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NORTH LINCOLNSHIRE COUNCIL

PLACE SCRUTINY PANEL

20 September 2023

Chair:	Councillor Judy Kennedy	Venue:	Room G01e, Church Square House, Scunthorpe
Time:	4.00 pm	E-Mail Address:	Matthew.nundy@northlincs.gov.uk

AGENDA

1. Substitutions
2. Declarations of disclosable pecuniary interests and personal or personal and prejudicial interests and declarations of whipping arrangements (if any).
3. To take the minutes of the meeting of the panel held on 12 July 2023 and 19 July 2023 as a correct record and authorise the chair to sign. (Pages 1 - 4)
4. Public speaking request, if any.
5. Added Item Requested by Councillor L Yeadon (Pages 5 - 6)
 - (a) Houses of Multiple Occupancy (Pages 7 - 44)

Discussion and questions with Lesley Potts, the council's Assistant Director – Place (Deputy Director) and Lisa Swainston, the council's Assistant Director – Public Protection
 - (b) Housing and Social Responsibility

Discussion and questions with Wendy Lawtey, the council's Assistant Director - Integrated Care and Rachel Johnson, the council's Head of Housing, Rehabilitation and Recovery
 - (c) Added Item (if any).
6. Any other items that the Chairman decides are urgent by reason of special circumstances that must be specified.

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Public Document Pack Agenda Item 3

NORTH LINCOLNSHIRE COUNCIL

PLACE SCRUTINY PANEL

12 July 2023

PRESENT: - Councillor J Kennedy (Chair)

Councillors S Swift (Vice-Chair) and P Vickers

The meeting was held in Room G01e/G02e, Church Square House, Scunthorpe.

144 **SUBSTITUTIONS** - There were no substitutions at the meeting.

145 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS AND DECLARATIONS OF WHIPPING ARRANGEMENTS (IF ANY)** - There were no declarations of disclosable pecuniary interests and personal or personal and prejudicial interests.

No whip was declared.

146 **TO TAKE THE MINUTES OF THE MEETINGS OF THE PANEL HELD ON 28 FEBRUARY 2023 AND 7 MARCH 2023 AS A CORRECT RECORD AND AUTHORISE THE CHAIRMAN TO SIGN** - That the minutes of the proceedings of the meetings held on 28 February 2023 and 7 March 2023, having been printed and circulated amongst the members, be taken as read and correctly recorded and be signed by the Chair.

147 **PUBLIC SPEAKING REQUEST, IF ANY** - No public speaking requests had been received.

148 **MEMBERSHIP AND TERMS OF REFERENCE** - The Director: Governance and Communities briefed members on the Place Scrutiny Panel terms of reference and panel membership which were agreed by council at its Annual Meeting on 18 May 2023.

Resolved – That the panel's terms of reference and panel membership be noted.

149 **FUTURE MEETING DATES OF THE PLACE SCRUTINY PANEL** - The Chairman facilitated a discussion on the frequency of future meetings.

Resolved – That meetings of the Place Scrutiny Panel be held on the third Wednesday of each month (except August), commencing at 4.00 pm at Church Square House, Scunthorpe.

150 **TRAINING REQUIREMENTS** - The Chair facilitated a discussion on what, if any, training the Panel required to assist them in fulfilling their duties as a member of the Place Scrutiny Panel.

PLACE SCRUTINY PANEL
12 July 2023

Resolved – That the Director: Governance and Communities be respectfully requested to co-ordinate a member development session for all councillors on overview and scrutiny.

151 **FUTURE WORK PROGRAMME AND PRIORITIES** - The Chair facilitated a discussion on the Panel's priorities for the Municipal Year 2023-24. Suggested topics for discussion included –

- Housing and Social Landlord responsibilities to tenants
- Housing Advice Team support to those in need of emergency accommodation
- Nature Reserves and their maintenance
- Implementation of new technologies in recycling
- Broadband rollout in North Lincolnshire

Resolved – That the aforementioned list be the Panel's work programme for the Municipal Year 2023-24.

152 **ADDED ITEM (IF ANY)** - The Director: Governance and Communities informed the meeting that the added item submitted in accordance with the council's Constitution by Councillor Yeadon, titled 'effectiveness of partner agencies to reduce the ever-increasing number of unlicensed Houses of Multiple Occupancy (HMOs), ensuring that children in such HMOs were safe' would be considered on 26 July 2023 (4.00 pm).

153 **ANY OTHER ITEMS THAT THE CHAIR DECIDES ARE URGENT BY REASON OF SPECIAL CIRCUMSTANCES THAT MUST BE SPECIFIED** - There was no urgent business for consideration at the meeting.

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NORTH LINCOLNSHIRE COUNCIL

PLACE SCRUTINY PANEL

19 July 2023

PRESENT: - Councillor J Kennedy (Chairman)

Kennedy (Chairman), L Foster and P Clark

The meeting was held in Room G01e/G02e, Church Square House, Scunthorpe.

154 **SUBSTITUTIONS** - Councillor P Clark substituted for Councillor P Vickers and Councillor L Foster substituted for Councillor S Swift.

155 **DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS AND PERSONAL OR PERSONAL AND PREJUDICIAL INTERESTS AND DECLARATIONS OF WHIPPING ARRANGEMENTS (IF ANY)** - There were no declarations of disclosable pecuniary interests and personal or personal and prejudicial interests.

No whip was declared.

156 **PUBLIC SPEAKING REQUEST, IF ANY** - No public speaking requests had been received.

157 **NORTH LINCOLNSHIRE HOUSING PLAN** - The Director: Economy and Environment and Director: Adults and Health submitted a joint report that informed the Panel of the steps taken to produce the draft Housing Plan 2023 – 2028, prior to the document being considered by Cabinet at its meeting on 31 July 2023.

The council's Assistant Director: Integrated Health and Care and the council's Assistant Director: Place informed the meeting that the Housing Plan presented the vision for North Lincolnshire. It identified future priorities and desired outcomes which were based on evidence collated from community, developer, surveys, data research and analysis and assessment of national, regional and local policy context. Oversight and development of the plan had taken place through internal working groups which had provided a rounded view identifying gaps and establishing core priorities around which the council needed to focus.

Members heard that to determine the priorities for the new Plan an assessment had been made of the on-going relevance of the priorities and desired outcomes detailed across a number of existing plans to produce a single plan for Housing in North Lincolnshire

The outcomes of the Plan were for North Lincolnshire residents to have access to suitable high-quality housing to meet their needs; North Lincolnshire residents live in homes which were of a high standard and North

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19 July 2023

Lincolnshire homes would be more energy efficient.

Members listened as the Directors stated that achieving the council's vision for the North Lincolnshire economy would require successful implementation of this plan, by both the council and partners through joint working.

The Chair then facilitated a discussion between the Panel and the Assistant Directors.

Resolved – (a) That the Panel note the content of the report; (b) that the council's Assistant Director: Integrated Health and Care and the council's Assistant Director: Place be thanked for their attendance, presentation and for answering members' questions; (c) that the Plan be considered and adopted by Cabinet at its meeting on 31 July 2023, and (d) that the delivery plan that underpinned the Housing Plan be considered at a future meeting of the Place Scrutiny Panel.

158 **ADDED ITEM (IF ANY)** - Further to Minute 152, the Director: Governance and Communities informed the meeting that the added item submitted in accordance with the council's Constitution by Councillor Yeadon, titled 'effectiveness of partner agencies to reduce the ever-increasing number of unlicensed Houses of Multiple Occupancy (HMOs), ensuring that children in such HMOs were safe' would now be considered later in the Municipal Year. This was at the request of Councillor Yeadon.

