



CIEH housing policy and campaigns

London Housing Study Group
27 March 2019



Today

CIEH housing work

Selective licensing research

HHSRS review



Policy priorities

Improving housing conditions

Tackling cold homes

Access to secure & affordable
housing



In the past year...

We have submitted 10
written responses and 2 oral
evidence sessions on housing



Rationale:

- Government review
- Anecdotal success stories
- Lack of research in this area
- Diversity of schemes

Our sample:

- 20 local authorities
- 27 schemes in operation
- 10 past schemes
- 3 borough wide



The typical scheme



Smaller schemes

- Typically around 800 properties
- Size varied between 200 and 6,000 properties
- Ambition in all smaller schemes to inspect all licensed properties
- Order determined by targeting approach

Larger schemes

- Around 20,000 to 40,000 properties
- Inspections are targeted but no ambition to inspect all properties



Property standards



- Inspections uncovered very high numbers of Category 1 and 2 hazards being **found and addressed**
- Where schemes had completed, between **60-91% of properties in licensed areas had some deficiencies** and needed works
- Several areas have highlighted that **landlords had become more willing to do required works** on their properties once licensing schemes had been set up in their areas.





- The approach being taken by the majority of areas is an **escalating approach** to enforcement, with informal approaches to start with, only escalating to formal action where this is not successful.
- In most areas, the **number of prosecutions is relatively small**, compared with the high levels of non-compliance.
- A better measure of the success of a scheme is therefore to capture **how many properties have been improved** as a result of the scheme being in place.





Antisocial behaviour

- Some councils are also able to provide clear evidence of reductions in anti-social behaviour.
- Resources to support and educate landlords to tackle the antisocial behaviour of their tenants has been an essential component of successful schemes.





Better information

- Better understanding of the local housing market and provided opportunities to better engage with local landlords.

Joint working

- Some schemes appear to have encouraged greater joint working, with many areas reporting joint inspections with the police and the sharing of various data sources to identify unlicensed landlords.





Setting of standards

- A recent Court of Appeal decision (*Paul Brown vs Hyndburn Borough Council*) has shed light on the scope of local authorities' powers to set **conditions in licences**, which are granted under the selective licensing regime.
- The Court of Appeal decided that the landlord cannot be required by the local authority to provide a valid EICR report or a carbon monoxide alarm where a gas appliance is installed, because this extends beyond the powers of a selective licensing schemes.





Setting up of new schemes

- Only around 44 local authority areas in England have schemes in place
- The requirements for local authorities looking to introduce a new licensing scheme are bureaucratic, time consuming and costly.
- The up front costs, such as stock condition surveys and advertising in local papers are non-recoupable costs (in terms of licence fees).





Licensing fees

- Licensing fees vary significantly but often do not reflect the true cost of running the scheme
- In some cases, running costs have to be met via existing staff budgets, drawn from the general housing enforcement fund
- Schemes generally lead to much higher enforcement levels, which have additional implications on the resources
- Civil penalties offer an opportunity to rebalance budgets





Unlicensed properties

- Identification of unlicensed properties seems to be very successful, with councils using a variety of sources of intelligence
- All areas put resource and strategies in place to find unlicensed properties

Inspections

- In most cases, selective licensing schemes lead to a more proactive approach to housing inspections



Recommendations



Central Government should:

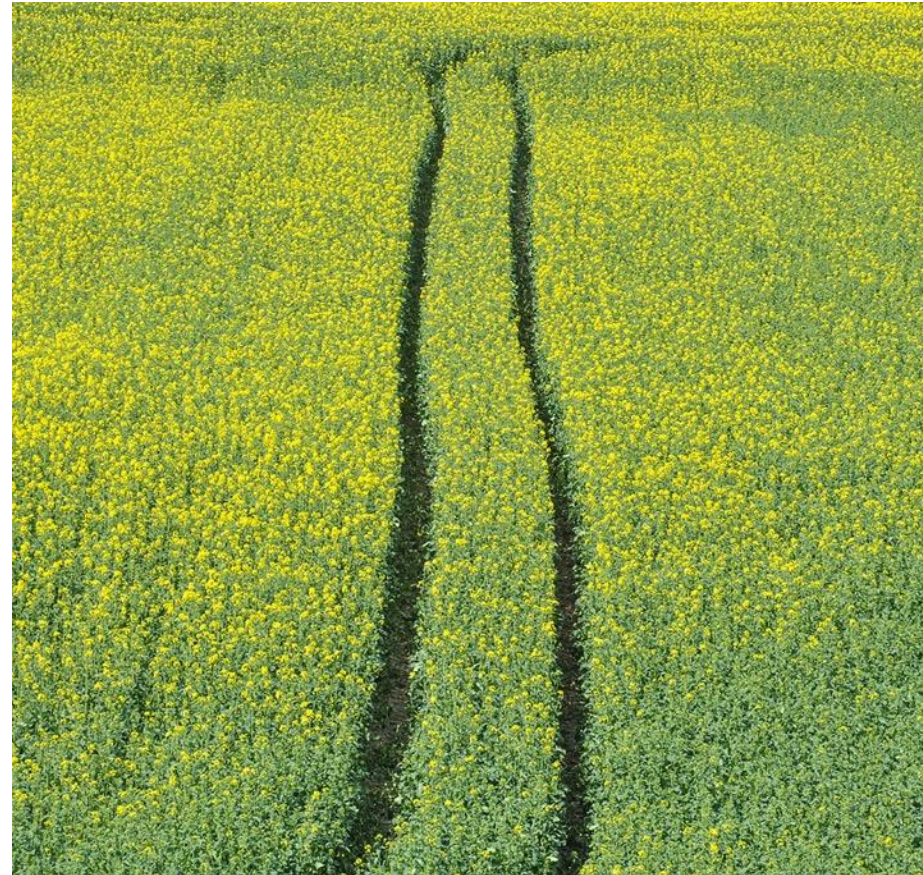
- Continue to support selective licensing schemes including borough wide/larger
- Consider the introduction of a national registration scheme
- Produce and update guidance and good practice on setting up and operation
- Provide more powers for local authorities to set licence conditions above minimum national standards and the types of documentation that they can require from landlords



