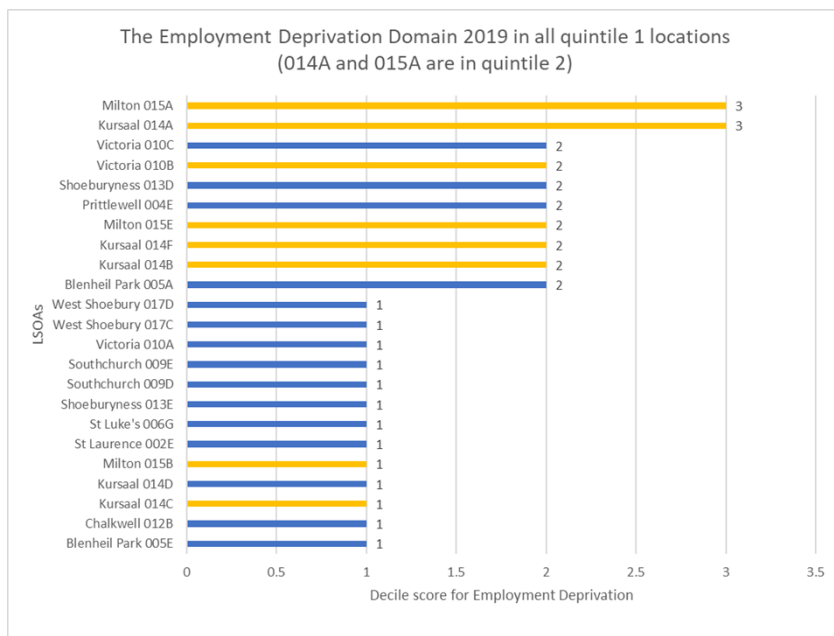


This graph shows the decile score for quintile 1 LSOAs for Living Environment (indoors) Deprivation Domain. 6 of the 8 proposed LSOAs for licensing are in quintile 1.

Source Ministry of Housing, Communities and Local Government, The English Indices of Deprivation 2019, London: MHCLG 2019.

vi. Employment deprivation domain

The Employment Deprivation Domain is expressed as a decile where 1 is the bottom 10% and 10 is the top 10%.

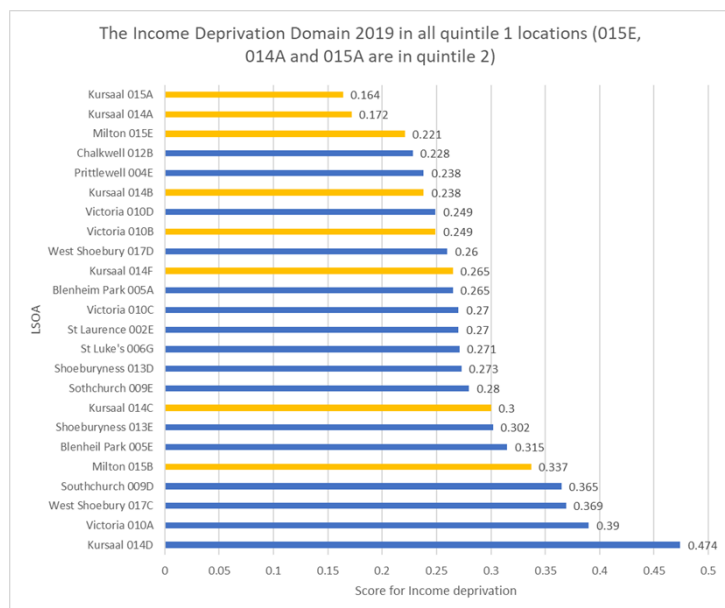


This graph shows the decile score for quintile 1 LSOAs for Employment Deprivation Domain. 6 of the 8 proposed LSOAs for licensing are in quintile 1.

Source Ministry of Housing, Communities and Local Government, The English Indices of Deprivation 2019, London: MHCLG 2019.

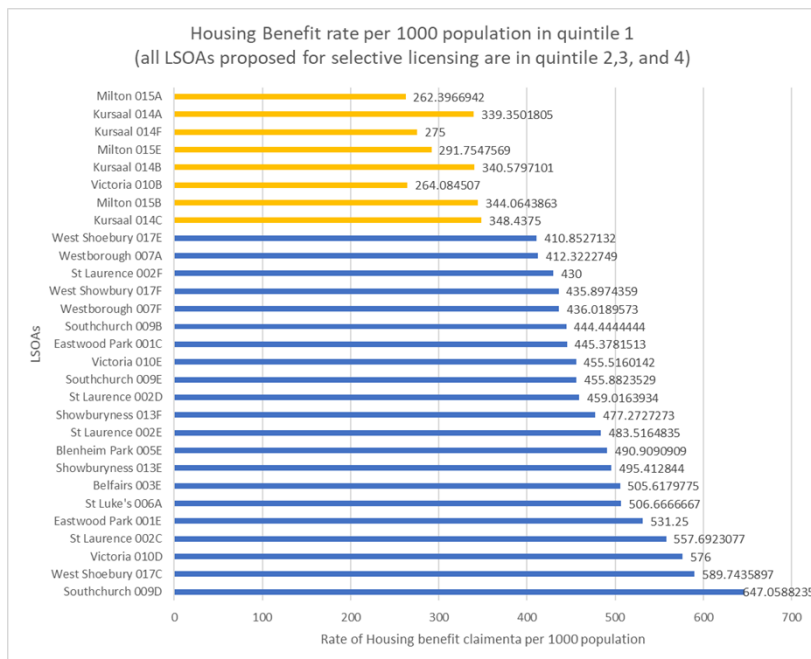
vii. Income Deprivation Domain

The Income Deprivation Domain is expressed as a score which reflects the proportion of the population experiencing deprivation relating to low income



This graph shows the score for income deprivation for quintile 1 LSOAs. 5 of the 8 proposed LSOAs for licensing are in quintile 1.

