

# Civil Penalties Housing Consultation Analysis

## Summary

A total of 117 people accessed the campaign which ran for 6 weeks and closed on 14<sup>th</sup> January 2022 of that 36 were informed which indicates they had visited the project page and viewed the survey and documents, 5 responded online, no hardcopy responses either by email or letter have been received, 106 people were aware (clicked on the project page) but chose not to comment or look at the survey or supporting documents. The consultation included a survey with questions and a free text box for further comments requesting feedback on certain elements of the whole project.

The consultation was promoted across social media and was available on the Councils interactive consultation portal <https://yoursay.southend.gov.uk/> it was also made available in a hardcopy format if requested. It was also sent out to residents groups and landlord groups. A table was provided which will determine the level of penalty and justification required with a short survey that followed.

The overall consensus from those responding is that they strongly support and understand what the Council is trying to achieve and what is required to cover existing provisions within these areas.

The table below was provided which will determine the level of penalty and justification required with a short survey that followed.

Factors	Score = 1	Score = 5	Score = 10	Score = 15	Score = 20
<b>1. Deterrence and Prevention</b>	High confidence - that financial penalty will deter repeat offending. Informal publicity not required as a deterrence	Medium confidence that a financial penalty will deter repeat offending. Minor informal publicity required for mild deterrence in the landlord community	Low confidence that a low financial penalty will deter repeat offending (eg no contact from offender) Some informal publicity will be required to prevent similar offending in the landlord community	Little confidence that a low financial penalty will deter repeat offending. Likely informal publicity will be required to prevent similar offending in the landlord community	Very little confidence that a low financial penalty will deter repeat offending. Informal publicity will be required to prevent similar offending in the landlord community
<b>2. Removal of Financial Incentive</b>	No significant assets. No or very low financial profit made by offender	Little asset value. Little profit made by offender	Small portfolio landlord (between 2-3 properties). Low asset value. Low profit made by offender	Medium portfolio landlord (between 4-5 properties) or a small Managing Agent. Medium asset value. Medium	Large portfolio landlord (over 5 properties) or a medium to large Managing Agent. Large asset value. Large profit made by offender.
<b>3. Offence and History</b>	No previous enforcement history. Single	Minor previous enforcement Single offence	Recent second time offender. Offence has moderate	Multiple offender. Ongoing offences of moderate to	Serial offender. Multiple offences over recent

	low level offence.		severity or small but frequent impact(s)	large severity or a single instance of a very severe offence	times. Continuing serious offence
<b>4. Harm to Tenant(s) (Score is doubled on this section in line with Statutory guidance)</b>	Very little or no harm caused. No vulnerable occupants. Tenant provides no information on impact	Likely some low level harm / health risk(s) to occupant. No vulnerable occupants. Tenant provides poor quality information on impact	Likely moderate level health / harm risk(s) to occupants potentially exposed. Tenant provides some information on impact but with no primary or secondary evidence.	High level of health / harm risk(s) to occupant. Tenant(s) will be affected frequently or by occasional high impact occurrences. Vulnerable occupants more than likely exposed. Small house of multiple occupancy (HMO) (3-4 occupants), multiple occupants exposed. Tenant provides good information on impact with primary evidence (e.g. prescription drugs present, clear signs of poor health witnessed) but no secondary evidence	Obvious high level health / harm risk(s) and evidence that tenant(s) are badly and / or continually affected. Multiple vulnerable occupants exposed. Large HMO (5+ occupants), multiple occupants exposed. Tenant provides excellent information on impact with primary and secondary evidence provided (eg medical, social services reports).

