



**Doncaster
Council**

Consultation on the Proposal to Re-designate Hexthorpe as an area for Selective Licensing.

Housing Act 2004 – Part 3

Consultative Document and Justification Report

October 2020

You can take part in this consultation online at
www.doncaster.gov.uk/services/housing/hexthorpeslc .

All representations should be received by midnight on **10th December 2020**

We may be able to provide this consultation in Romanian, Slovak, Polish, Czech or Urdu. Please email Selective.Licensing@doncaster.gov.uk with your name, address, language required and phone number to request this. A decision will be taken, in line with DMBC policies, if this is possible and if so the most cost effective way to provide this to you. Please try to seek assistance from other members of the community in the first instance as it may not be possible to provide a translation service.

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ہو سکتا ہے کہ ہم یہ مشاورت رومانیئن، سلوواک، پولش، چیکوسلوواکیئن یا اردو زبان میں فراہم کرسکتے ہوں۔ برائے مہربانی اس کی درخواست کے لئے اپنے نام، پتے، مطلوبہ زبان اور فون نمبر کے ساتھ Selective.Licensing@doncaster.gov.uk پر ای میل کریں۔ اگر یہ ممکن ہو تو اسے آپ کو مہیا کرنے کے سب سے زیادہ مؤثر مالی طریقے کے لئے ڈی ایم بی سی کی پالیسیوں کے مطابق فیصلہ کیا جائے گا۔ برائے کرم پہلے اپنی کمیونٹی کے دیگر افراد کی طرف سے مدد حاصل کرنے کی کوشش کریں کیونکہ ممکن ہے کہ ترجمے کی خدمات فراہم کرنا ممکن نہ ہو۔

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Summary

There is clear evidence that certain types of anti-social behaviour, in Hexthorpe, is significant and persistent with the majority of it being directly associated with the private rented sector.

It is proposed to designate the area of Hexthorpe, as defined on the map in Appendix 1, as an area for selective licensing for a period of 5 years. If designated, all private rented properties within the defined area, subject to statutory exemptions, will require a licence.

It is considered that making a designation will, when combined with other measures taken in the area by the Council and its partners, lead to a reduction in the identified problem.

Through this consultation we actively encourage your comments and representations on the proposal to designate a defined area of Hexthorpe for selective licensing.

1. Background

Selective licensing was introduced in the Housing Act 2004 to empower Local Authorities when faced with a specific area that suffers with significant and persistent issues such as:

- Low housing demand
- A significant and persistent problem caused by anti-social behaviour (ASB)
- Poor property conditions
- High levels of migration
- High level of deprivation
- High levels of crime

Local Authorities must be able evidence that a large proportion of the issues within the area is attributed by the private rented sector.

Whilst the Private Rented Sector accounts for just over one third (37%) of the properties in Hexthorpe, almost two thirds (64%) of the reported ASB, associated with domestic properties, is attributable to the PRS.

In 2019 the area of Hexthorpe and Balby North was ranked 507 out of 32,844 areas in England, where 1 is the most deprived. This is amongst the 10% most deprived neighbourhoods in the country. In 2015 the area was ranked 735 out of 32,844 (Communities and Local Government, 2019).

In designated areas, subject to statutory exemptions, landlords are required to apply and pay for a licence before they can let a house. This allows councils to check whether the landlord and any persons managing the property are a “fit and proper”. It also allows conditions to be set relating to the management, use, and occupation of the property and for addressing anti-social behaviour. Ultimately, councils can take enforcement action for failure to licence or breach of licence conditions.

Doncaster Council (DMBC) recognises that housing and our local community are an important foundation upon which we build our lives. The quality of housing, how much it costs and the area in which we live is a major influence on our health and wellbeing. Good

quality housing and local community networks are an important driver in our ability to develop social skills and relationships, as well as providing opportunities to study, work and access essential amenities required for a good quality of life. The Council acknowledges that the privately rented sector plays a vital part in the Borough's housing market and community cohesion and are keen to work with all landlords in a constructive and positive way and where possible encourage landlords to manage and maintain their properties effectively.

Doncaster is the largest geographic metropolitan borough in the country and contributes to housing and labour markets in not only Sheffield and Leeds City Regions but also the Hull and Humber Ports region and is within easy travelling time to London. Hexthorpe is a small urban village located just outside of Doncaster's town centre. The area consists of approximately 1800 domestic properties, the majority being Victorian terraced. The low local house prices, together with the close distance to the town centre has attracted a lot of buy to let investors.

The 2018-2019 English Housing Survey reports that the Private Rented Sector (PRS) has doubled in size since the 1990's, with one in five homes now privately rented, however the proportion of households in the PRS remains unchanged for the sixth year in a row, hovering around 20%. Analysis of recent data shows that the number of private rented properties in Hexthorpe is almost double the national average with closer to two in five homes being privately rented.

The primary purpose of this document is to be a comprehensive document that the consultation will be based upon. It will inform and reveal the research that has taken place to gather the required evidence that will shape and justify the proposal as being an appropriate response to the problem of ASB within the private rented sector in Hexthorpe.

2. Public Sector Equality Duty (PSED) Due Regard Statement

The PSED was created by the Equality Act 2010 and replaces the race, disability and gender equality duties. The duty came into force in April 2011 and places a duty on public bodies and others carrying out public functions. The aim of the PSED is to embed equality considerations into the day to day work of public authorities, so that they tackle discrimination and inequality and contribute to making society fairer.

The Equality duty covers the following protected characteristics:

- Age
- Disability
- Gender reassignment
- Pregnancy and maternity
- Race,
- Religion or belief and
- Sex
- Sexual orientation

It also applies to marriage and civil partnership, but only in respect of the requirement to have due regard to the need to eliminate discrimination. The PSED consists of a general

duty, with three main aims (set out in section 149 of the Equality Act 2010 and outlined below); and specific duties. The specific duties are designed to help public bodies meet the general duty.