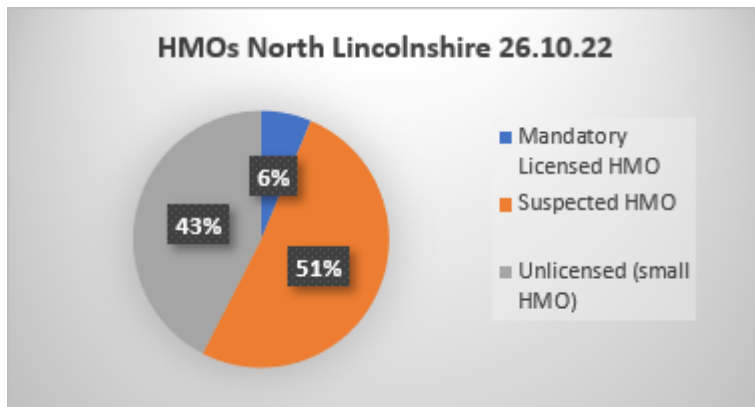
159 **ANY OTHER ITEMS THAT THE CHAIRMAN DECIDES ARE URGENT BY REASON OF SPECIAL CIRCUMSTANCES THAT MUST BE SPECIFIED** - There was no urgent business for consideration at the meeting

Houses of Multiple Occupancy Added Item Requested by Councillor L Yeadon

I would like to explore the effectiveness of what is being done locally, to reduce the ever increasing number of unlicensed Houses of Multiple Occupancy (HMOs) and to ensure that children in such HMOs are safe.

HMOs by Category

Category	No of HMOs	% of total
Mandatory Licensed HMO	24	6.37%
Suspected HMO	193	51.19%
Unlicensed (small HMO)	160	42.44%
TOTAL	377	



HMOs by Ward

Ward	No of HMOs	% of total	Licensed HMOs*	% Licensed
Ashby	14	3.71%	1	7.14%
Axholme North	6	1.59%	1	16.67%
Axholme South	1	0.27%		
Barton	6	1.59%	1	16.67%
Brigg and the Wolds	7	1.86%	1	14.29%
Broughton and Appleby	2	0.53%		
Burringham and Gunness	4	1.06%		
Brumby	20	5.31%		
Burton Stather & Winterton	2	0.53%		
Crosby and Park	153	40.58%	7	4.58%
Ferry	4	1.06%		
Frodingham	27	7.16%	4	14.81%
Kingsway and Lincoln Gardens	12	3.18%	1	8.33%
Town	119	31.56%	8	6.72%
TOTAL	377		24	

* Number of Licensed HMOs included in the total for this ward

The wards with the highest number of HMO's, accounting for more than 100 in each ward are Crosby & Park (40.58%), Town (31.56%) wards. With the remaining 27.85% of HMOs being spread across 12 different wards.

NORTH LINCOLNSHIRE COUNCIL

PLACE SCRUTINY PANEL

SCRUTINY RESPONSE: HMO, PRIVATE AND SOCIAL HOUSING

1. OBJECT AND KEY POINTS IN THIS REPORT

To provide a briefing response for the Place Scrutiny Panel in relation to:

- 1.1 The effectiveness of what is being done locally to reduce the ever-increasing number of unlicensed Houses of Multiple Occupancy (HMO) and to ensure that children in such HMOs are safe.
- 1.2 North Lincolnshire Council's responsibility and oversight of the social and private rented housing market'. The Panel is extremely keen to speak to the many housing associations that operate in North Lincolnshire but first wants to know what involvement and influence the council has on the social and private rented housing market in North Lincolnshire.

2. BACKGROUND INFORMATION

2.1 HMOs and Private Housing

- 2.1.1 Houses in multiple occupation are only eligible for a mandatory license if they are evidenced to home 5 or more unrelated individuals / families. Homes of 4 or less and homes which may be overcrowded yet contain family and relations do not form part of the HMO licensing requirements.
- 2.1.2 Expected standards for housing (including small unlicensed HMOs) are set out and managed primarily through the Housing Act (2004). Part 1 of the Act – Housing Conditions and Part 2 - Houses in Multiple Occupation (Mandatory licensing). The Housing Act is supplemented by the Housing and Planning Act 2016, which introduced amendments to enable Councils to impose civil penalty as an alternative to prosecution for specific offences.
- 2.1.3 We look to work in collaboration with private landlords and have an active Landlords form and a voluntary landlord housing scheme.

2.1.4 In recognition that management of the private rented sector, particularly in Scunthorpe North requires additional approaches – NLC have amended the Civil Penalties Guidance 2023 (Appendix 1) and are preparing a business case to consider the need for selective licensing (appendix 2).

2.2 Social Housing

2.2.1 The council has several duties and responsibilities under housing legislation, including the requirement to set up and maintain a social housing allocations scheme under Part 6 of the Housing Act 1996. Since 2010, NLC in partnership with Northeast Lincs Council have fulfilled this responsibility via the Home Choice Lincs (HCL) Choice Based Letting System.

2.2.2 Along with both local authorities a number of stock owning registered social landlords are also signed up the HCL partnership. These are Longhurst Group, Lincolnshire Housing Partnership, Ongo Homes, Sanctuary Housing Association and The Guinness Partnership.

2.2.3 The Home Choice Lincs Board recently undertook a procurement exercise and in August 2023 have appointed Campbell Tickell consultants to undertake a strategic review of the Northern Lincolnshire Choice Based Housing Allocations System 'Home Choice Lincs'. We expect a feedback presentation be delivered to the HCL board by 30th November 2023 and a final report to be submitted by 31st January 2024.

2.2.4 NLC Housing Advice and Homelessness Team have a portfolio of temporary accommodation properties (approx. 100 across NL) these are private rented properties, leased direct and managed by the council. Scrutiny will be receiving a specific update on Housing Advise / Housing support and offer around vulnerable people in October 2023.

2.3 Future Housing Development

2.3.1 Detailed in the attached Housing Plan at appendix 1.

2.4 Safeguarding

2.4.1 The Council have robust safeguarding processes, to protect every tenant (adult and child) which will be enacted should a concern be raised. This includes proactive identification and partnership approaches for example: Child Criminal Exploitation, Child Sexual Exploitation, Child Slavery, etc.

3. OPTIONS FOR CONSIDERATION

3.1 Not applicable.

4. ANALYSIS OF OPTIONS

4.1 Not applicable.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

5.1 Not applicable.

6. OTHER RELEVANT IMPLICATIONS (e.g. CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

6.1 In the provision of the current offer and interventions made by the Council, due consideration is taken on our duties for Section 17 of the Crime and Disorder Act 1998, Equalities Act 2010, links with Council Plan and priorities and impact on our commitment to be a carbon net zero organisation by 2030.

7. OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)

7.1 Not applicable.

8. OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED

8.1 In the provision of the current offer and interventions all due consultation, interests and decision making have been considered.

9. RECOMMENDATIONS

9.1 That scrutiny note the content of the report.

DIRECTOR: ECONOMY AND ENVIRONMENT

Church Square House
SCUNTHORPE
North Lincolnshire
DN15 6NL
Author: Lisa Swainston
Date: 31.8.23

Background Papers used in the preparation of this report –

Appendix 1 Civil Penalties Amended 2023



Civil Penalties
Enforcement Guidanc

Appendix 2 Selective Licensing



Selective Licensing
Business Case and cor

Appendix 3 Housing Plan



Housing Plan -
2023_PROOF.pdf

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Civil Penalties Enforcement Guidance and Procedure Revised 2023

**North
Lincolnshire
Council**

Section 1 Introduction

North Lincolnshire is a fantastic place to live and is a home to just under 173,000 people, with the population expected to grow by a further 4,000 over the next 20 years.

Across North Lincolnshire, there are just under 77,000 homes situated across 86 settlements, ranging from the busy urban centre of Scunthorpe to the tranquil rural hamlets.

The Council Plan 2022 – 25 clearly sets out our Priorities for the people and place of North Lincolnshire.