### Full Breakdown of questions

1. Is there anything we have missed or should include?

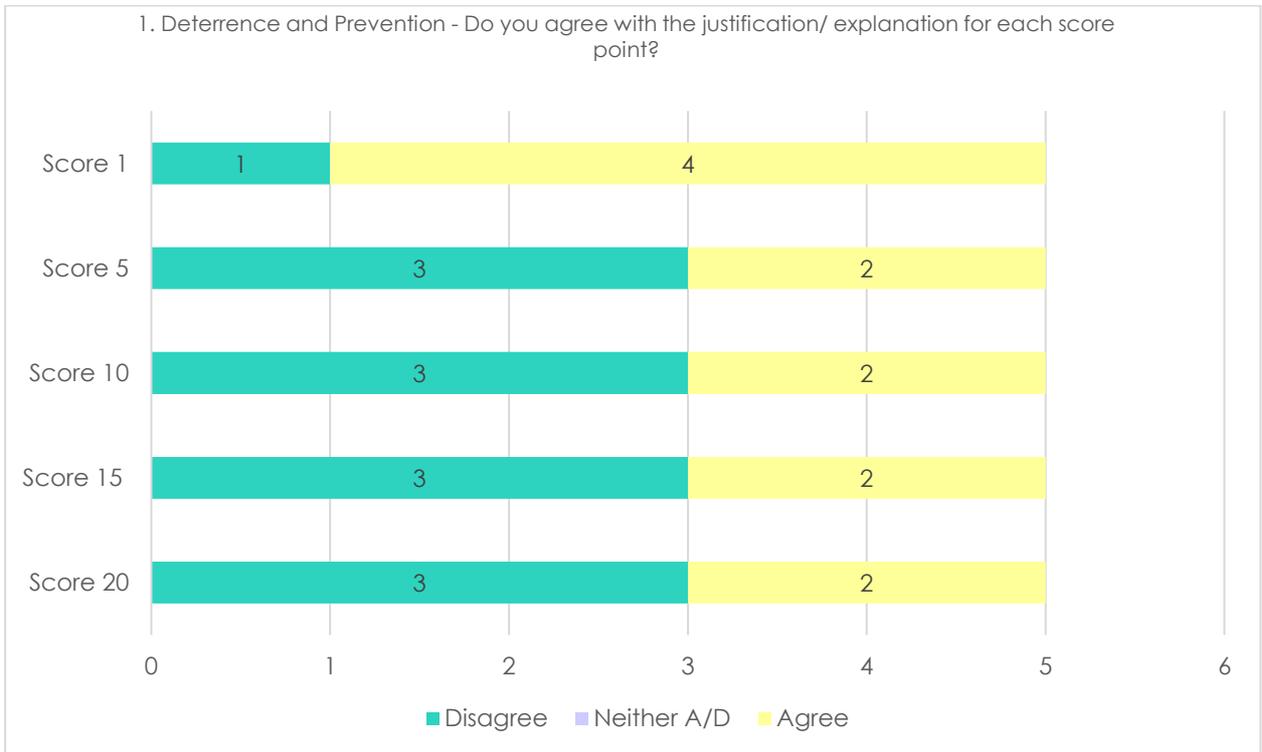
This was an open response question and we received two responses

Comment	
1	The impact of HMOs on the surrounding area . There are 4 or 5 in my road, the houses are clearly poorly maintained on the outside, the poor tenants are unable to maintain the gardens which look awful; they have nowhere to store rubbish, so dump it on the pavement any day; they have no food waste bins, so the foxes break open the bags and strew detritus over the pavement. When a new tenant moves in, the old mattress, sofa etc are dumped on the pavements. Landlords should help their paying customers!