A **Due Regard Statement** (DRS) is the tool for capturing the evidence to demonstrate that due regard has been shown when the council plans and delivers its functions. A Due Regard Statement must be completed for all programmes, projects and changes to service delivery.

- A DRS should be initiated at the beginning of the programme, project or change to inform project planning
- The DRS runs adjacent to the programme, project or change and is reviewed and completed at the relevant points
- Any reports produced need to reference “Due Regard” in the main body of the report and the DRS should be attached as an appendix
- The DRS cannot be fully completed until the programme, project or change is delivered.

At Doncaster Council, promoting equality of opportunity, eliminating discrimination and building cohesive and inclusive communities is about making life better for our residents, service users, customers and employees.

These proposals are aimed at private sector landlords irrespective of their personal, including any protected, characteristics. Similarly, the improved standards of property and tenancy management with the intention of reducing ASB, through compliance with licence conditions, apply to all properties and tenants in the designated areas irrespective of their personal, including any protected characteristics.

One potential gap identified in the delivery of these proposals is linked to language barriers during consultation and implementation for those residents and landlords who do not speak English as a first language. This has been considered and guidance in different languages of how to access the information in this document in another language is available in the front of this document. The translations provided are based on information gained on the most common languages existing in the area. During consultation events officers will also have access to telephone translation to ensure any questions can be made and answered in any language.

3. Why Re-designate Hexthorpe for Selective Licensing?

Hexthorpe was designated a selective licensing area in 2015 ending on 30th June 2020. Prior to the 2015 - 2020 scheme, Hexthorpe was seen to be the worst affected area in the borough of Doncaster in terms of housing standards, property management and ASB. The ward had the highest instance of enforcement action reported in Doncaster with the top four streets being in Hexthorpe and the majority of instances were linked to private rented properties, in some streets there was a 100% correlation between the two. One of the concerns by enforcement agencies working in the area was the very high rate of tenant turnover. This contributed to making the Council’s three-step approach to tackling the local issues, i.e. education, empowerment and enforcement, less effective.

The recent 2019/20 review of the 2015 - 2020 scheme concluded that Selective licensing is effective as part of a wider suite of community based measures aimed at affecting change.

It can lead to a more proactive approach to housing inspections, facilitate better understanding of local housing markets and encourage collaborative working with other agencies.

The review identified a case for re-designation of the area for Selective licensing for a further 5 years in order to contribute to:

- An improvement in the social and economic conditions in the area;
- A reduction in anti-social behaviour;
- An improvement in general housing conditions;
- A reduction in the level of deprivation; and
- A reduction in crime.

The review identified an overall improvement in the standard of private rented housing as the scheme progressed but re-designation is important to ensure that the positive impact of these changes is sustained long-term and to ensure further improvements.

It is generally perceived and visually apparent that the 2015 - 2020 scheme did not have a sufficiently positive impact on tackling waste offences in particular fly tipping in back alleys. If we were to take something away from the previous scheme it would be that environmental issues, such as fly tipping, littering and poor waste management are huge contributing factors of anti-social behaviour in Hexthorpe and if a further scheme was to be designated tackling these issues will be at the forefront of the Council's priorities. Nevertheless the Council cannot sustain change without the commitment of partnership agencies, landlords and the community.

This comprehensive document will form the basis of a public consultation for the proposal to re-designate Selective licensing in Hexthorpe for a further 5 years. It will detail the required evidence to justify the rationale that Selective licensing is an appropriate response to the continuous problem of ASB within the PRS in Hexthorpe. It will highlight the benefits and disadvantages of adopting a co-regulatory approach to Selective Licensing, in addition to the licence conditions proposed to address the problems confirmed by evidence, a timeline for implementation of the proposed scheme and a transparent fee structure. Finally, this document will explain the consultation process, what happens next and what we want you to do to inform our thinking.

4. Option Appraisal

The Council continues to look for effective means of assisting and encouraging improvements in the quality of the Private Rented Sector through their day to day service delivery.

The Council have considered other options to address the problems associated with the Private Rented Sector in Hexthorpe before bringing the proposal for a further selective licensing scheme forward.

Alternative options considered:

- **Landlord Accreditation** - due to being a voluntary scheme would not have the required impact as a regulated scheme;
- **Management Orders and enforcement powers** - despite these being powerful tools that remain available to the Council they are too narrow in addressing management standards in the Private Rented Sector.
- **Enforcement of property standards and management orders**- will be used, not as an alternative to licensing, but as support tools as part of the Council's programme of measures to improve the area.

Enforcement action, using the existing tools available, can have a positive impact on the standard of the property involved with a knock-on effect on other landlords via publicity of the action taken etc. However, unlike these discretionary schemes, it does not ensure there are effective and enforceable management standards in place for all private rented properties from the outset of every tenancy.

5. Analysis of Anti-social Behaviour Reported to Doncaster Council - Hexthorpe

Analysis of the Council Enforcement Team's annual enforcement data for Hexthorpe for the duration of the 2015-2020 (table 1) scheme shows a significant reduction in complaint types relating to anti-social behaviour towards the end year 4 of the scheme.

Table 1:

Year	Noise Complaints	Nuisance Complaints*	Housing Complaints	Unkempt Property Complaints	Abandoned Vehicle Complaints	Fly-tipping Complaints
Oct 14 - Sep 15	114	197	21	8	8	237
Oct 15 - Sep 16	91	134	26	9	15	95
Oct 16 - Sep 17	144	134	31	7	21	159
Oct 17 - Sep 18	105	93	19	4	13	118
Oct 18 - Sep 19	64	75	29	6	15	183
Oct 19 - Mar 20**	35	136	19	3	0	132

*Nuisance complaints consist of complaints categorised on the DMBC recording system as; domestic waste, refuse nuisance (occupied), refuse nuisance (empty), nuisance and waste on land.