PRIORITY: Keeping People safe and Well - To achieve a longer and better quality of life for our residents	
OUR INTENT	OUR IMPACT
Safeguarding and support everyone to live safely and independently within their families and communities.	<ul style="list-style-type: none">• Improve energy efficiency of homes.• Ensure homes are free from hazards and provide a reasonable standard of living conditions.
Reduce health inequalities and promote wellbeing.	<ul style="list-style-type: none">• Ensure vulnerable people are protected to live in a safe home.

North Lincolnshire Council operate a Civil Penalties Enforcement Model, under the Housing and Planning Act 2016.

This is an enforcement tool to enable us to deliver our Impact when we have absentee or criminal landlords.

This guidance and procedure are supplementary to the Council Plan, Strategies and Enforcement Policies.





Introduction - Housing Act 2004 Civil Penalty Offences

The Housing and Planning Act 2016 (" the 2016 Act") introduced amendments to the Housing Act 2004. Section 126 and Schedule 9 of the 2016 Act enables the Council to impose a civil penalty as an alternative to prosecution for specific offences under the 2004 Act.

Civil penalties are an alternative when a landlord fails to comply with:

- **Section 30** – failure to comply with an improvement notice
- **Section 72** – mandatory licensing of HMO
- **Section 95** – licensing under Part 3 of the Housing Act 2004
- **Section 139** – failure to comply with an overcrowding notice
- **Section 234** – breach of management regulations in respect of HMO

Introduction of the Electrical Safety Standards in the Private Rented Sector (England) Regulation 2020 Civil Penalties, is to ensure all landlords in the private rented sector do what good landlords already do: make sure the electrical installations in their rented properties are safe.

The Regulations require landlords to have the electrical installations in their properties inspected and tested by a person who is qualified and competent, at least every 5 years. Landlords must provide a copy of the electrical safety report to their tenants, and if requested to their local authority.

Local housing authorities should have regard to any guidance issued by the Department of Levelling Up, Housing and Communities (DLUHC) when exercising their functions under the Regulations.

Non-statutory guidance was issued by the department in June 2020, namely: Guide for local authorities: electrical safety standards in the private rented sector, which is available online at:

www.gov.uk/government/publications/electrical-safety-standards-in-the-private-rented-sector-guidance-for-landlords-tenants-and-local-authorities/guide-for-local-authorities-electrical-safety-standards-in-the-private-rented-sector

NB Breach of a Prohibition Order is not one of the specified offences. Where a landlord breaches a Prohibition Order, the Council, if appropriate, will seek a rent repayment order in addition to prosecuting the landlord. Separate guidance is available on rent repayment orders.

Section 2 Civil Penalty Statutory Guidance

The government has laid out statutory guidance as to the process and the criteria that need to be considered when determining civil penalties. These are:

- level of culpability
- level of harm
- severity of the offence
- aggravating Factors
- mitigating Factors
- penalty to be fair and reasonable.
- penalty to be such as to be a deterrent and remove the gain derived through the failure to comply.
- Landlords Income (as appropriate)
- Financial gain from failure to comply.

The statutory guidance indicates that a council should ensure that the civil penalty acts as a punishment and a deterrent to future offending by the recipient or others, takes into account any previous patterns of offending, and ensures that no offender should benefit as a result of committing the offence.

The law allows a maximum civil penalty of £30k per offence. In determining the level of any penalty a council will have regard to local circumstances, the relevant local enforcement policy and the relevant Government guidance detailing the factors to take into account, as shown above.

The statutory guidance in the link below indicates that a Council should ensure that the civil penalty acts as a punishment, takes account of any previous patterns of offending and that no offender should benefit as a result of committing the offence.

assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/697644/Civil_penalty_guidance.pdf#

Details are provided in Sections 3 & 4 of this guidance.

The overriding principle when considering civil penalties is that the landlord (as defined by the Housing Act 2004 as the owner, person having control or the licence holder) should not make any financial gain as a result of their failure to comply with the relevant legislation.



What is the burden of proof for a civil penalty

Before imposing a civil penalty on a person under the Housing Act 2004, the council must be satisfied beyond reasonable doubt that the person's conduct amounts to a relevant housing offence as defined by section 249A (2).

In determining whether there is sufficient evidence to secure a conviction, the Council will have regard to the North Lincolnshire Council Enforcement Policy and the Crown Prosecution Service Code for Crown Prosecutors, published by the Director of Public Prosecutions.

The council will consider:

- Does the Council have sufficient evidence to prove beyond reasonable doubt that the offence was committed by the landlord in question?
- Is the public interest properly served by imposing a Civil Penalty on the landlord in respect of the offence?
- Has the evidence been reviewed in line with the Councils Enforcement Policy and legal team.
- Are there any reasons why a prosecution may be more appropriate than a civil penalty? i.e., the offence is particularly serious, and the landlord has committed similar offences in the past and/or a banning order should be considered.

The Electrical Regulations do not create a criminal offence, but to impose a civil penalty the council must still be satisfied beyond reasonable doubt that the landlord has breached a duty under Section 72(3) of the Housing Act 2004.

Schedule 9 of the Housing and Planning Act 2016 sets out the process which must be followed when imposing a civil penalty.

Notice of Intent

Before imposing a civil penalty on a landlord, the Council must serve a 'notice of intent' on the landlord in question. This notice must be served within 6 months of the last day on which the Council has evidence of the offence occurring. This notice must contain the following information:

- The amount of the proposed civil penalty.
- The reasons for proposing to impose a civil penalty, and
- Information about the Landlord's right to make representations to the Council.



Representations

The person to whom the notice relates will be given 28 days to make written representation to the council about the proposal to impose a civil penalty. Representations can be against any part of the proposed course of action. All representations from landlords will be considered by an appropriate senior colleague.

Where a landlord challenges the amount of the civil penalty, it will be for the landlord to provide documentary evidence (e.g., tenancy agreements etc.) to show that the calculation of the penalty amount is incorrect. Where no such supporting evidence is provided, the representation against the amount will not be accepted.

Written responses will be provided to all representations made by the recipients of a notice of intent. No other parties have an automatic right to make representations but if any are received, they will be considered on a case-by-case basis and responded to where the Council considers it necessary.

Final Notice

Once the representation period has ended, the Council must decide, taking into consideration any representations that were made, whether to impose a civil penalty and the final amount of the civil penalty. The final amount of a civil penalty can be a lower amount than was proposed in the notice of intent, but cannot be a greater amount.

The imposing of a civil penalty involves serving a final notice and this notice must contain the following information:

- The amount of the financial civil penalty

- The reasons for imposing the penalty.
- Information about how to pay the penalty.
- The period for payment of the penalty *payment must be 28 days from the day after issue of notice.
- Information about rights of appeal, and
- The consequences of failure to comply with the notice.

At any time, the Council may withdraw a notice of intent or a final notice or reduce the amount of a civil penalty. This is done by giving notice in writing to the person on whom the notice was served.

Where a civil penalty has been withdrawn, and there is a public interest in doing so, the Council can still pursue a prosecution against the landlord for the conduct for which the penalty was originally imposed. Each case will be considered on a case-by-case basis. (except where the civil penalty was proposed for a breach of duty under Regulation 3 of the “Electrical Regulations”).

Appeals to the Tribunal

If a civil penalty is imposed on a landlord, that landlord can appeal to the First-tier Tribunal (“the Tribunal”) against the decision to impose a penalty or the amount of the penalty. The Tribunal has the power to confirm, vary (increase or reduce) the size of the civil penalty imposed by the Council, or to cancel the civil penalty. Where an appeal has been made, this suspends the civil penalty until the appeal is determined or withdrawn.

Recovering an unpaid Civil Penalty

It is the policy of the Council to consider all legal options available for the collection of unpaid civil penalties and to pursue unpaid penalties in all cases through the county courts. Some of the orders available to the Council through the county courts are as follows:

- A Warrant of Control for amounts up to £5000.
- A Third-Party Debt Order.
- A Charging Order, and
- Bankruptcy or insolvency.