Source Ministry of Housing, Communities and Local Government, The English Indices of Deprivation 2019, London: MHCLG 2019

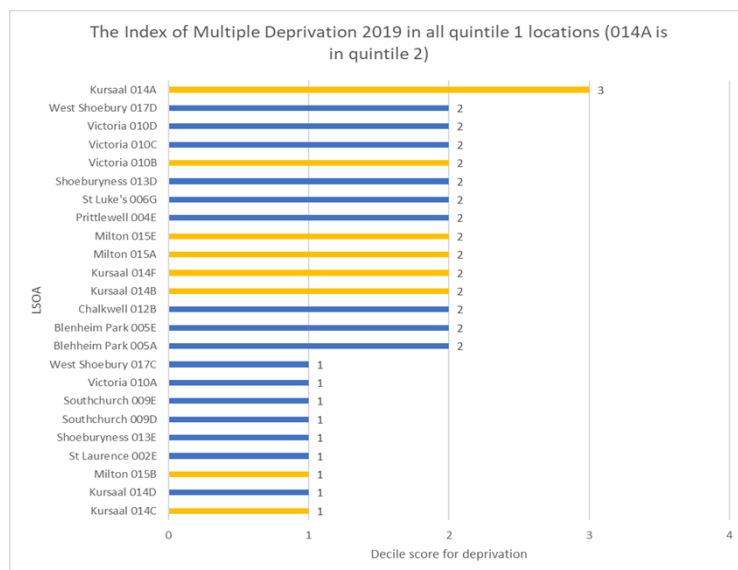


This graph shows the number of households that are claiming housing benefits per 1000 population in quintile 1. All of the proposed LSOAs for licensing (in yellow) are in either quintile 2,3, or 4. It is likely that those that have the highest rates are focused on where social housing is located.

Source DWP, Stat-X-plore 2019, Census 2011 Table KS402EW Tenure

Overall IMD 2019

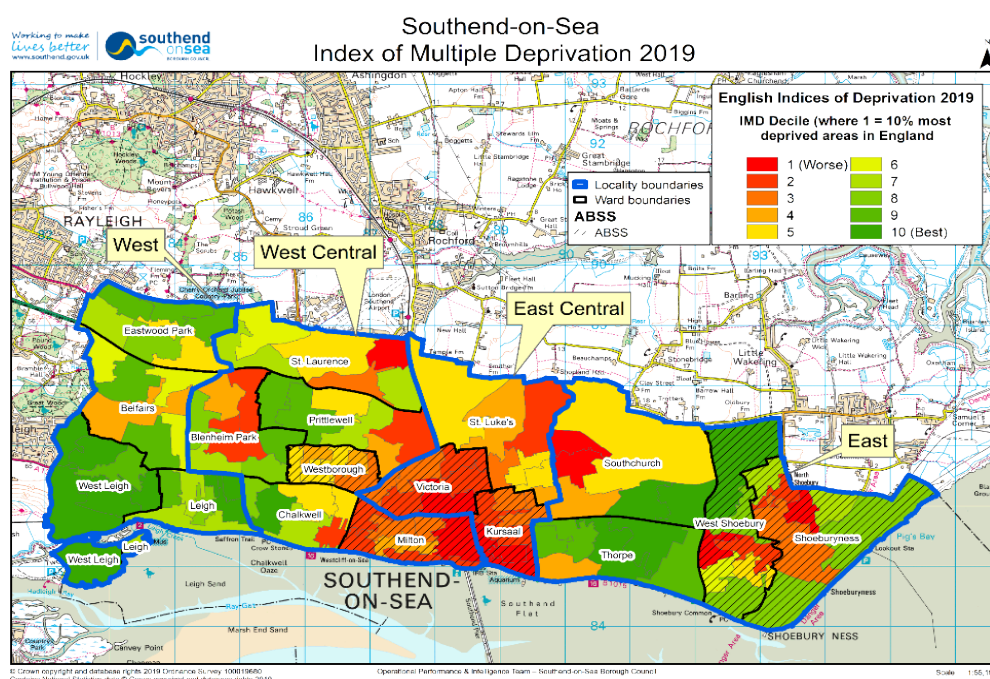
Overall indices of multiple deprivation expressed as a decile where 1 is the bottom 10% and 10 is the top 10%.



This graph shows the decile score for quintile 1 LSOAs for Multiple deprivation. 7 of the 8 proposed neighbourhoods (LSOAs) for licensing are in quintile 1.

Source Ministry of Housing, Communities and Local Government, The English Indices of Deprivation 2019, London: MHCLG 2019.