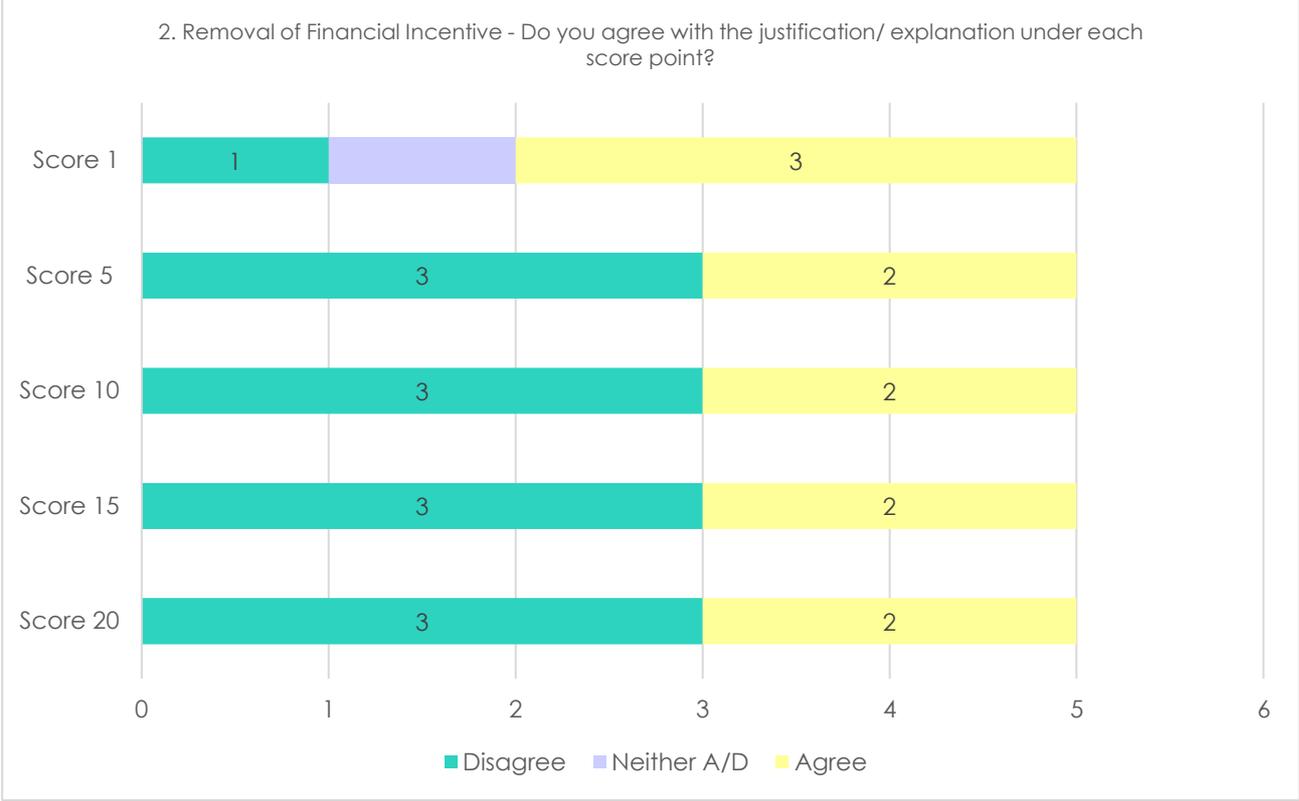
2 Failure to register for a licence should be considered as well as accuracy of information provided on registration as many either do not apply for a licence or register with a lower number. Failure to comply with HMO policy standards should be included- we need a robust HMO policy

2. 1. Deterrence and Prevention - Do you agree with the justification/ explanation for each score point? ( refer to table above)

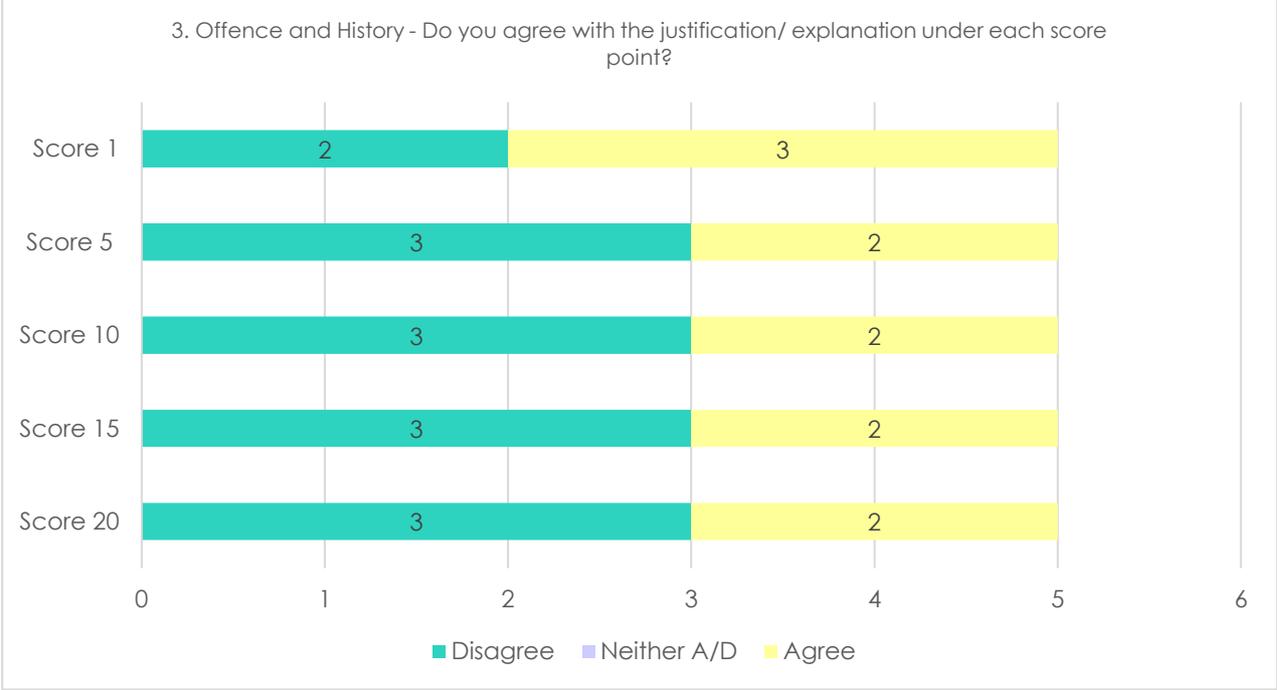
Single response questions for each of the four factors and of those responding they disagreed overall on the justification for Score 5 to Score 20, but they agreed with the justification for Score point 1.