A certificate, signed by the Chief Finance Officer for the Council and stating that the amount due has not been received by the date of the certificate, will be accepted by the courts as conclusive evidence of the payment due.

Where a Charging Order has been made, and the amount of the order is over £500, the Council can consider applying for an Order for Sale against the property or asset in question. When considering which properties to apply for a Charging Order against, the Council can consider all properties owned by

the landlord and not just the property to which the offence relates.

Where the civil penalty was appealed and the Council has a tribunal decision, confirming or varying the penalty, the decision will be automatically registered on the Register of Judgments, Orders and Fines, once accepted by the county court. Inclusion on this Register may make it more difficult for the Landlord to get financial credit.

Income from Civil Penalties

Any income from Civil Penalties is retained by the local housing authority which imposed the penalty. The Council must spend any income from Civil Penalties on its enforcement functions in relation to the private

rented sector. Further details can be found in The Rent Repayment Orders and Financial Penalties (Amounts Recovered) (England) Regulations 2017 [Statutory Instrument 367 (2017)].

Other consequences of having a Civil Penalty imposed.

Where a civil penalty has been imposed on a landlord, this will form a part of our consideration when reviewing licence applications for properties in which they have involvement. This includes licences under Part 2 or Part 3 of the Housing Act 2004.

Whilst a civil penalty will not automatically preclude us from granting a licence where such persons are

involved, the reasons for imposing the penalty and the extent of the person's involvement in the property will be considered.

Where a landlord has two civil penalties imposed on them in a 12-month period, each for a banning order offence*, the Council will include their details on the Database of Rogue Landlords and Property Agents.

*"Banning order offence" means an offence of a description specified in Regulations made by the Secretary of State under Section 14(3) of the Housing and Planning Act 2016 (The Housing and Planning Act 2016 (Banning Order Offences) Regulations 2017).

The Totality Principle

Where a landlord has committed multiple offences, and a civil penalty could be imposed for each one, consideration should be given to whether it is just and proportionate to impose a penalty for each offence.

When calculating the penalty amounts for multiple offences, there will inevitably be a cumulative effect

and care should be taken to ensure that the total amount being imposed is just and proportionate to the offences involved.

Having regard to the above considerations, a decision should be made about whether a civil penalty should be imposed for each offence and, if not, which

offences should be pursued. Where a single more serious offence can be considered to encompass several other less serious offences, this is the offence that will normally be considered for the civil penalty. Deciding not to impose a civil penalty for some of the offences does not mean that other enforcement options, such as issuing a simple caution, cannot be pursued for those offences.

Recording of the decision

A record of each decision and the reasons for the financial penalty will to be made by an officer and how the amount of the penalty was obtained and the reasons for imposing it.



Section 3 Determining the level of civil penalties

This stage considers the landlord's culpability for the offence and the seriousness of harm risked to the tenants or visitors to the property, as stated in Section 143 (1) Criminal Justice Act 2003.

Harm includes actual harm caused as well as risk of harm. In order to set the level of the civil penalty the following will be considered by the council:

Step 1: Culpability

Table 1 sets out the four levels of culpability that will be considered: each level has accompanying examples of the behaviours that could constitute that particular level. The behaviour of the landlord should be compared to this table to determine the appropriate level of culpability. This exercise will be repeated for each offence that is being considered as the landlord's culpability may vary between offences.

Very high	<ul style="list-style-type: none">• Deliberate breach of or flagrant disregard for the law
High	<ul style="list-style-type: none">• Offender fell far short of their legal duties, for example, by:<ul style="list-style-type: none">- failing to put in place measures that are recognised legal requirements or Regulations.- ignoring warnings raised by the local Council, tenants or others.- failing to make appropriate changes after being made aware of risks, breaches or offences.- allowing risks, breaches, or offences to continue over a long period of time• Serious and/or systemic failure by the person or organisation to comply with legal duties.
Medium	<ul style="list-style-type: none">• Offender fell short of their legal duties in a manner that falls between descriptions in 'high' and 'low' culpability categories.• Systems were in place to manage risk or comply with legal duties, but these were not sufficiently adhered to or implemented.
Low	<ul style="list-style-type: none">• Offender did not fall far short of their legal duties, for example, because:<ul style="list-style-type: none">- significant efforts were made to address the risk, breaches, or offences, although they were inadequate on this occasion.- they have offered a reasonable defence for why they were unaware of the risk, breach, or offence.• Failings were minor and occurred as an isolated incident

When assessing culpability, we consider all the evidence gathered as part of the investigation into the offence and identify any aggravating or mitigating factors which may be relevant to the assessment of culpability.

Aggravating factors could include:

- Previous convictions for similar offence/s, having regard to the time elapsed since the conviction.
- Motivated by financial gain.
- Obstruction of the investigation
- Deliberate concealment of the activity/evidence
- Number of items of non-compliance – greater the number the greater the potential aggravating factor
- Record of letting substandard accommodation i.e., record of having to take enforcement action previously whether complied with or not.

- Record of poor management/ inadequate management provision
- Lack of a tenancy agreement/rent paid in cash.
- Evidence of threatening behaviour/harassment of the tenant.

Information below provides further guidance regarding when it is appropriate to consider past enforcement action taken against the landlord.

Mitigating factors could include:

- Cooperation with the investigation e.g., turns up for the PACE interview.
- Voluntary steps taken to address issues e.g., submits a prompt licence application.
- Willingness to undertake training.
- Level of tenant culpability

- Willingness to join recognised landlord accreditation scheme.
- Evidence of health reasons preventing reasonable compliance – mental health, unforeseen health issues, emergency health concerns
- Vulnerable individual(s) (owners not tenants) where their vulnerability is linked to the commission of the offence.
- Good character ie no previous convictions and / or exemplary conduct

Using these factors, consider each category of culpability in the table 1 and identify the one that the landlord's behaviour falls within; where a landlord's behaviour could meet more than one of the categories, choose the highest one of those met.

Step 2: Level of Harm

The seriousness of harm risked is split into three levels, A, B and C. Examples of the Housing Health and Safety Rating System Classes of Harm Outcomes are detailed on page 47-48 of the Housing Health and Safety Rating System Operating Guidance published by the office of the deputy prime Minister (2006).

Housing health and safety rating system (HHSRS) operating guidance: housing inspections and assessment of hazards - GOV.UK (www.gov.uk)

The harm risked by the offence should be compared to the table to determine the appropriate level. This exercise will be repeated for each offence that is being considered as the seriousness of harm risked can vary between offences.

When using the table to determine the appropriate level, consideration should be given to the worst possible harm outcomes that could reasonably occur as a result of the landlord committing the offence. This means that even if some harm has already come to tenants or visitors to the property, consideration should still be given to whether there was the potential for even greater harm to have occurred.

Level A	Housing Act 2004 Offences The seriousness of harm risked would meet the guidance for Class I and II harm outcomes in the Housing Health and Safety Rating System
Level B	Housing Act 2004 Offences The seriousness of harm risked would meet the guidance for Class III and Class IV harm outcomes in the 'Housing Health and Safety Rating System.
Level C	Housing Act 2004 Offences All other cases not falling within Level A or Level B (e.g. where an offence occurred but the level of harm to the tenants or visitors does not meet the descriptions for Level A or Level B).

Step 3: Penalty Levels

Using the already determined level of culpability and the seriousness of harm risked, find the appropriate penalty level (1 – 5+) in Table 3 (below).