The LSOAs with the highest levels of deprivation are widespread across Milton, Victoria and Kursaal and in specific locations in St Laurence, St Lukes, West Shoebury, Shoeburyneess, Southchurch, Chalkwell, Westborough, and Blenheim Park as shown in the map below. The most deprived areas include the neighbourhoods being proposed under the scheme. IMD is made available for smaller areas than wards to identify pockets of deprivation



The following table identifies the LSOAs with the lowest decile for the overall indices of multiple deprivation compared with the levels of PRS in each LSOA (this is illustrated by the quintile that each LSOA falls into, where 1 is the highest levels of PRS). The measure is expressed as a decile where 1 is the bottom 10% and 10 is the top 10%.

Table 6.1 Lowest decile for the overall indices of multiple deprivation				
LSOA	Ward	Score for Q1 LSOAs	Rank	Level of PRS in the LSOA
E05002216	Kursaal	1	1	1
E05002216	Kursaal	1	1	3
E05002218	Milton	1	1	1
E05002220	St Laurence	1	1	3
E05002222	Shoeburyneess	1	1	3
E05002223	Southchurch	1	1	4
E05002223	Southchurch	1	1	4
E05002225	Victoria	1	1	2
E05002228	West Shoebury	1	1	5
E05002213	Blenheim	2	10	4

	Park			
E05002213	Blenheim Park	2	10	4
E05002214	Chalkwell	2	10	1
E05002216	Kursaal	2	10	1
E05002216	Kursaal	2	10	1
E05002218	Milton	2	10	1
E05002218	Milton	2	10	1
E05002219	Prittlewell	2	10	3
E05002221	St. Luke's	2	10	3
E05002222	Shoeburyness	2	10	3
E05002225	Victoria	2	10	1
E05002225	Victoria	2	10	3
E05002225	Victoria	2	10	2
E05002228	West Shoebury	2	10	3

It can be clearly demonstrated at ward and LSOA level that the proposed areas are suffering from very high levels of deprivation. This is coupled with a high proportion of privately rented properties.

Map 8.4 (appendix 1) illustrates the overall quintile score for each LSOA under the deprivation designation.

For the proposal, we have selected eight neighbourhoods¹ with the largest proportion of households in private rented accommodation. These neighbourhoods also suffer higher levels of deprivation and crime compared with the rest of Southend and the wider region.

The following table ranks these eight neighbourhoods on a common deprivation measure, the IMD score². This is the Government's standard measurement of deprivation and inequality and assesses conditions in each area according to a weighted selection of seven measures, including disadvantage in income, employment, health, housing and crime. The more deprived an area, the higher the IMD score.

Table A

Neighbourhood (LSOA) ¹	IMD	IMD rank Southend (of 107 LSOAs)	IMD rank local area (Southend/Castle Point/Rochford) (of 217 LSOAs)	IMD rank East of England ³ (of 3614 LSOAs)
Milton (015B)	60.79	2	2	19
Kursaal (014C)	56.34	5	5	33
Kursaal (014F)	40.85	13	15	184
Kursaal (014B)	40.71	14	16	186
Victoria (010B)	37.58	19	23	248
Milton (015A)	34.79	22	27	319

Milton (015E)	34.01	23	28	338
Kursaal (014A)	28.75	29	35	525

Table A shows that the LSOA of Milton (015B), for example, is the second most-deprived neighbourhood out of 107 neighbourhoods in Southend. It is also second most-deprived in the wider area comprising 217 neighbourhoods in Southend, Castle Point and Rochford, and ranked 19th of 3614 in the East of England³ region.

Table B below ranks these eight neighbourhoods on a common crime measure. the Crime Domain measures the risk of personal and material victimisation and is made up of several indicators based on the recorded numbers of violent crimes, burglaries, thefts and criminal damage.

Table B

Neighbourhood (LSOA) ¹	Crime ⁴	Crime rank Southend (of 107 LSOAs)	Crime rank local area (Southend/Castle Point/Rochford) (of 217 LSOAs)	Crime rank East of England ³ (of 3614 LSOAs)
Milton (015A)	2.08	1	1	4
Kursaal (014C)	1.9	2	2	9
Milton (015B)	1.74	3	3	23
Kursaal (014B)	1.52	5	5	47
Kursaal (014F)	0.93	13	14	245
Milton (015E)	0.92	14	15	251
Kursaal (014A)	0.87	17	19	285
Victoria (010B)	0.81	24	26	338

The above table shows that Milton (015A), which is a different LSOA from the one in the previous table, has the highest level of crime deprivation in both the 107 Southend neighbourhoods and the 217 neighbourhoods in the wider local area.

Footnotes

1. We have used the Lower Layer Super Output Areas (LSOA) defined for the Census. LSOAs have a similar population size, averaging 1500 people or 650 households. Rural LSOAs will cover a larger area than those in urban areas.
2. IMD score: Index of Multiple Deprivation, Ministry of Housing, Communities & Local Government, English Indices of Deprivation (2019). The more deprived an area, the higher the IMD score.
3. East of England comprises all local authority areas in the traditional counties of Essex (including Southend-on-Sea and Thurrock), Suffolk, Norfolk, Hertfordshire, Bedfordshire and Cambridgeshire.
4. IMD Crime score: Average deprivation score from the crime domain, Index of Multiple Deprivation, Ministry of Housing, Communities & Local Government, English Indices of Deprivation (2019). The higher recorded crime is in an area, the higher the crime score.