**Figures are only available for a 6 months period.

When comparing year 4 of the designation (the last full year) with the year before the scheme started (highlighted Oct 14 to Sept 15), we can evidence the following reductions:

- 43% reduction in noise complaints
- 62% reduction nuisance type complaints
- 23% reduction in fly-tipping complaints

Data collected for the last 6 months (highlighted Oct 19 – Mar 20) shows a spike in most complaints with the exception of abandoned vehicles which show a positive improvement.

Nuisance complaints has seen the biggest rise with an 81% increase in just 6 months compared to the total number of complaints for the previous 12 months.

Based on the level of complaints received in the last 6 months, housing complaints for the period of October 2019 - September 2020 are predicted to exceed the annual figures for the last 5 years.

Noise complaints usually peak in the summer months due to a change in habits in the sunnier weather, therefore, the total number of complaints for the period of October 2019 - September 2020 is predicted to exceed the previous year.

Fly-tipping complaints have fluctuated throughout the period of the designation, however the number of reports received in the last 6 months show that it is still very much a prevalent issue and concern in the area.

It is generally perceived and visually apparent that selective licensing has not had a sufficiently positive impact on tackling waste offences in particular fly tipping in the back alleys.

Doncaster Council believe in effectively leading change through education and empowerment and have made resources available to landlords to assist them in educating their tenants and encouraging behavioural change in relation to anti-social behaviour and waste management practises. The figures in the table above demonstrates that there is still a long way to go in changing the behaviour of some of the residents of Hexthorpe. There is still a lot of hard work required by the Council, partner agencies, landlords and residents in order to achieve the aims of community cohesion and an area with a high demand for housing.

5.1 Analysis of Enforcement Action Taken in Hexthorpe

A toolkit of enforcement powers is available through selective licensing and other appropriate legislation. Table 2 below shows the various enforcement notices served by the Council's Enforcement Team in relation to waste investigations on private land and fly tipping.

Table 2:

Year	EPA Notices	PDP Notices	CPN Warnings	CPN's
Oct 14- Sep 15	53 (15 properties)	55	5	2
Oct 15- Sep 16	36 (13 properties)	32	8	3
Oct 16- Sep 17	48 (17 properties)	17	2	0
Oct 17- Sep 18	24 (9 properties)	7	6	1
Oct 18- Sep 19	18 (9 properties)	10	138	6
Oct 19- Mar 2020*	8 (5 properties)	45	120	20

*Figures are only available for a 6 months period.

Key:

EPA-Environmental Protection Act 1990 (Section 80)

PDP- Prevention of Damage by Pest Act 1949 (Section 4)

CPN- Community Protection Notice. Anti-social Behaviour Crime and Policing Act 2014 (Section 43).

It is worth noting that in the last 2 years the Council's Enforcement Team have adapted procedures to tackle persistent issues relating to poor waste management. The significant increase in the number of Community Protection Warnings and notices being served is as a direct result of this targeted work.

The figures in the last row (highlighted Oct 19 – Mar 20) are for a 6 month period as opposed to the annual data available for the previous years. Tackling poor waste management is high on the Council's agenda and this is clearly demonstrated by the significant increase in the number of Community Protection Warnings and notices served.

A great deal of work was done in the final year of the previous scheme to tackle the persistent issue relating to poor waste management and fly tipping. In addition to the educative resources already available to both landlords and tenants all properties without a general waste bin were provided with one free of charge.

5.2 Enforcement of Selective Licensing Conditions

Where landlords failed to address a problem with tenants repeatedly storing and presenting waste inappropriately, they were held accountable under the conditions of their selective licence. In the final year of the scheme 48 notices were served on landlords requiring them to visit their property to discuss such issues with their tenants, educate their tenants on what constitutes as anti-social behaviour and how to comply with the Council's waste management arrangements. Informative documents were made available for landlords to use and alternative language translation copies were made readily available. Landlords were required to provide the Council with signed copies of such documents to demonstrate that they had carried out what is reasonably expected of them.

There was a high level of compliance by landlords and only 9 of the notices served resulted in the landlord being issued with a Civil Penalty Fine for breach of their Selective licensing conditions.

The Council believe in building a good working relationship with landlords. It is a fundamental part of our enforcement policy to work informally to resolve issues prior to considering the need for enforcement action. Nevertheless selective licensing is a useful and effective tool to utilise to condition the behaviour of landlords towards the management of their property and tenants to target specific issues experienced in an area.

If the new scheme was to be introduced, the enforcement of Selective licensing conditions will continue from the onset should landlords fail to engage with an informal approach. Where required going forward, the Council will make full use of the mechanism for issuing financial penalties, recently introduced by the Housing and Planning Act 2016, for addressing non-compliance with the scheme.

6. Comparison with a similar locality - Enforcement Team Complaints received for the Hexthorpe area Compared to the Hyde Park area of Doncaster

Of all the areas in the borough of Doncaster, Hyde Park is the most comparable with Hexthorpe in relation to size, housing stock and population. Both areas are within walking

distance of the Town Centre and the housing stock is made up of predominantly Victorian terraced houses with yards that back on to narrow alleys and the population has a high percentage of EU migrants.

The area suffers with similar issues relating to poor waste management and fly tipping but the volume of complaints received in Hexthorpe is markedly higher when compared to Hyde Park (table 3).

Table 3: Comparison of complaints received – Hexthorpe and Hyde Park

Area	Noise Complaints	Nuisance Complaints	Housing Complaints	Unkempt Property Complaints	Abandoned Vehicle Complaints	Fly-tipping Complaints
Oct 18 - Sep 19						
Hexthorpe	64	75	29	6	15	183
Hyde Park	31	68	13	20	0	101
Oct 19 - March 20**						
Hexthorpe	35	84	19	3	0	132
Hyde Park	26	12	11	1	0	26

*Figures are only available for a 6 months period.