Seriousness of Culpability				
Very high				
Harm Risked	Very high	High	Medium	Low
Level A	5+	5	4	3
Level B	5	4	3	2
Level C	4	3	2	1

Table 4 - Penalty Bands

Penalty level	Penalty Band
1	£600 - £1,200
2	£1,200 - £3,000
3	£3,000 - £6,000
4	£6,000 - £15,000
5/5+	£15,000 - £30,000

Step 4: Penalty Bands

Compare the penalty level from Step 3 to table 4 and this will give the penalty band for the offence. This penalty band determines both the starting amount and the upper limit for the penalty calculation.



Section 4 Considering the landlord's income and track record

The Landlord's Finances

IMPORTANT: although the Council will not normally consider carrying out a full financial investigation where the offence falls within penalty bands 1 to 4, the Council does reserve the right to do so where it considers it reasonable and proportionate to the circumstances.

For penalties that fall within bands 5 and 5+, a financial investigation of the landlord will be usually carried out and all sources of income received by the landlord can be considered as 'relevant income' for the purpose of calculating the civil penalty. Specifically, the average weekly income of the landlord for the 12 months preceding the date of the offence will be used.

For penalties that fall within bands 1 to 4, the landlord's income will still be considered but the 'relevant income' will normally be limited to the income that the landlord received in relation to the property where the offence occurred.

For property owners, this will be the weekly rental income, as declared on the tenancy agreements, for the property where offence occurred and at the time the offence occurred.

For property agents, the relevant income will be any fees they received for the management of the property, as stated on the management contract between the agent and the other parties to the contract. Where the fees include VAT or any other charges, the gross amount of the fees will be used.

Take the penalty band, as determined in Section 3, and compare it to Table 5: this will state what can be considered as relevant weekly income for the offence. Comparison of the penalty band to table 6, shows the % of weekly income to be considered.



Penalty level	Relevant Weekly Income
1	Gross rental income or management fees for the property where the offence occurred
2	
3	
4	
5/5+	All income for the offender (Carry out a financial assessment)

Penalty level	% of Relevant Weekly Income
1	50% of relevant weekly income
2	100% of relevant weekly income
3	150% of relevant weekly income
4	250% of relevant weekly income
5	400% of relevant weekly income
5+	600% of relevant weekly income

In cases where the landlord is not forthcoming with this information or documentation, an estimate of the average weekly income will be used instead, and it will be for the landlord to make representations against this estimated figure if they deem it to be too high.

IMPORTANT - the Council will not normally consider a landlord's assets but does reserve the right to consider assets in any cases where the Council considers it reasonable and proportionate to do so. Each of these cases will be dealt with on a case-by-case basis.



The Landlord's track record

A higher penalty will be appropriate where the landlord has a history of failing to comply with their obligations; as such, the track record of the landlord will be an important factor in determining the final amount of the civil penalty that is imposed. Below are questions that must be asked for each landlord that will receive a civil penalty.

IMPORTANT - question 1 refers to all relevant notices served during the two years: this means that where the offence is failure to comply with an improvement notice, that notice should also be included in the answer to the question.

Table 7 – Weightings

Category	Weighting
Category 1 (Least serious)	1
Category 2 (Moderately Serious)	5
Category 3 (Very Serious)	10
Category 3 (Very Serious)	20

Each of the questions will be placed into one of four categories, based on the seriousness of the offence or enforcement action to which the question refers. Each category of question is given a weighting that increases with the seriousness of the category. Table 7 shows the four categories and the weighting which is applied to each one.



Any questions where the answer is 'no' will have a weighting of zero but 'yes' answers will accrue the weighting for that question.

For those questions where the number of occasions is relevant, the total weighting for a 'yes' answer will be the weighting for that question multiplied by

the number of occasions. Table 8 below shows the category which each of the questions falls within and the subsequent weighting that is applied as a result.

Table 8 - Questions & Weightings		
Questions¹	Weighting for a 'Yes' answer	Multiplied by the number of occasions?
Has the landlord had any relevant ¹ notices, under Part 1 of the Housing Act 2004, served on them in the last 2 years?	1	Yes
Has the landlord had any civil penalties imposed on them in the last 2 years?	5	Yes
Has the landlord accepted any cautions for relevant ¹ offences in the last 2 years?	10	Yes
Has the landlord been sent a letter, in the last 2 years, which advises them of the relevant duties under the Housing Act 2004?	5	No
Has the landlord owned or managed a property where the term of an existing licence for the property, under the Housing Act 2004, was reduced due to enforcement action or significant concerns, in the last 2 years?	5	No
Has the landlord breached any relevant ² notices, which resulted in works in default being carried out, in the last 2 years?	10	Yes
Has the landlord owned or managed a property where a licence for the property, under the Housing Act 2004, was revoked due to enforcement action or significant concerns, in the last 2 years?	10	No
Has the landlord been prosecuted for any relevant ³ offences in the last 2 years?	20	Yes
Has the landlord owned or managed a property which was subject to an interim or final management order under the Housing Act 2004 in the last 2 years?	20	No
Has the landlord been the subject of a banning order under the Housing and Planning Act 2016 in the last 2 years?	20	No

1 any action under Part 1 other than a 'hazard awareness' notice or a 'clearance area'. 2 any notices served under any legislation relating to housing, public health or environmental health. 3 any unspent convictions relating to any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgement being made against the offender.

Table 9 - % Increase

Score	%	Score	%
0	0%	21	55%
1	5%	23	60%
3	10%	25	45%
5	15%	27	70%
7	20%	29	75%
9	25%	31	80%
11	30%	33	85%
13	35%	35	90%
15	40%	37	95%
17	45%	39+	100%

Once all the questions have been answered, the weighting for each is totalled and compared to Table 9: this gives the percentage increase that will be applied to the penalty amount. The increase will be a percentage of the starting amount for the penalty band that the offence falls within e.g., the total score for the questions is 23 and so the corresponding percentage increase in Table 9 will be 60%.

IMPORTANT - the penalty calculation will never be increased past the upper limit of the penalty band: however, where the landlord has a history of non-compliance, it is appropriate to factor this into your assessment of their overall culpability. This could affect your initial assessment of the appropriate penalty level and lead to a higher penalty band being used as the starting point.



Final Penalty

To get the amount of the penalty calculation requires addition of :

- The starting amount for the penalty band
- The landlords finance figure
- The landlords track record figure

If this total amount is less than the upper limit for the penalty band, then this is the amount that will be used.

However, if the amount calculated is greater than the upper limit for the penalty band, then the upper limit will be used instead.

The Council will need to be able to prove that financial benefit was obtained before it can be included in the civil penalty calculation. However, where it can be proven, the amount obtained should be added to the penalty calculation and this will give the final civil penalty amount that will be imposed on the landlord.

IMPORTANT - where the landlord has obtained financial benefit in the form of rental income and this full amount has been added to the total penalty, it will be appropriate to take this into consideration when deciding whether to pursue a Rent Repayment Order.

Section 5 Rent Repayment Orders

In deciding whether to apply for an RRO a local housing authority must have regard to the Statutory RRO Guidance for local housing authorities, published by the Government in April 2017 issued under section 41 of the Housing and Planning Act 2016.

assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/606654/Rent_Repayment_Orders_guidance.pdf

Section 4 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (MEES)

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Introduction

This Guidance document sets out how North Lincolnshire Council (henceforth “the Council”) will deliver interventions under The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (henceforth “the Regulations”) in relation to financial penalties.

The Regulations are designed to tackle the least energy-efficient properties; currently those banded F or G on their Energy Performance Certificate (EPC). The Regulations establish a minimum standard for both domestic and non-domestic privately rented property.

Housing Standards officers are authorised to check for different forms of non-compliance within the Regulations including:

- Whether the property is sub-standard and let in breach of Regulation 23.
- Where the landlord has registered any false or misleading information on the Government’s “National Private Rented Sector Exemptions Register” or has failed to comply with a compliance notice.