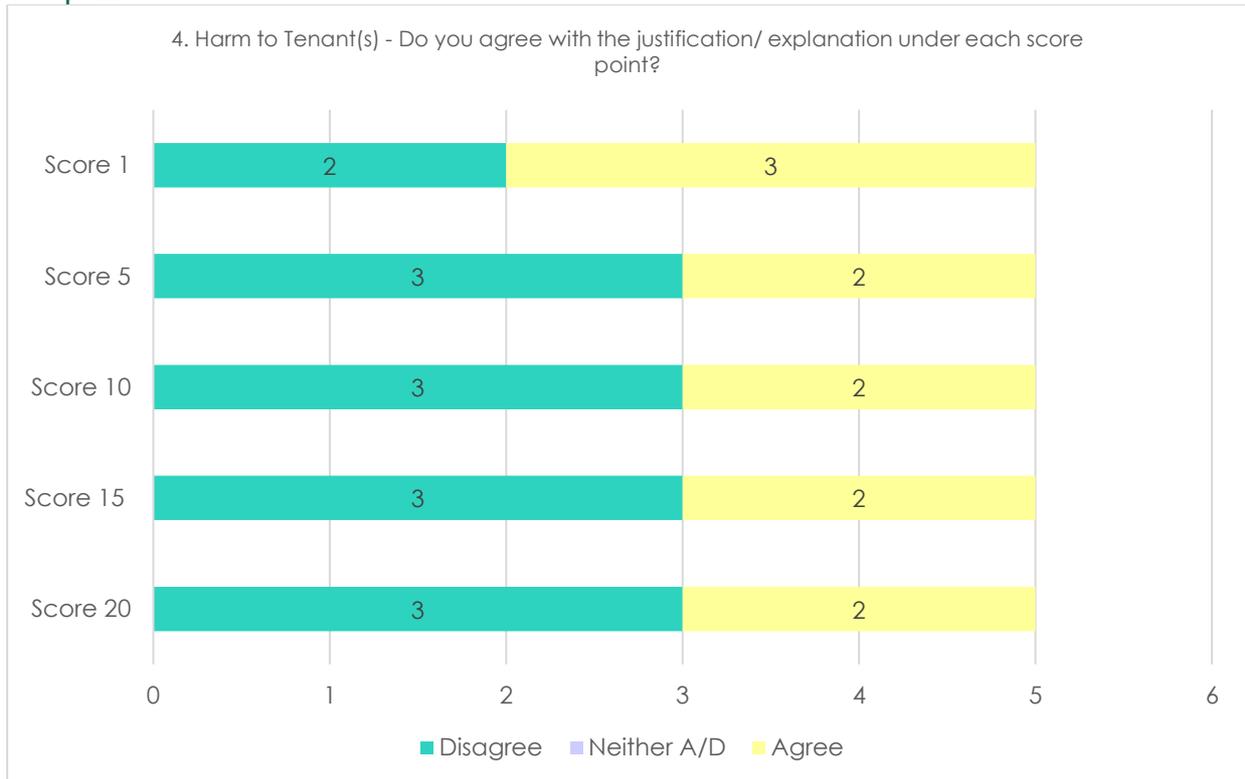
3. 2. Removal of Financial Incentive - Do you agree with the justification/ explanation under each score point? ( refer to table above)