The number of complaints received relating to fly tipping over the period October 2018 - September 2019 for Hexthorpe is 81% higher than that received for Hyde Park. Fly tipping is a recognised issue in Hexthorpe, this is evidenced by the number of complaints received in the last 6 months, which is already 400% greater than those received for Hyde Park.

Nuisance complaints consist of complaints received relating to domestic waste and refuse issues on private land, including both empty and occupied properties. The level of complaints received in Hexthorpe for the last 6 months have already exceeded those received for a 12 month period the year before. When comparing the two areas the number of complaints received in the last 6 months relating to nuisance in Hexthorpe is 600% higher than those received in Hyde Park.

We have evidenced that the number of complaints received relating to noise nuisance in Hexthorpe reduced as the 2015-2020 selective licensing scheme continued, however the number of complaints received in the final full year was still double the number received in Hyde Park.

Although the area has undoubtedly seen some improvements in the last 5 years, statistically Hexthorpe is still considered to be one of the worst areas within the urban district of Doncaster for issues relating to anti-social behaviour, in particular nuisance and waste issues. This is evidenced by the high level of complaints made by members of the public.

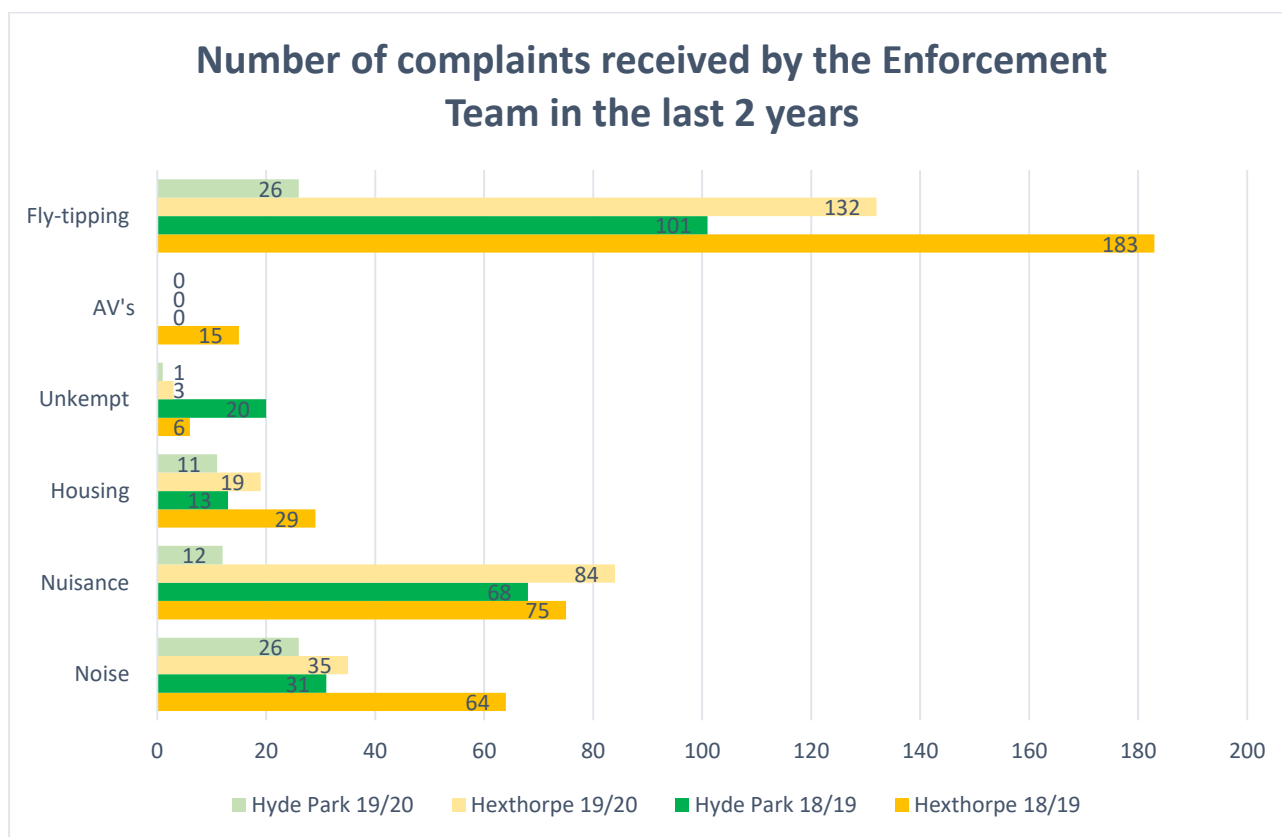
If a further Selective licensing scheme was to be implemented in Hexthorpe, in order to have any success in reducing incidents relating to ASB and making the area a more desirable place to live, the licence conditions and compliance monitoring must focus on putting the

responsibility on landlords to properly manage their rented properties and the behaviour of their tenants.

There was a significant focus on improving housing standards in Hexthorpe throughout the previous scheme. The improvements made are evident and should be recognised as a success. However the number of complaints received in the final full year of the scheme relating to housing disrepair was still double that received in Hyde Park, suggesting further work is required to secure sustained compliance by landlords.

The two areas can be clearly compared in the bar chart (figure 1) below.

Figure 1:



7. Analysis of Anti-social Behaviour (ASB) Linked to the Private Rented Sector

Whilst we saw a reduction in reported complaints of ASB in the final full year of the 2015 - 2020 scheme, when comparing the data to the year prior to the scheme being implemented, reports have risen in the last 6 months. Analysis of the reports received by the Council's Enforcement Team reaffirms the view that the Private Rented Sector (PRS) is still largely responsible for complaints relating to noise, nuisance, fly tipping and housing disrepair.