How will licensing help?

Licensing can make a direct and tangible difference to deprivation factors driven by high crime and poor housing. Conditions of a licence will also ensure properties are managed properly and can contribute to an improvement in the well-being of occupants and the wider community, including improving the health of households.

Overall Ranking

The evidence presented above shows the position within the proposed LSOAs in Milton, Kursaal, Victoria and Chalkwell. To designate the proposed Selective Licensing scheme, this report has focused on the 8 LSOAs within these wards.

In designating an area within a Selective Licensing scheme certain conditions must be met:

- Any area must contain more than the national average of private rented housing if designating on the grounds of anti-social behaviour, property conditions, deprivation or crime. The English Housing Survey 2016-17 (Ministry of Housing, Communities and Local Government, Jan 2018) shows 20% of all households are private rented.
- Local authorities can designate a Selective Licensing scheme without seeking confirmation from the Secretary of State providing the scheme covers no more than 20% of its geographical area or would not affect more than 20% of privately rented homes in the local authority area.

Each of the LSOAs have been ranked from 1 to 10 on each of the relevant indicators. Those ranked 1 are the worst on each indicator, while those ranked 10 are the best relative to the other LSOAs; ties are ranked at the lowest number.

Based on all the evidence combined, 8 LSOAs stand out and these are the ones being proposed on for selective licensing. All the proposed LSOAs for the scheme fall in the within the wards of Kursaal, Milton, & Victoria.

As well as scoring the worst rank overall, all 8 of these LSOAs scored the worst rank in more indicators than any others which is why they were selected to be included in the scheme. All the proposed LSOAs have considerably more concentrations of the private rented housing. Together, they make up 19.7% of the total PRS stock, therefore under the 20% limit before needing the Secretary of State's confirmation. These 8 LSOAs combined make up just a small fraction of the surface area of Southend on Sea, so well under the 20% threshold.

There were further poor ranking LSOAs within the three wards including Chalkwell. However, even adding just one of these LSOAs would push the Selective Licensing scheme over the 20% threshold of PRS housing, therefore demanding confirmation

from the Secretary of State. Should the scheme be successful, any extension of the scheme in future would require approval from the SoS.

Therefore, on the basis of all the collated and analysed evidence presented, we recommend that the most appropriate course of action is to designate a Selective Licensing scheme, which covers the eight identified LSOAs within the wards of Milton, Kursaal, Victoria and a few roads in Chalkwell. This should bring the greatest benefits for these most challenged communities, and to the whole borough, without the delays and cost to the tax payer that an application to the Secretary of State would involve.

Conclusion

In conclusion, there are correlations between the LSOAs with above average private rented sector levels and indicators that measure, high levels of crime, anti-social behaviour, crime property conditions and deprivation. The locations where the overall score is in quintile 1 and correlating with high concentrations of the private sector are potential locations to consider for inclusion in the scheme for licensing.

A list of proposed streets to include in the licensing scheme has been compiled and it is within the 20% threshold therefore there will be no need to apply to the Secretary of State (SoS) for this scheme but any future expansion to the scheme will require approval from the SoS.

Following additional analysis, the worst affected locations were identified to be considered as appropriate for inclusion in the proposal Selective Licensing alongside a wider evidence base and complementary activities of the Council.

The evidence in this report demonstrates that the legislative criteria have been met to implement the proposed Selective Licensing scheme. The introduction of the scheme will help to secure the future of the PRS as being a key element of housing choice in Southend. The scheme would introduce minimum standards for all landlords to meet before letting a property within the designated area. This will therefore mean that where a landlord/property fails to meet licenced standards, strong and appropriate action will be taken to resolve issues in a timely manner. Overall, the housing market in the areas will improve and, more importantly through the licencing, the reputation of the PRS will also increase. As a result of this more people will trust in the quality of these properties and have faith in proper enforcement where appropriate.

It is intended that Selective Licensing will also:

- Establish clear minimum management and property standards
- Make Landlords and Agents more accountable
- Improve communication with landlords/agents
- Make it easier to identify poor properties and their landlords
- Empower tenants to act where landlord/agents are failing to meet the required standards

- Reduce levels of complaints which draw on Council services
- Reduce ASB and crime by ensuring that landlords are taking greater responsibility how they manage their properties, including the behaviour of their tenants
- Raise the standard of tenants' behaviour as unacceptable behaviour is dealt with consistently and appropriately.

19. Legal Framework

This section of the report summarises the legal requirements necessary for the introduction of Selective Licensing in an area.

Part 3 of the Housing Act 2004 (the Act) sets out the scheme for licensing private rented properties in a local housing authority area. Under section 80 of the Act a local housing authority can designate the whole or any part of its area as subject to selective licensing, subject to two prerequisites. Firstly, s80(9) requires the housing authority to have taken reasonable steps to consult persons likely to be affected by the designation and to consider any representations made in response. Secondly, s80(2) requires that the proposed licensing scheme must satisfy one or more of a number of specified statutory conditions, set out in ss80(3) (a) and (b) and (6) of the Act:

a) That the area is, or is likely to become, an “area of low housing demand”; and that the proposed designation will contribute to the improvement of the social or economic conditions in the area when combined with other measures taken in the area by, or in cooperation with, the local authority

b) That the area is experiencing a “significant and persistent problem” caused by anti-social behaviour (‘ASB’); that some or all of the private sector landlords letting premises in the area have failed to take action which it would be appropriate for them to take to combat the problem; and that the proposed designation will, when combined with other measures, lead to a reduction in or elimination of the problem.