The Department for Business Energy and Industrial Strategy have produced guidance published in 2017 and updated in April 2020; Guidance for landlords and Local Authorities on the minimum level of energy efficiency required to let domestic property under the Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

The Council has had regard to the above guidance and North Lincolnshire Council’s Operations Enforcement Policy and under arching Housing Standards Enforcement Policy when preparing this Guidance.

Enforcement

The Council will utilise available data and resources to establish 'sub-standard' properties as described by the Regulations (currently EPC band F & G).

This will include utilising powers under the Energy Performance of Buildings (England and Wales) Regulations 2012 (as amended) to ensure that EPCs are valid and in place where appropriate.

Landlords who rent 'sub-standard' properties (currently EPC band F & G) that do not meet the minimum energy efficiency standard and who have no history of regulatory housing complaints, the Council may, after consideration of the individual circumstances and the Council's Enforcement Policies, offer advice on how the standards can be met. The landlord would be given appropriate time to make the necessary changes. If they then failed to make sufficient progress, enforcement action would in most circumstances be the next step.

In circumstances where a landlord has a history of not complying with housing related regulatory requirements, the Council will consider whether an

informal approach is appropriate, having regard to its Enforcement Policies, and if not will take immediate formal action.

The Council has discretion to serve a Compliance Notice to request information from the landlord that will help to decide whether there has been a breach. The Council will serve a Penalty Notice where a landlord fails to comply with the Compliance Notice.

The Council will check the National Private Rented Sector (PRS) Exemptions Register and if it believes a landlord has registered false or misleading information it will consider serving a Penalty Notice.

If offences under the Regulations are identified, the Council will serve a Penalty Notice to the values set out in Table 1 below.

Under Regulation 39 the Local Authority may publish some details of the landlord's breach on a publicly accessible part of the National PRS Exemptions Register. The Council will place the information on the Register at the appropriate time, for a minimum of 12 months.

The Landlord has the right to ask for a Penalty Notice to be reviewed under Regulation 42.

Any request for a review must be submitted to the Council within 21 days of the Penalty Notice being served.



Table 1

Energy Efficiency Regulations		
Penalty		
Renting out a non-compliant property	Less than three months in breach	£2000 and Publication penalty
	Three months or more in breach	£4000 and Publication penalty
Providing false or misleading information on the Exemption register	£1000 and Publication penalty	
Failing to comply with a compliance notice	£2000 and publication penalty	

*These penalties are applied to each property where there is a breach up to a maximum of £5000 per property.

**Publication penalty – some of the details of the financial penalties are published on the publicly accessible part of the PRS Exemption Register.

Recovery of financial penalty

If a landlord does not pay a financial penalty imposed on them, the Council will seek to recover the money through the courts. However, it will not do this during the following:

- the review period stipulated on the notice,
- while reviewing their decision,
- the period in which the landlord could appeal to the First-tier Tribunal, or
- while there is an ongoing tribunal appeal.

Changes to Legislation/guidance

The current energy crisis/climate emergency will inevitably lead to further changes to legislation/guidance and national and local targets. Consequently, homeowners, landlords and managing agents will be expected to identify their responsibilities and respond appropriately to the latest legislation/guidance. For example, the likely change to the minimum EPC banding for private rented accommodation to band C by 2025.

NORTH LINCOLNSHIRE COUNCIL

DEPUTY LEADER – ADULTS, HEALTH, FAMILIES & COMMUNITIES:

SELECTIVE LICENSING OF PRIVATE RENTED ACCOMMODATION

1. OBJECT AND KEY POINTS IN THIS REPORT

1.1 To approve a public consultation and business case to consider a selective licensing scheme in North Lincolnshire.

2. BACKGROUND INFORMATION

- 2.1 Our ambition is for North Lincolnshire Council to be the best place for our people. To achieve this there is a clear commitment to ensuring that we support provision of a safe and healthy place for our communities to flourish and be resilient. The provision of suitable and well managed housing is a fundamental intervention in delivering this outcome.
- 2.2 On the 18 July 2017 Cabinet agreed, subject to the production of a business case and a public consultation exercise to consider a scheme for Selective Licensing. It was determined, in line with guidance, that there were alternative interventions that should be utilised before a scheme be introduced for Selective Licensing. A variety of these alternative interventions have been attempted, since 2017 to date, including a voluntary landlord accreditation scheme.
- 2.3 The option to review the selective licensing scheme is due to the increasing nature of housing management issues, criminal landlord activity, public health, environmental and anti-social behaviour, negatively impacting upon our communities. Existing powers and collaborative working have had little impact and had mixed success in delivering the sustained positive change that achieves our priorities for people and place. We must therefore reconsider the introduction of the more robust powers available through selective licensing.
- 2.4 Councils have discretionary powers to introduce selective licensing schemes requiring all private landlords with houses in a designated area to operate under the terms of a licence. Licence conditions typically cover matters related to the property being safe and well managed.

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- 2.5 Before a selective licensing scheme can be introduced, an evidence-based business case must be produced detailing the objectives of the scheme.

The business case must also identify alternative ways to achieve the same objectives and complementary measures which will be taken alongside the proposed scheme. Only where there are no other practical and beneficial alternatives should a scheme be introduced.

- 2.6 The proposed designated area substantially remains the same as in 2017, please see appendix 1 (selective licensing business case 2017) covering properties in Crosby, Park and Town Wards. Consideration of streets in the Froddingham ward will also be included in the evidence gathering before final designated boundaries are confirmed.

3. OPTIONS FOR CONSIDERATION

- 3.1 Option 1 - To approve a business case and public consultation to be undertaken around a selective licensing scheme.
- 3.2 Option 2 - For NLC not to utilise Selective Licensing as an intervention to help deliver the offer of safe and healthy housing for all.

4. ANALYSIS OF OPTIONS

- 4.1 Option 1 - To give approval to build a business case and consult around a designated area to apply selective licensing, would provide the evidence required to implement a selective licensing scheme.

NLC can then determine, with a good level of evidence and public feedback, the decision whether to introduce selective licensing, as a further intervention to achieve our ambition and offer for people and place.

To progress this option would give us opportunity to build the evidence and change our current interventions and enforcement, specifically targeted at the designated area to trial and learn from.

- 4.2 Option 2 – To not progress would mean that the Council cannot consider implementing a Selective Licensing scheme as a tool to support our priorities.

5. FINANCIAL AND OTHER RESOURCE IMPLICATIONS (e.g. LEGAL, HR, PROPERTY, IT, COMMUNICATIONS etc.)

- 5.1 The preparation of the business case and consultation requirements will be done within existing budgets and resources.

6. OTHER RELEVANT IMPLICATIONS (e.g., CRIME AND DISORDER, EQUALITIES, COUNCIL PLAN, ENVIRONMENTAL, RISK etc.)

- 6.1 The preparation of the business case and consultation will not have an impact of the Crime and disorder act, it will not affect Equalities nor is there any impact on Carbon Net Zero ambition.

It will enable the council to take an evidence-based decision on whether to implement selective licensing to assist in delivery of the council priorities and council plan.

7. **OUTCOMES OF INTEGRATED IMPACT ASSESSMENT (IF APPLICABLE)**

- 7.1 There are no IIA considerations at the stage of preparing a business case and consulting.

8. **OUTCOMES OF CONSULTATION AND CONFLICTS OF INTERESTS DECLARED**

- 8.1 N/A

9. **RECOMMENDATIONS**

- 9.1 Cabinet Member agrees that they will consider the introduction of a selective licensing scheme, subject to a business case and consultation.

Approval for a business case to be developed and a consultation to be undertaken.

Results from this work will be presented back to Cabinet Member / Cabinet for final decisions around implementation of selective licensing scheme.

DIRECTOR OF ECONOMY & ENVIRONMENT

Church Square House
SCUNTHORPE
North Lincolnshire
Post Code
Author: Lisa Swainston
Date: 25.5.23

Background Papers used in the preparation of this report –

Selective Licensing in the private rented sector – a guide for local authorities (DCLG 2015).