HHSRS Review timeline



- May 2017 – Data collected for first CIEH survey
- Dec 2017 – Report on survey published
- Feb 2018 – CIEH gives oral evidence to the Housing, Communities and Local Government Select Committee
- May 2018 – HCLG report published
- Jul 2018 – MHCLG roadshows
- **Nov 2018 – HHSRS Review announced**



HHSRS Review timeline



- Dec 2018 – Second survey and engagement events
- Jan 2019 – CIEH invited to sit on MHCLG project board for the review
- Feb 2019 – Review engagement events
- Apr 2019 – Expected date for completion of review
- ?





HHSRS: 11 years on (2017)

- **97% support an update of HHSRS**
- 9 out of 10 wanted more up to date worked examples
- 53% said they couldn't deal with a housing issue using HHSRS
- 71 comments mentioned HHSRS statistics
- Enforcement is also part of the problem





Attitudes towards a risk based approach

- 55% risk based approach
- 15% minimum standard only
- 18% other

Attitudes towards HHSRS

- 62% think that HHSRS was an improvement on the old Housing Fitness Standard.
- 23% think that the old Housing Fitness Standard was better.





Second survey (2018/19) found:

- Whilst support for HHSRS is still high (71%), there is also significant interest in minimum standards (81%)
- A combination of both could work well, but good design and alignment will be key
- Minimum standards need to be set:
 - at an appropriately high level and
 - only for areas where this is appropriate and useful for enforcement



Second survey and CIEH submission



- We asked 3 key questions:

- 1. Which hazards score too low for enforcement action?



Damp and mould (inc ventilation*) – 32%

Fire – 23%

Food safety/domestic hygiene – 14%

Disrepair* - 14%

Personal hygiene – 10%

- 2. Which issues do tenants complain about most often?



Damp and mould (inc ventilation) - 26%

Excess cold (inc heating costs) - 22%

Electrical - 10%

Fire risk - 9%

Crowding and space - 9%

- 3. Which areas would benefit from minimum standards



Fire safety – 47%

Excess cold (heating and insulation) – 40%

Crowding & space – 35%

Electrical hazards – 24% ^

Damp & mould – 20%

Food safety – 12%

Lighting – 12%

Second survey and CIEH submission



- *How to determine which areas might benefit from standards?*
- Hazards which EHPs find it difficult to take formal action on due to the low scores generated
- Some of the most common problems encountered to speed up enforcement work
- Some issues lend themselves better than others to clear and simple standards



Second survey and CIEH submission



- *How could standards and the rating system work together?*
- Standards often don't cover the whole hazard.
- Simple analysis of current minimum standards – is a category 1 hazard is still *possible* if the standard is met?
 - MEES – yes
 - Smoke and CO alarms – yes
 - Electrical and gas safety certificates – yes



Second survey and CIEH submission



- *Should HHSRS be simplified in some way?*
- There was no clear consensus on whether HHSRS should be simplified
- Similar proportions of respondents wanted to simplify HHSRS as those who wanted to keep it as it is (35% vs. 36%)
- There was some interest in potentially combining certain hazards (66% liked this approach)
- Falls hazards and excess cold and damp hazards were suggested most frequently



Second survey and CIEH submission



Other ideas:

- Clearer guidance on action required on multiple category 2 hazards
- Management of a property is important
- Interest in mental health impacts of housing conditions



Get in touch



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Join us