In March 2015, the Government extended the conditions for designation of Selective Licensing in England. The Selective Licensing of Houses (Additional Conditions) (England) Order 2015/977 came into force on 27 March 2015, and permits licensing where:

The area contains a high proportion of properties in the private rented sector (PRS), being properties which are occupied under assured tenancies or licences to occupy, and one or more of specified further conditions also apply:

- Deprivation: the area is “suffering from a high level of deprivation, which affects a significant number of the occupiers of [the] properties” and the designation will contribute to a reduction in deprivation
- Housing conditions: the local housing authorities considers it appropriate and intends to carry out inspections of a significant number of properties to determine the existence of category 1 and 2 hazards, with a view to taking any necessary enforcement action
- Crime levels: the area “suffers from high levels of crime”; criminal activity affects persons occupying the properties; and the designation will contribute to a reduction in crime levels “for the benefit of those living in the area”.
- Migration: the area has “recently experienced or is experiencing an influx of migration into it”; a significant number of properties are occupied by those migrants; and the designation will assist the local housing authority to preserve or improve conditions in the area, ensure properties are properly managed, or prevent overcrowding

In addition, in making a Selective Licensing designation, the local authority must, under section 81 of the 2004 Act:

- a) Ensure that it exercises its power to designate consistently with the Council’s overall housing strategy; and
- b) Seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour, both as regarding (i) combining Part 3 licensing with other available courses of action and (ii) combining Part 3 licensing with measures taken by other persons.

Furthermore, the authority must not make a particular designation under section 80 unless:

- (a) it has considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of achieving the objective or objectives that the designation would be intended to achieve and
- (b) it considers that in making the designation it will significantly assist in achieving the objective or objectives (whether or not other course of action are also taken).

Amended General Approval – April 2015

The Secretary of State has power to give general approvals for Selective Licensing designations, meaning that any licensing scheme compliant with the statutory tests would come into force subject only to compliance with any further conditions specified

in the approval. The first General Approval was issued in March 2010 and required only that consultation on Selective Licensing take place for a minimum of ten weeks.

On 1 April 2015 an amended General Approval was issued. The Secretary of State's consent is now required for implementation of any Selective Licensing scheme which covers more than 20% of a local housing authority's geographical area, or more than 20% of the private rented sector homes in the district area.

It should be noted that Southend Borough Council's Selective Licensing proposal does not cover more than 20% of our geographical area, nor does it cover than 20% of the private rented sector homes in the borough.

Where a Selective Licensing designation is made it applies to privately rented properties in the area. Subject to certain exemptions (which are detailed in Chapter 3 of report), all properties in the private rented sector which are let or occupied under a tenancy or licence, are required to be licenced by the local housing authority, unless a property is a House in Multiple Occupation and is required to be licenced under Part 2 of the Act.

Owners of rented properties will be required to make an application to the Council for a licence and will need to nominate either the manager or the owner to be the licence holder. Landlords will require a licence for each individual property they rent out within the designated area.

This report provides a strong evidence base that a scheme for Selective Licensing can be introduced in the areas under consideration and how it would contribute to the Council's overall strategic priorities documented in key Council policies and strategies including the Housing, Homelessness and Rough Sleepers Strategy 2018-2028 (as detailed earlier on in this document).

Licence Conditions:

Each licence is valid for up to 5 years and will contain a number of conditions with which the licence holder will be required to comply. The conditions will include issues relating to tenancy management (including tenant referencing), ensuring properties are safe and dealing with anti-social behaviour. The Council's draft Selective Licensing Conditions are detailed in Appendix C.

Fit and Proper Person:

In addition to ensuring compliance with the licence conditions, the Council will need to determine that the proposed licence holder as a 'fit and proper' person in terms of their suitability to manage their property/properties before issuing a licence. The Council will use the relevant legislation in undertaking this assessment. Further information on this is contained in appendix B.

Selective Licensing fees:

Costs associated with the administration of a Selective Licensing scheme are recouped via fees charged to the landlord. Details of the Council's proposed Selective Licensing fee structure are detailed in Chapter 14.

Selective Licensing enforcement:

Failure to apply / obtain a licence when a property is let could result in unlimited fine if convicted or a Civil Penalty up to £30,000. In addition, where a breach of a licence condition is identified this could lead to a fine of £5000 or a Civil Penalty for each breach.

In addition, local authorities and tenants can claim back from landlords up to 12 months benefit/rent paid during the period a property has not been licenced (Rent Repayment Order). Landlords who continually fail to licence a property can have control of their property taken away from them through a Management Order.

If approved, during the period of the designation, a programme of pro-active property inspections would be carried out and the Council would take action where breaches of conditions are found. These enforcement activities would not be met by the revenue from fees, they would be funded through the Council's investment into the Selective Licensing Team.