North Lincolnshire Council Housing Plan 2023 – 2028

One Council, One Place, One Family



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FOREWORD

CREATING THE CONDITIONS TO DELIVER NEW HOMES AND IMPROVE EXISTING STOCK TO MEET OUR RESIDENTS HOUSING NEEDS.

We are delighted to introduce the North Lincolnshire Housing Plan 2023-2028.

This ambitious Housing Plan 2023 – 2028 sets out the Councils vision and priorities for housing in North Lincolnshire over the next five years which have been identified to tackle the housing challenges faced across North Lincolnshire.

At the heart of the plan is enabling housing delivery across a range of tenure types to meeting our residents needs along with progressing the improvements of existing housing stock and improving the energy efficiency of homes so that all our residents live in safe and sustainable homes.

North Lincolnshire is a great place and is home to just under 170,000 people, with the population expected to grow by a further 4,000 over the next 20 years.

We will continue to work closely with Government to create the right conditions to boost housing delivery in North Lincolnshire ensuring all our residents have access to housing that meet there needs in flourishing communities.



Rob
Cllr Rob Waltham MBE,
Leader of North Lincolnshire Council



HOUSING PLAN VISION

Our vision is for:

North Lincolnshire is a great place to live well with high quality housing in safe, flourishing sustainable and connected communities,

promoting, and enabling independent living.

To achieve this vision, we need to ensure that every resident in North Lincolnshire has access to good quality housing

which meets their needs. The challenge of meeting this vision is ensuring that each residents different housing requirements and needs are delivered in line with the context of national and local policy.



NORTH LINCOLNSHIRE IN NUMBERS

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- Population **169,700**
- **1,980** new homes to be delivered between 2023-2028
- In 2022 North Lincolnshire had **2,213** empty properties
- Housing Stock is younger than the national average
- Our over 75 age population is expected to increase by **50%** by 2030
- **25%** of the North Lincolnshire Housing Register are residents over 65 years requiring adapted properties
- Average House Price **£189,600**
- **51** NLC supported housing units housing **54** Care leavers delivered
- Planned delivery of **410** additional homes for older people by 2028
- Planned delivery of **113** adaptable properties by 2028

Tenure types	2021 Census figure for North Lincolnshire
Owned outright or with mortgage/loan	67.5%
Rented Privately	17.2%
Rented in social sector	15%

Table 1: Percentage of people living in different tenure types.

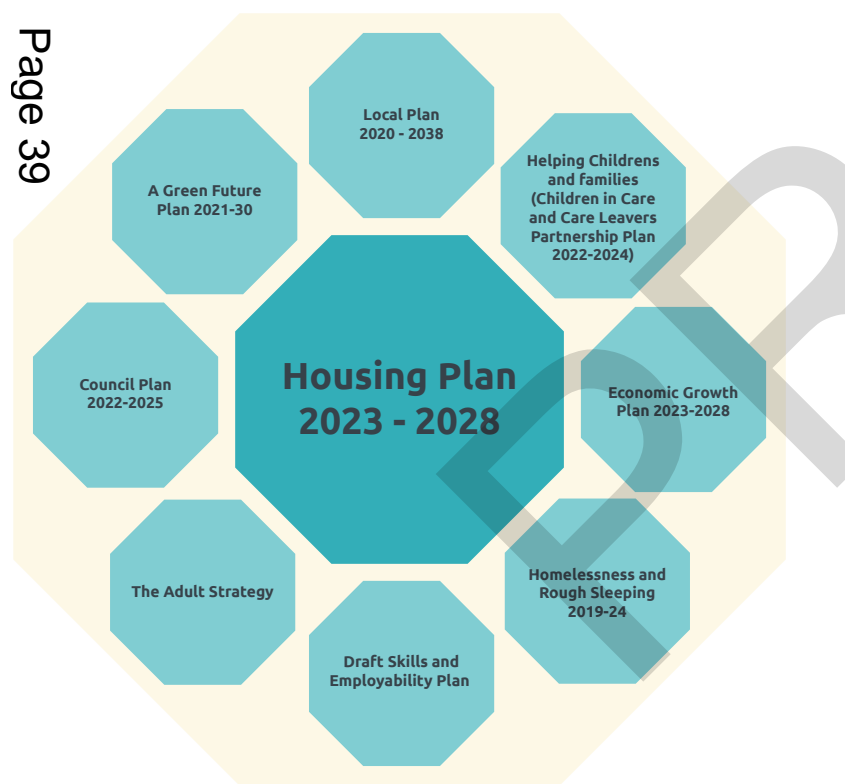
Housing Accommodation	2021 Census figure for North Lincolnshire
Detached	35.2%
Semi-detached	41.8%
Terraced	13.4%
In a purpose-built block of flats	6.9%
In a commercial building, caravan, or other temporary structure	1.4%
In part of a converted or shared house or building	1.3%

Table 2: Percentage of people in the different types of housing accommodation.

SUPPORTING OUR PLANS FOR HOUSING DELIVERY

These plans have been considered whilst working towards our key housing priorities to achieve the best outcomes for the people and place of North Lincolnshire. The Housing Plan will be a key plan supporting the North Lincolnshire Council Plan.

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OUR SUCCESS

- North Lincolnshire has achieved its local housing delivery target for the past four years.
- Increased our intermediate housing stock to including Rent to Buy, Shared Ownership and Discounted Market Sale.
- First specialist dementia extra care scheme of **25** apartment - Myos House in partnership.
- A pilot scheme of eight fully adaptable bungalows in partnership.
- **22** new apartments for people with learning difficulties delivered across three sites.
- **Over a million pounds** per annum spent on disabled facilities grant with approximately 90 adaptations being completed to enable people to live independently in their own homes for as long as possible.
- Publishing a Homelessness and Rough Sleeping Strategy 2019 – 2024.
- Delivered **31** units for targeted client groups.
- Accommodated **175** individuals through the everyone in initiative in COVID-19 with **152** individuals moved into long term accommodation.
- Secured **£3.2 million** for Housing Towns Fund for Scunthorpe to deliver **400** additional homes by 2026.
- **£19.7 million** Levelling Up Fund secured for transport improvements in Barton Upon Humber to unlock housing sites.
- Enhanced our partnership working across North Lincolnshire to meet our residents housing need and homeless reduction priorities.
- The total number of dwellings in the private rented sector that following an inspection have been found to have one or more Category 1 Hazards (HHRs) has reduced from 154 in 2020 to **88** in 2023.

OUR OBJECTIVES

- Enable high quality environmentally sustainable homes
- Support our residents health & wellbeing
- Increased delivery
- Enhance our specialist and supported accommodation offer
- Improve existing stock condition
- Increased energy efficiency
- Support economic growth
- Improved infrastructure

PRIORITY 1: Enabling a high quality sustainable housing market that meets our resident's needs

Housing is about more than the physical structures; it is about the people and the communities they live in. This priority focuses on supporting all residents including those within the most vulnerable groups, such as those with learning disabilities, fleeing domestic violence; care leavers; homeless and ex-offenders. Health and housing are intrinsically linked. North Lincolnshire Council wants to ensure our residents can live safe, well and independently as part of mixed and inclusive communities.

OUR INTENT:

Deliver a range of good quality and energy efficient homes to meet our existing and future residents housing needs.

OUR INTERVENTIONS:

- Enable the delivery of 396 new dwellings annually.
- Provide a local planning policy framework which identifies and allocates key housing sites to meet our local needs.
- Work with developers, registered providers, and service users to deliver high quality housing across all tenures to support our residents to live independently.
- Maximise opportunities for housing delivery from council assets and future investment decisions through our Asset Management Plan.
- Improve the choice based letting system to facilitate appropriate access to suitable affordable housing opportunities.
- Increasing homeownership offer through the delivery of wider range of intermediate and market products across North Lincolnshire.
- Encourage modern methods of construction to support the delivery of new homes.
- Support and accelerate the delivery of housing-led, mixed-use regeneration projects with a brownfield first approach.
- Utilising funding opportunities to support our residents to live independently for example using the Homes Assistance policy to adapt existing properties.
- Enable opportunities to prepare for homeownership through innovation saving products.