Table 4 shows the percentage of ASB associated to the PRS in Hexthorpe during the year October 2018 - September 2019, street by street.

Whilst the Private Rented Sector accounts for just over one third (37%) of the properties in Hexthorpe, almost two thirds (64%) of the reported ASB, associated with domestic properties, is attributable to the PRS.

Table 4: Anti-social Behaviour (ASB) Linked to the Private Rented Sector

Street	Total units	Total PRS	% PRS of total	Total ASB	% ASB linked to PRS
Abbott Street	71	44	62	3	67
Barnstone Street	26	0	0	0	-
Beaconsfield Road	39	17	44	4	50
Bentley Avenue	28	16	57	0	-
Bramworth Road	33	2	6	0	-
Bridge Street	0	0	0	0	-
Cherry Tree Road	0	0	0	0	-
Crawshaw Road	17	3	18	1	100
Crimpsall Road	27	16	59	0	-
Dell Crescent	12	0	0	0	-
Denison Road	26	12	46	5	80
Eden Grove	31	1	3	0	-
Ellerker Avenue	65	35	54	5	80
Garden Lane	2	1	50	0	-
Gladstone Road	38	27	71	1	100
Glenfield Avenue	56	11	20	0	-
Hawfield Close	13	0	0	0	-
Hexthorpe Road	78	37	47	8	25
Kirk Street	19	12	63	3	100
Laneside Close	20	0	0	0	-
Langer Street	9	6	67	0	-
Laughton Road	26	13	50	5	100
Lindum Street	16	6	37	1	0
Mutual Street	46	24	52	7	57
Nicholson Road	32	9	28	4	50
Old Hexthorpe Road	157	15	10	4	0
Ramsden Road	90	42	47	10	80
Riverside Close	8	0	0	0	-
Salisbury Road	33	10	30	4	50
Scarll Road	21	7	33	1	0
Senior Road	17	5	29	3	100
Shady Side	178	47	26	7	43
Sheardown Street	52	30	58	2	100
Shirley Road	30	12	40	1	100
Spansyke Street	69	36	52	17	53
Stanley Road Flats (Salisbury Road)	6	5	83	0	-
Stoneclose Avenue	90	62	69	27	81
Travis Gardens	61	0	0	0	-
Urban Road	149	49	33	7	57
Windle Road	27	14	52	0	-
Wharncliffe Street	17	12	71	2	100
Totals	1733	638	37	132	64 (Average)

8. Fixed Penalty Notices (FPNs) Issued in the Hexthorpe Area.

Table 5 below shows the number of FPNs issued for litter and waste type offences throughout the term of the 2015-2020 scheme, the number of fines fluctuates, peaking at 385 in year 2. The year 2 peak can be attributed to a targeted campaign, focusing on the urban centre localities. However, the number issued in year 4 (153) is almost equal to the number issued in the 12 months prior to the commencement of the scheme.

Table 5:

Time period	FPNs for litter	FPNs for vehicle litter	FPNs for dog fouling	Total Number of FPN's
01/06/2014 – 31/06/2015	140	6	2	148
01/10/2015 – 30/09/2016	Detailed breakdown not available			101
01/10/2016 – 30/09/2017	361	12	12	385
01/10/2017 – 30/09/2018	217	2	7	226
01/10/2018 – 30/09/2019	150	1	2	153
01/10/2019 – 30/03/2020*	92	0	0	92

*Figures are only available for a 6 months period.

At the time of writing this report, 92 FPNs had been issued in Hexthorpe for litter offences in a 6 month period (highlighted Oct 19 – Mar 20). This year's figures have been adversely effected by the COVID-19 lockdown, which began in March 2020, and resulted in the Council having to adapt its operating practices in line with the national restrictions and guidelines that were implemented to control the pandemic. Had the Council been operating as normal throughout this period, it is predicted that the total number of FPNs issued for the full year October 2019- September 2020 would have exceeded last year's figures (Oct 19 – Sept 20). The rationale being that the first 6 months figures exceeded half of the total for the previous year and the summer months are typically a period of high intervention, particularly for litter offences, due to the increase in footfall on the streets.

In addition to the proactive patrols and complaint led investigations carried out by the Council's Enforcement Team, Doncaster Council have recently invested in 11 CCTV cameras, covering areas of Hexthorpe, to help tackle crime and anti-social behaviour. One notable benefit of having CCTV is that it has captured incidents of fly tipping which is a significant issue in the area.

Since CCTV cameras were installed in October 2019, the Enforcement Team have issued: 9 FPNs for fly tipping at £400 each and 3 FPNs for littering at £150 each (figures collected March 2020). These figures are in addition to the FPNs detailed in table 5 above.

Fly tipping is detrimental to the environment and tackling it is high on the Council's agenda. Doncaster Council recognises that in order to produce successful outcomes targeted resources and robust investigations are essential requirements. This approach requires time

and dedicated resources, which is why the Enforcement Team have recently appointed 2 full time Enforcement Officers who specialise in the investigation of fly tipping across the borough.