20. How Selective Licensing would fit in with other Strategies and activities of the Council

Whilst the data collected as discussed above in Chapter 18 gives strong evidence to support the implementation of a Selective Licensing Scheme in the areas under consideration, under Section 81 of the Act the Council is legally required to ensure that any potential scheme is consistent with the authority's overall housing strategy and complements existing projects and activities of the Local Authority and its partners.

Housing, Homelessness and Rough Sleepers Strategy 2018-2028

The vision of this Strategy is for:

"Southend to offer a wide range of housing opportunities which support our ambition for a strong community and attractive environment where people can live, learn, work and play."

Ensuring the provision of good quality housing in the private sector and ensuring the integrated blend of different tenures is a vital part of this.

A key objective of this Strategy is:

"Creating neighbourhoods where people want to live" and the following is how this can be achieved

Regeneration

The Council will listen to local people and understand what they need to live well and thrive in Southend-on-Sea. The Council is committed to housing being far more than bricks and mortar, and our investment and asks of the market will equally consider the infrastructure needed, such as places to learn, play and work where the community comes together. Regeneration and growth require high quality planning, management and resident engagement so that residents are supported and listened to throughout the regeneration/ growth process. In this strategy, the Council seeks to encourage, enable and empower successful neighbourhoods and strong, cohesive communities with collective responsibilities for the people and places we live. **The Local Plan** will unlock new sites for housing and, through our work with housing associations and developers, and through our own developments, will ensure that new homes contribute to the shaping and improving of local areas.

For example: **Better Queensway** seeks to create a new neighbourhood that will not only deliver a significant increase in the number of new homes during the lifetime of this strategy, but will also provide new green space, better infrastructure, local jobs and a healthy community to work, live and thrive in.

Empty homes

Under Section 81 of the Act a co-ordinated approach in connection with dealing with empty properties is required. The Empty Homes Strategy is part of the Council's wider strategic framework. The overall aim of this is to ensure that:

"Empty properties are managed quickly and efficiently helping to create sustainable, safe and pleasant communities leading to the provision of housing that meets the needs of local people."

The Council will also work to bring empty homes across the borough back into use and will seek to make some of these available as affordable housing by agreeing nominations rights on properties. An emphasis will be placed on properties empty 2 years plus.

The Council will take a proactive approach to empty properties, understanding the reasons behind individual empty homes so that we can work with owners, offering advice and guidance to help bring the properties back into use.

Empty properties have an increased risk of vandalism and crime and may require costly repair works to ensure the property meets the current Housing Standards.

Empty properties can also have a direct impact on adjoining properties through damp, structural issues, looking unsightly and may impact neighbouring house prices.

Abandoned or long-term empty properties can have an impact on the local community in terms of economic depreciation of adjacent properties.

They may cause additional pressures on the housing market, suppressing market 'churn' and resulting in additional pressures on social housing and private rented accommodation.

Bringing properties back into use in a timely and cost-effective manner will therefore have a positive impact on neighbourhoods, resident safety and increase the quality and volume of housing stock in the borough.

It is possible that the designation of a Selective Licensing Scheme could result in some properties being vacated before the formal designation is made once landlords are aware of the proposals. These properties could be put on the market for sale or left vacant pending the owner deciding on a course of action. In the current housing climate, there is the potential that such properties could remain unsold for some time.

The Council currently has a dedicated officer tasked with the role of bringing long-term vacant properties back into occupation. Any properties which become vacant as a result of the designation of the Selective Licensing Scheme will be entered on to the empty homes database and consideration given to the use of a variety of powers at its discretion to bring properties back into use.

Homelessness

The Council is committed to being accessible to people when all types of homelessness occur, responding quickly and with the most effective resources and approaches required to make sure that people are housed in the types of homes they need. This does not mean placing people in temporary accommodation for extended periods and we will always move swiftly to move people into sustainable longer-term solutions both through increasing the availability of affordable homes and by making sure people get the bespoke personal housing plans they need. Most of the Council's homeless duties would be best discharged into the private sector and improving standards within the sector will ensure that more homes are decent and fit for homeless discharge therefore reducing the pressure on the housing register.

The Council through its homelessness prevention duties provides housing options and advice and a Rent Deposit Scheme. These activities are intended to assist a household to remain in their current home, where appropriate, or provide options to enable a planned and timely move and help sustain independent living. Improving the property standards within the private sector would go a long way in improving the offers within the sector.

It is recognised that the designation of a Selective Licensing Scheme could result in some properties being taken out of the rental market by reluctant landlords leading to a potential increase in homeless households.

If households find themselves displaced as a result of the Selective Licensing designation, the aforementioned assistance would be made available to explore the range of options available to households facing homelessness. The Council commits itself to a service for all customers with less of a distinction in the level of service provided to persons in relation to their probable "priority need" status.

Partner agencies and powers to deal with Anti- social behaviour (ASB)

Under Section 81 of the Act a co-ordinated approach in connection with dealing with anti-social behaviour is required.

Tackling ASB is a core part of effective neighbourhood and tenancy management and the creation of sustainable communities. There are a range of powers available to the council, police and various partner agencies and groups as well as the Council's Community Safety team which deal with ASB through the Crime and Disorder Partnership.

The range of legislation means that the Council and the police have more powers than ever before to deal with ASB.

Alternative courses of action considered

Under Section 81 of the Housing Act 2004, the Council must consider whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of achieving the objectives that the designation of the Selective Licensing scheme is intending to achieve and must consider that making the designation will significantly assist the Council in achieving the objectives of the scheme.