4. 3. Offence and History - Do you agree with the justification/ explanation under each score point?



5. 4. Harm to Tenant(s) - Do you agree with the justification/ explanation under each score point?



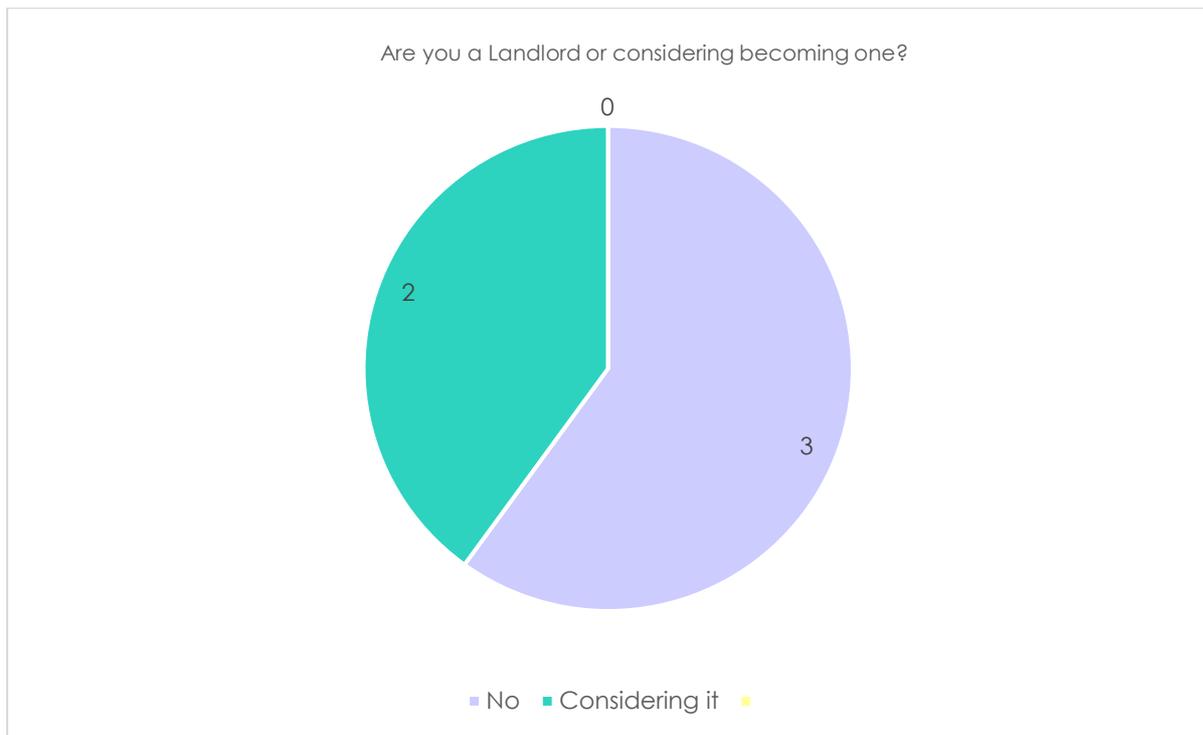
6. If you have disagreed - please explain why you disagree.

This was an open text response with only two providing clarification.

Comment	
1	Discrimination is not the answer, how are people supposed to go back into main stream society when you keep alienating them from it. Positive reinforcement has better results than negative.
2	Tenants may feel unable or unwilling to provide evidence as could result in homelessness. Should not rely on their testimony/evidence. should include neighbours and other residents and agencies

7. Are you a Landlord or considering becoming one?

This was a single response with 2 people identifying that they are considering becoming one.