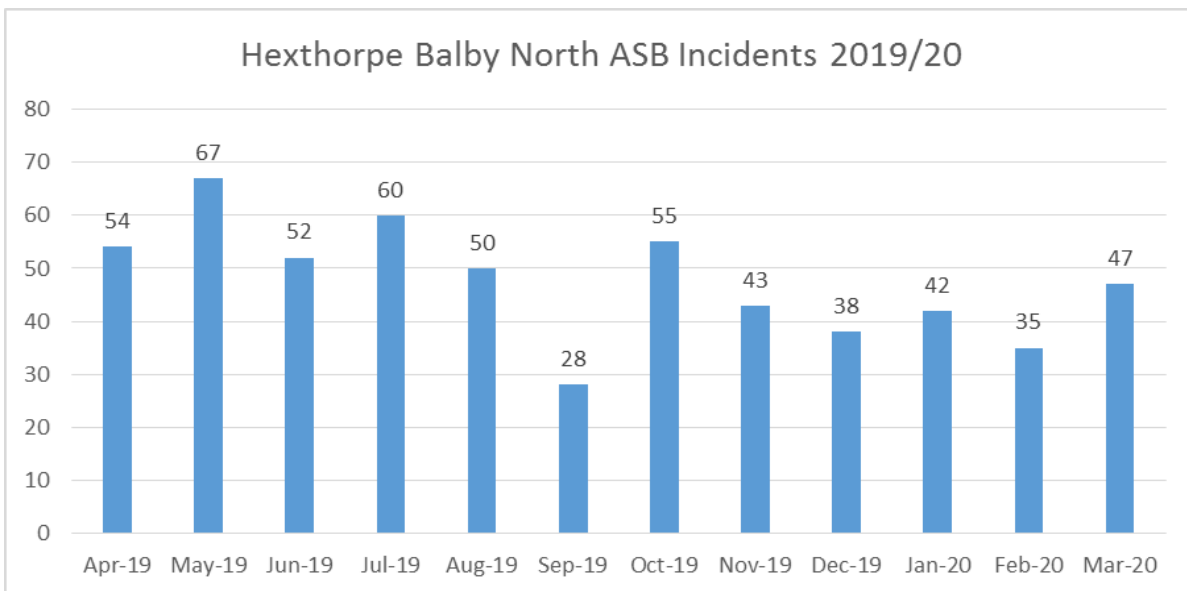
9. Analysis of Anti-Social Behaviour (ASB) Data Obtained from South Yorkshire Police

During 2019/2020, the Hexthorpe/Balby North ward recorded 571 incidents of anti-social behaviour (ASB), this equates to 20% of the total ASB reported in the Central area (2,908) and 8% of Doncaster’s overall recorded ASB incidents (7,995).

During the current reporting period, the Hexthorpe/Balby North ward is identified as the second highest recording ward within the Central Area, second only to Town Ward.

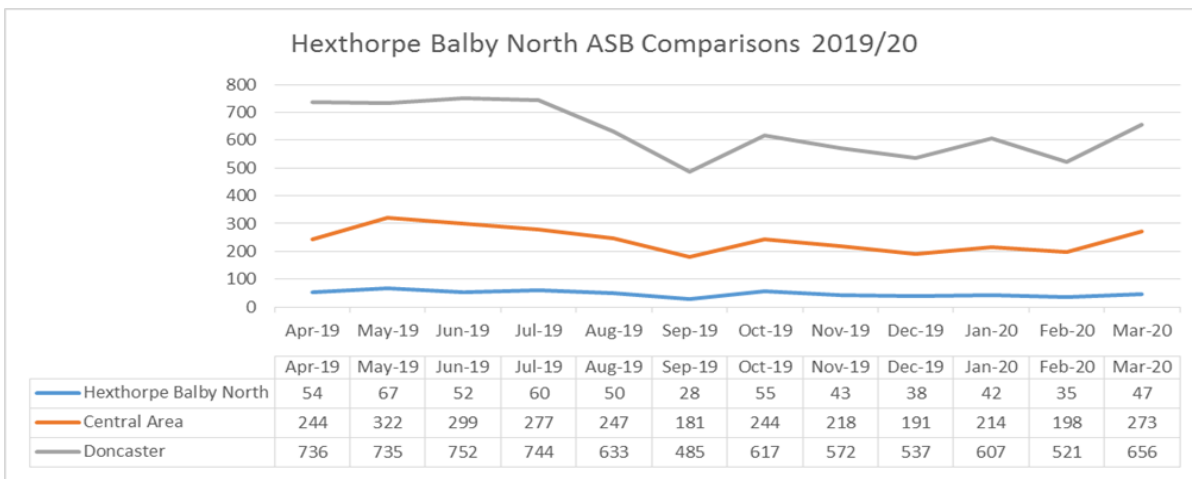
The bar chart below (Figure 2) shows the volumes of reporting within the Hexthorpe/Balby North ward.

Figure 2:



The line graph below (Figure 3) show the ward’s ASB volumes in comparison to the Central Area and Doncaster’s as a whole.

Figure 3:



(South Yorkshire Police, 2020)

Notable reporting within the Hexthorpe/Balby North ward was in relation to incidents described as rowdy/inconsiderate behaviour. These incident types accounted for 42% of the wards total ASB.

Other notable reporting related to vehicle nuisance. Vehicle nuisance and inappropriate use incidents nuisance accounted for 16% of Hexthorpe/Balby North ward's ASB incidents.

The data for this consultation document was collected during the COVID-19 pandemic. It is, therefore, considered appropriate to consider how the restrictions imposed during the pandemic affected the behaviour of the residents of Hexthorpe. The Health Protection (Coronavirus) Regulations 2020 imposed restrictions to control the spread of Coronavirus. These restrictions included the closure of non-essential premises/businesses and restricted certain activities including social gatherings with persons outside of the same household.

During the period of 22/04/2020 and 29/05/2020 190 breaches of the regulations were reported in Hexthorpe. The number of reported breaches for Hexthorpe was almost 4 times that of the Hyde Park area of Doncaster. Despite having a similar population to Hexthorpe, there were only 51 reported breaches for Hyde Park.

According to South Yorkshire Police data, Hexthorpe is second in the top 6 areas by volume of reports of breaches of the Regulations borough wide (table 6).