The overall aim of the designation of a Selective Licensing Scheme is to reduce the levels of ASB, deprivation, crime, and poor property conditions associated with privately rented properties by improving the standards of management.

The Housing Act 2004 introduced additional discretionary powers for Local Authorities to deal with properties which are causing a problem of ASB, deprivation, crime and poor property conditions. Selective Licensing is only one of them and the other powers have all been considered to determine if they would be more appropriate to utilise in achieving the same objectives as described below.

Interim Management Orders (IMOs) and Special Interim Management Orders (SIMO) powers should be used in extreme cases where the landlord of any HMO (IMO) or privately rented dwelling (SIMO) fails to take action against anti-social behaviour caused by his tenants and there is a threat to the health, safety and welfare of tenants.

These orders have to be authorised by the Residential Property Tribunal and their effect is to transfer all management responsibilities and rent collection to the local authority for one year. If there is no improvement in the situation after one year, a Final Management Order can be put in place which lasts for five years.

This power is useful for rare cases of individual properties where it is clear that one or more occupiers are causing the ASB which is a serious problem in the area and the landlord is not taking the appropriate action to combat this problem.

This power has not been deemed to be suitable to deal with the ASB in the areas proposed for Selective Licensing as the ASB cannot be attributed to an individual property or select group.

Summary

A range of powers and tools are available to councils to deal with crime, ASB or nuisance caused by private tenants or their visitors. Landlords also may have the power to evict tenants if their behaviour is anti-social and it is occurring within the curtilage of the rented property.

Southend Council, its partners as well as various community groups have undertaken many initiatives which have all had a positive impact on the areas under consideration for Selective Licensing.

Critically, however, they have not improved the standard of management of privately rented properties, which may be at the heart of the crime, deprivation and anti-social behaviour. Although the Council and its partners reactively respond to complaints relating to ASB, crime and poor property conditions, a reactive response only deals with a small proportion of the problems leaving the remaining area largely unregulated.

Selective Licensing can be used as an additional tool which would go hand in hand with the above partnerships and would form part of the coordinated response to tackling ongoing issues in the designated areas. It is not intended that Selective Licensing would replace the work of any of the above groups but rather provide a complementary resource for the improvement of conditions and reduction of prevalent problems within the selected areas.

In order to ensure that the designation of the scheme compliments the work of other bodies, a multi-agency Selective Licensing Steering Group will have to be created. This should consist of members of all the relevant Council Departments and partner agencies including Community Safety team, Police and Essex County Fire and Rescue Service and any other identified service provider groups. The aim of this group is to steer the project, ensure that work is not duplicated, all factors and challenges have been considered and that there are no gaps in service delivery to ensure that the scheme is a success and the anticipated outcomes are achieved.

21. Potential risks of a Selective Licensing designation and how these could be prevented and/or managed

- There is the risk that making a designation could have a negative impact on the proposed areas. Both good and bad landlords could leave the area due to the licence fee and perceived increased obligations.
- There could be an increase in abandoned and vacant properties as landlords take them out of use. This has been considered and will be managed through the work of the Council as contained within the Empty Homes Strategy.
- There could be an increase in homelessness applications as persons are displaced by reluctant landlords. As detailed above this has been considered and will be managed through the work of the Council and its homelessness prevention functions and other initiatives.
- Speculative landlords could move their business elsewhere to an area where there are not the additional perceived burdens of a Selective Licensing designation. This cannot be controlled but as discussed above, the private rented market in Southend is buoyant and reluctant landlords are likely to be replaced by landlords willing to comply.
- There is a risk to the Council that landlords could challenge the designation and apply for a Judicial Review of the decision to make a designation. To avoid this risk, the Council has followed all available guidance in considering the designation of a Selective Licensing Scheme. Advice has been sought from several other authorities who have already implemented the scheme. A wide range of data has been gathered to support the proposals and the existence of a problem of ASB, crime, deprivation and poor property conditions. These have been analysed fully and a link shown between problem areas and high levels of privately rented properties. A link has also been shown between specific complaint cases and privately rented properties. A full consultation is to be undertaken and copies of all supporting documentation made available through the Council's web site.

Examples of best practice have been used from other Local Authorities. The lessons learned from a successful application for a Judicial Review of another Local Authority's designation have also informed our considerations. As part of the consultation process, landlords will be invited to become members of a Selective Licensing Project Group – this would enable them to be involved in the detailed planning of the scheme.

- There could be resistance from some landlords who view the designation as additional control by the Council over their business. This can be managed by ensuring that landlords are made fully aware of the likely benefits to the overall area that making the designation will bring- improved desirability, a settled community, increased property prices etc. In addition, the “added value” package of measures which the scheme will offer in terms of landlord training and support and other services to assist them in managing their properties should increase the support of the scheme. The cost of a licence spread over the five-year period of the licence is not unreasonable for the services which will be provided.
- There is a risk to neighbouring boroughs that displaced landlords and problem tenants moved to other areas.

22. Review of the Designation

Whilst the designation is intended to last for five years, Section 84 of the Act requires the Local Housing Authority to review the operation of the designation from time to time.

If following a review, it is considered appropriate to do so, the designation may be revoked.