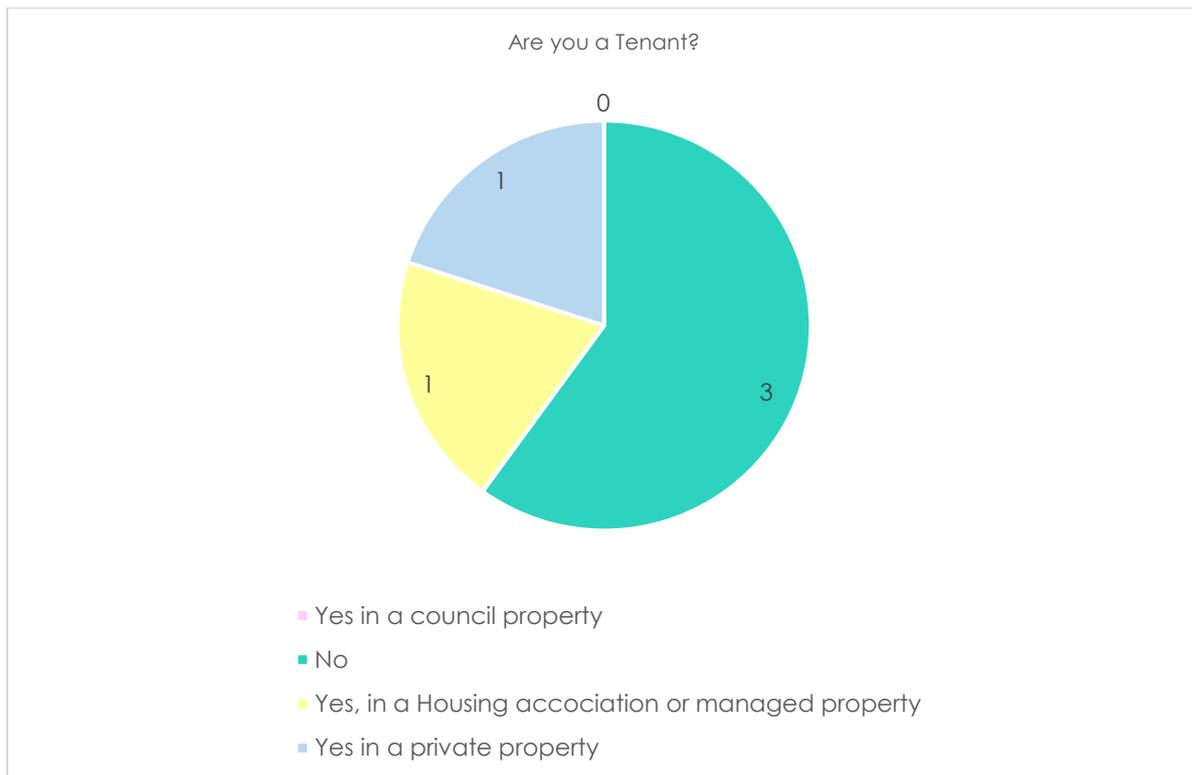


8. What is your interest if not a landlord?

This was an open response question with 3 respondents completing the question.

Comment	
1	I live in a road with 4 or 5 HMOs and many privately rented properties as well as several which are leased by the council as emergency accommodation. You can see which houses are rented. Please introduce the landlord registration scheme to Kursaal Ward as soon as possible? Please urge / cajole / force landlords and housing associations to look after their properties and their poor tenants. Everyone deserves a decent home and those of us who have worked for 50 years to buy a one-bedroom flat should not have their street degraded by unscrupulous landlords who live elsewhere funded by the housing benefits of the poor.
2	Tenant
3	Councillor

9. Are you a Tenant?



10. If you are not a tenant what is your interest?

This was an open response question with 3 respondents identifying their interest in the survey.

Comment	
1	Ensuring tenants have high quality housing i.e. not HMOs that the council havr allowed to propagate in many neighbourhoods e.g. Kuursal. They're a blight in neighbourhoods, attracting ASB and have detrimental effect on community cohesion.
2	The flat upstairs and my neighbouring properties are all rented.
3	Councillor

11. What is your postcode

SS1, SS2, SS3 and SS9 were the postcode areas identified by the respondants.