Table 6:

Mexborough	207
Hexthorpe	190
Balby	185
Cantley	136
Thorne	124
Intake	123

(South Yorkshire Police, 2020)

10. Analysis of Anti-social Behaviour (ASB) Data Retrieved from South Yorkshire Fire and Rescue

According to South Yorkshire Fire and Rescue's 'Deliberate Fire Analysis' there have been 99 deliberate fires in the district of Hexthorpe and Balby North in the last 3 years. These incidents can be broken down as follows (table 7):

Table 7:

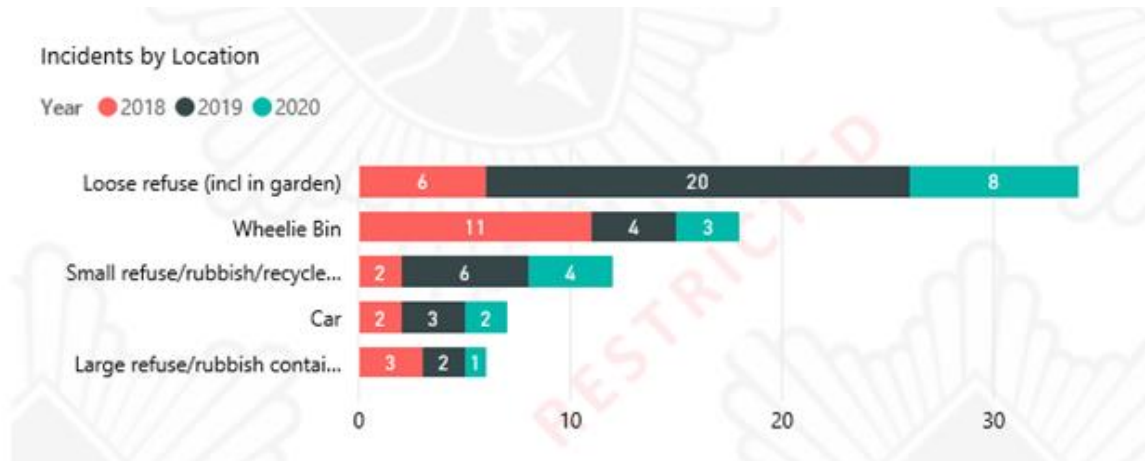
Deliberate primary (excluding vehicle fires)	6
Deliberate vehicle fires	8
Deliberate secondary fires	85

Over half (54) of these fires were deliberately started at night.

Figure 4, below, was extracted from the Deliberate Fire Analysis data and shows a breakdown of the types of incidents. It is clear that the biggest single cause of deliberate

fires in this area is attributed to loose refuse. This is not surprising as, despite the ongoing efforts to target the levels of ASB, the area remains one of the worst in the borough for fly tipping and waste in gardens. Deliberate fires from loose refuse appears to have tripled in 2019 compared to the previous year and this year's figures show this to be a continuing trend (the data was extracted in May 2020).

Figure 4:

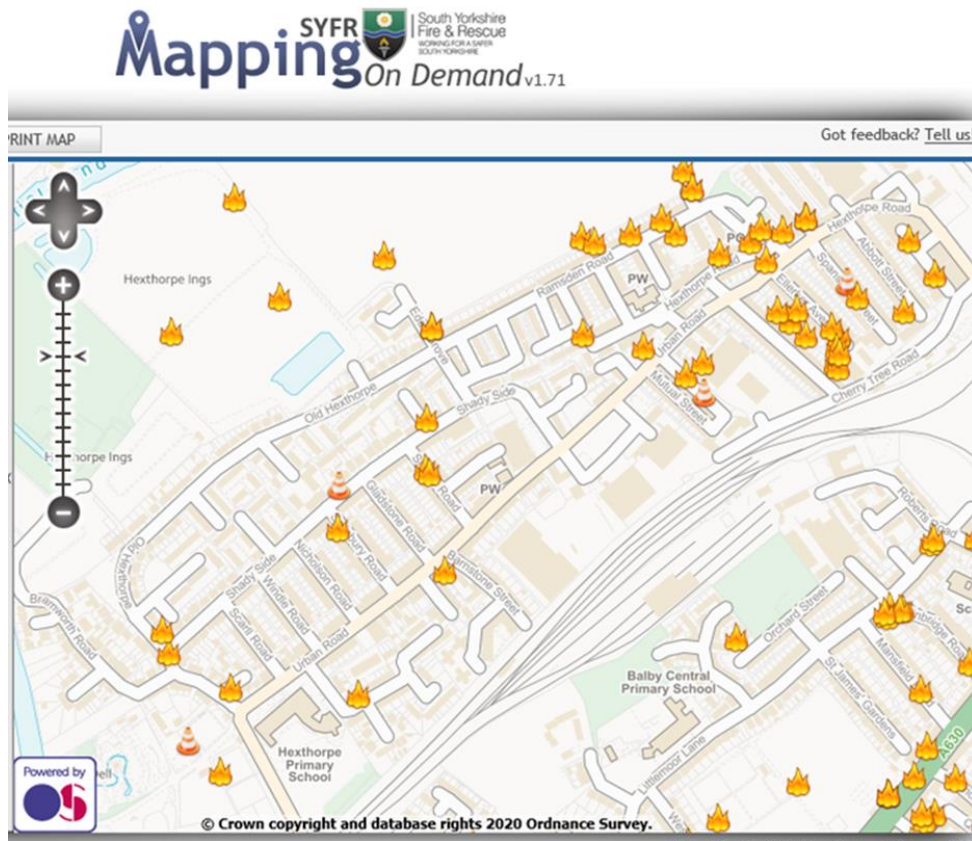


(South Yorkshire Fire and Rescue, 2020)

These findings reinforce the need for the proposed selective licensing scheme to target improving tenancy management and encouraging behavioural change. The Council's compliance monitoring and enforcement will be targeted towards ensuring the proper management of private rented properties and tackling ASB. This is a managed shift from the campaign to concentrate resources almost entirely on improving property standards throughout the 2015 – 2020 scheme. However, it is worth noting that it is recognised that by improving the management of the private rented sector successful selective licensing schemes lead to significant improvements to housing standards in these areas.