This could occur if the findings of a review of the operation of the designation before the end of the five years found that the set objectives of reducing ASB, crime, deprivation and poor property conditions in the area, improving the management of the privately rented sector and the wider community of the area had been achieved.

Alternatively, if the designation is failing to tackle the issues it is meant to address, the Council may consider that the designation should be revised or revoked and alternative measures considered to address the issues.

The Government has recognised that Selective Licensing is a long-term strategy and it will not provide instant solutions, neither can it be successful as a single tool. If in the initial phases of the designation there has been little improvement in the area, this does not necessarily mean that the designation is a failure.

23. How do I make comments on this proposal?

For general enquiries about this consultation please contact:

Phone: (01702) 215000

Email: council@southend.gov.uk

To complete a survey, this can be done online or by downloading and printing a copy at: <https://yoursay.southend.gov.uk/selective-licensing-southend>

All surveys and comments should be completed online or returned to M·E·L Research and **not** to the Council's office.

Please note that the return address for the paper surveys is as stated below;

Freepost Plus RUBU–GJRK–GHBT
M E L Research Ltd
Somerset House
37 Temple Street
Birmingham
B2 5DP

GLOSSARY OF ACRONYMS AND ABBREVIATIONS

SoS – Secretary of State

ASB – Anti-Social Behaviour

MHCLG - Ministry of Housing, Communities & Local Government

PRS – Private Rented Sector

ONS - Office of National Statistics

Appendices

Appendix 1

All the maps of the proposed designations areas

Appendix 2

List of streets for inclusion

Every attempt has been made to ensure that this list is as comprehensive as possible; however, the proposed designation is based on the geographical area delineated by the blue line on the proposed designation map. The map overrides this list and is final and conclusive as to whether a property would or would not be subject to selective licensing should the designation be made.

Milton Ward

- | | | |
|---------------------|-----------------------|-----------------------|
| 1. Ashburnham Road | 21. Marine Parade | 41. Ceylon Road |
| 2. Gordon Road | 22. Lucy Road | 42. London Road |
| 3. Queens Road | 23. Sea way | 43. St. John Road |
| 4. Napier Road | 24. Herbert Grove | 44. Preston Road |
| 5. Elmer Avenue | 25. Church Road | 45. Cossington Road |
| 6. Gordon Place | 26. Pier Hill | 46. Retreat Road |
| 7. Elmer Approach | 27. Royal Terrace | 47. Hermitage Road |
| 8. High Street | 28. Royal Mews | 48. Seaforth Road |
| 9. Colchester Road | 29. Alexandra Street | 49. Palmeira Road |
| 10. Warrior Square | 30. Clarence Road | 50. Shorefield Road |
| 11. Tyrell Drive | 31. Weston Road | 51. Leonard Road |
| 12. Whitegate Road | 32. Nelson Street | 52. Clifton Drive |
| 13. Tyler's Avenue | 33. Clarence Street | 53. Ditton Court Road |
| 14. Hillcrest Road | 34. Nelson Street | |
| 15. Toledo Road | 35. Clarence Road | |
| 16. Baltic Avenue | 36. Cambridge Road | |
| 17. Grover street | 37. Scratton Road | |
| 18. Heygate Avenue | 38. Western Esplanade | |
| 19. Chancellor Road | 39. Clifton Parade | |
| 20. Hartington Road | 40. Hamlet Court Road | |

Kursaal

- | | |
|-----------------------|-----------------------|
| 1. Woodgrange Drive | 17. Honninton Road |
| 2. York Road | 18. Cheltenham Road |
| 3. Pleasant Road | 19. Park Lane |
| 4. Stanley Road | 20. Ambleside Drive |
| 5. Albert Road | 21. Riviera Drive |
| 6. Wesley Road | 22. Ilfracombe Avenue |
| 7. Hastings Road | 23. Lovelace Avenue |
| 8. Kilworth Road | 24. Surbiton Avenue |
| 9. Cromer Road | 25. Oakleigh Avenue |
| 10. Hilcrest Road | 26. Lovelace Garden |
| 11. Wimborne Road | 27. Glen Mews |
| 12. Boscombe Road | |
| 13. Lancaster Gardens | |
| 14. Windermere Road | |
| 15. Fowler Close | |
| 16. Chase Road | |

Victoria

- | | |
|-----------------------|----------------------|
| 1. Claremont Road | 21. Victoria Avenue |
| 2. Albion Road | 22. Kenway |
| 3. Windsor Road | 23. Balmoral Road |
| 4. Osborne Road | 24. Crowborough Road |
| 5. Hamlet Court Road | 25. Short Street |
| 6. Rayleigh Avenue | 26. Swayne Avenue |
| 7. Salisbury Avenue | |
| 8. Albany Avenue | |
| 9. Cliff Avenue | |
| 10. North Road | |
| 11. Brighton Avenue | |
| 12. London Road | |
| 13. Chelmsford Avenue | |
| 14. Boston Avenue | |
| 15. Colchester Avenue | |
| 16. Harcourt Avenue | |
| 17. Baxter Avenue | |
| 18. Carnarvon Road | |
| 19. Tunbridge Road | |
| 20. Short Street | |

Chalkwell

1. Station Road
2. Grosvenor Road
3. Cobham Road
4. Pembury Road
5. Palmerston Road
6. Manor Road