OUR INTENT:

Enable the delivery of adaptive properties using innovative and adaptive technologies to support our residents to live independently

OUR INTERVENTIONS:

- Develop an adaptive property specification.
- Utilise Section 106 monies and the Better Care Fund
- Work with developers, registered providers and service users to deliver additional adaptive properties to M4(2 and 3) standard



OUR INTENT:

Support and enable the delivery of six new villages.

OUR INTERVENTIONS:

- Adopt a new local plan that identifies 6 new villages as strategic allocation and provides the planning framework to deliver the scheme.
- Enable and support the delivery of key infrastructure and high-quality housing across all tenures to create a sustainable community in a waterside setting.
- Offer an exceptional and responsive planning service which provides developers with a greater level of certainty and assists in speeding up the planning application process.
- Work with developers, registered providers, and service users to deliver high quality housing to support our residents to live independently in flourishing communities.
- Work in partnership with Homes England and the private sector developers to delivery high quality housing that meet our residents needs.
- Maximise funding opportunities and explore different delivery mechanisms.

OUR INTENT:

Attract new housing investment in North Lincolnshire to meet our residents need.

OUR INTERVENTIONS:

- Gain a greater understand of our residents housing needs.
- Publish a Housing Market Needs position statement.
- Creating a Developer Forum.
- Maximise funding opportunities and explore different delivery mechanisms.

OUR INTENT:

Cancelling homelessness

OUR INTERVENTIONS:

- Deliver a “Somewhere safe to stay hub.”
- Deliver the priorities identified within the Homelessness and Rough Sleeping Strategy with prevention measures being priority.
- Minimising the number of empty properties by bringing them back into use to increase housing stock.
- Increase the number of specialist accommodation in North Lincolnshire to support our vulnerable residents.
- Develop alternative short stay accommodation as an alternative to B&B accommodation.
- Utilise funding opportunities to bring back empty properties to meet supported housing needs.





PRIORITY 2: Enabling and progressing the improvement of housing standards in North Lincolnshire

Progressing action to address the existing stock in North Lincolnshire, where poor housing conditions exist to enable reduced health inequality and improved quality of life.

Impacts from unhealthy and unsafe homes include:

- Mental health impacts from suffering and trauma.
- Societal cost.

- Economic costs due to loss of potential (poorer educational achievement, loss of productivity, career prospects).
- Physical impacts resulting from exposure to damp, falling on stairs etc.

Enabling and progressing improved housing will also, include reduced energy costs and carbon emissions, create higher value homes, and economic growth.

OUR INTENT:

Improve Housing Standard across North Lincolnshire

OUR INTERVENTIONS:

- Progress a North Lincolnshire wide Housing Stock Condition Survey to provide evidence on the quality of the existing housing stock.
- Demand high quality designed housing through the planning system by adopting and implementing the new local plan.
- Deliver high quality and energy efficient housing in our private sector rental market.

OUR INTENT:

Promote The Building Safety Act 2022 to ensure our resident more rights, powers, and protection

OUR INTERVENTIONS:

- Progress and implement a partnership to ensure that action against the owners of buildings that fail to meet building regulation is enforced.

OUR INTENT:

Bring back empty properties into use.

OUR INTERVENTIONS:

- Enable Towns Fund grants to support owners to bring properties back into use at a good standard.
- Publish an Empty Homes Plan to reduce the number of empty homes in North Lincolnshire to enable owners to bring their properties back into use, progressing enforcement to bring problematic properties back into use where required.

OUR INTENT:

Improve the quality of privately rented homes and HMO's

OUR INTERVENTIONS:

- Deliver selective licensing for private landlords.
- Enable improved quality of privately rented sector homes including regulating and improving houses in Multiple Occupation (HMOs) to reduce overcrowding.
- Deliver Article 4 Direction, ensuring planning permission for small HMOs (up to six rooms for rent) is sought to enable sustainable growth.
- Using the housing health and safety rating system (HHSRS) enable a risk-based evaluation to help identify and protect against potential risks and hazards to health and safety and reduce overcrowding.

PRIORITY 3: Enabling homes to be green and more efficient

It is estimated that around 40% of UK emissions come from households, with up to 50% coming from heating and electricity. North Lincolnshire Council wants to drive up standards for environmental sustainability including onsite renewable energy and low carbon technologies.

In North Lincolnshire we want our residents' homes to be warm, energy and water efficient, with built in resilience to climate change and fuel poverty. The increase in energy costs mean that more and more residents are facing fuel poverty in North Lincolnshire.

OUR INTENT:

Enable and Sustain reduced Fuel Poverty

OUR INTERVENTIONS:

- Enable reduced fuel poverty by supporting and promoting home improvements and energy efficiency opportunities for low-income households.
- Enable improved understanding of how to cut energy usage through education.
- Enable active travel to access work, school and college.
- Progress and sustain funding opportunities to tackle fuel poverty through energy advice and support, insulation and heating grants, installation of renewable energy infrastructure e.g., solar panels etc.

OUR INTENT:

Enable Increased energy efficiency

OUR INTERVENTIONS:

- Enable and promote cleaner, greener and energy efficient solutions for those in the private sector.
- Enable residents' environmental aspirations and performance of everyone who lives in North Lincolnshire (including promoting renewable energy, pilot hydrogen boilers, air source heat pumps).
- Enable existing homeowners to improve their properties energy efficiency

OUR INTENT:

Deliver an increased number of homes are net zero and seek to ensure we end development that is carbon positive

OUR INTERVENTIONS:

- Deliver planning applications that comply with Policy DQE7 Climate change & Low Carbon Living.
- Deliver 50% reduced carbon emissions by 2038.



GOVERNANCE

Oversight and governance for the Housing Plan will be through the Councils' Housing Executive Group which meets on a quarterly basis through the year and more frequently if required. Terms of reference for the Group set out purpose, plan, responsibility, and membership.

The Housing Plan Working Group will meet regularly to review the intents and interventions, working towards achieving accomplishing the interventions.

Annual progress report and review to Cabinet.

IMPACT

PRIORITY ONE

Enabling a high-quality sustainable housing market that meets our resident's needs.

PRIORITY TWO

Enabling and progressing the improvement of housing standards in North Lincolnshire

PRIORITY THREE

Enabling homes to be green and more efficient.

PERFORMANCE MEASURES

PRIORITY ONE

- Deliver a wide range of different house types and tenures.
- Enable the delivery of 396 homes per annum.
- Commencement of 6 new villages in NL.
- Increase in the number of residents owning their home.

PRIORITY TWO

- Reduction in people living in temporary accommodation.
- Improvement of housing conditions in private rental market.
- Decrease the number of empty properties across North Lincolnshire.

PRIORITY THREE

- Increase in the number of homes which are rated A, B and C for energy performance.
- Increase in the number of homes which are net zero.
- Reduce fuel poverty by supporting our most vulnerable residents.

The Housing Plan aligns with a number of key local strategies and plans, in particularly the Economic Growth Plan 2023-2028, emerging Local Plan 2020 – 2038, North Lincolnshire Council Plan 2022 – 2025, The Adult Strategy 2023 – 2025, Children in Care and Care Leavers Partnership Plan 2022-2024 and Homelessness and Rough Sleeping Strategy 2019 - 2024.

To successfully deliver our vision the Council will enable, shape and work in partnership with other organisations. This Housing Plan will deliver new homes, specialist and supported accommodation but also raise the standards of existing stock in North Lincolnshire.