Figure 5 shows the reported deliberate fires by location. The worst affected streets in Hexthorpe appear to be Stone Close Avenue, Ellerker Avenue, Ramsden Road, Spansyke Street, and Mutual Street.

Figure 5:



(South Yorkshire Fire and Rescue, 2020)

The reports of deliberate fires correlates directly with what are identified to be some of the worse effected streets for reports of fly tipping received by the Council’s Enforcement Team, as shown in the table 8 below.

Table 8:

Street	Year			
	Oct 2016- Sep 2017	Oct 2017- Sept 2018	Oct 2018 - Sept 2019	Oct 2019 - March 2020*
Stone Close Avenue	19	15	18	8
Ellerker Avenue	10	7	10	9
Ramsden Road	35	13	11	14
Spansyke Street	14	6	12	4
Mutual Street	9	4	3	10

*Data only available for a 6 month period.

Investing more resources in to tackling the issue of poor waste management practises through means of education, empowerment and enforcement will not only make Hexthorpe an attractive place where people want to live and thrive but it will also benefit partner agencies such as South Yorkshire Fire and Rescue Service, by saving time and resources used in responding to deliberate fires of this nature and could save lives.

11. Hexthorpe Public Space Protection Order (PSPO)

In an attempt to address a number of anti-social behaviour (ASB) problems that had been identified within the locality, a Public Space Protection Order (PSPO) has also been

implemented in Hexthorpe. The PSPO ran parallel with the 2015 - 2020 selective licensing scheme.

The Hexthorpe PSPO initially came into effect on 10th August 2015 for a period of 3 years. The PSOP was subsequently extended for a further 3 years and is now in effect until 10th August 2021.

Prior to the introduction of the PSPO community tensions ran high in Hexthorpe due to concerns relating to particular activity that is considered to be anti-social behaviour. The Anti-social Behaviour, Crime and Policing Act 2014 gives local authorities powers to tackle anti-social behaviour by allowing them to create Public Space Protection Orders (PSPO). Each order is specific and targeted to the needs of the area it is to be implemented within.

There are 7 prohibitions in the Hexthorpe PSPO each aimed at dealing with specific problems within the locality.

The following prohibitions have been implemented in a specific area of Hexthorpe:

1. No congregating in a group of 3 or more people which is behaving in a manner which is causing or is likely to cause any person harassment, alarm or distress.
2. No person shall engage in games on the public highway in a way that causes a nuisance or annoyance to those living nearby in the area.
3. No person shall make any excessive noise so as to cause a detrimental effect on the quality of life of those in the locality.
4. No person shall enter the play area on Urban Road, Hexthorpe between the hours of 9:30 pm and 07:00 am.

The following prohibitions have been implemented in Hexthorpe as a whole:

5. No person shall consume alcohol in any public place in Hexthorpe other than licensed premises.
6. No person shall be in possession of any opened vessel containing or purporting to contain alcohol in any public place in Hexthorpe.
7. Person(s) within the area outlined, will not ingest, inhale, inject, smoke or otherwise use intoxicating substances

Maps of the designated areas can be downloaded at:

<https://www.doncaster.gov.uk/services/environmental/public-space-protection-order-hexthorpe>

The PSPO is enforced by Doncaster Council and South Yorkshire Police. Any person who fails to comply with the requirements of the order will be committing a criminal offence and may be issued with a Fixed Penalty Notice (FPN) or prosecuted in the Magistrates' Court.

Table 9 shows the number of FPN's issued by Doncaster Council in relation to breaches of the PSPO in Hexthorpe.

Table 9:

Year	FPN's issued
October 2017- September 2018	3
October 2018- September 2019	16
October 2019- March 2020*	6

*Data only available for a 6 month period.

12. Housing Standards in Hexthorpe

National research shows that selective licensing schemes are successful at improving housing conditions and the final review of the 2015 -2020 Hexthorpe scheme supports this. The previous scheme focused on a proactive approach to housing inspections and from the outset there was a clear objective to inspect all licensed properties on multiple occasions throughout the designation, as opposed to relying on intelligence received from tenants complaining to the Council about matters of disrepair.

The proactive approach to housing inspections highlighted numerous properties where serious hazards were identified that may have otherwise gone unreported and defects were addressed to reduce such hazards to a safe level. This led to an overall improvement in the housing stock in the area.

When the final review of the 2015 - 2020 scheme was completed, there had been approximately 2000 individual property inspections undertaken by Homesafe and the Council from the since the scheme began. This equates to an average of more than 3 inspections per licensed property.

Notwithstanding the above, analysis of the data, where it is readily available, shows that, of those properties inspected by the Council:

- 29% were compliant at first visit;
- 33% involved minor remedial actions reported to the landlord; and
- 38% where serious hazards were identified and brought to compliance (confirmed by a revisit to the property).

Of the 1420 inspections carried out by Homesafe, high priority issues were identified at:

- 71% of properties inspected during year 2
- 78% of properties inspected during year 3
- 55% of properties inspected during year 4

Whilst it is reassuring that high priority issues were detected, the failure to secure sustained compliance via the co-regulation approach raised questions about the overall long-term effectiveness of this approach. It suggests that the absence of the immediate threat of enforcement action for those opting for the co-regulator approach may result in licence

holders allowing new property defects to develop into hazards, without proactively taking remedial action themselves. It became apparent towards the end of the 2015-2020 scheme that landlords licensed through Homesafe were given multiple opportunities to comply before the Council become involved.

In addition to the proactive inspections completed throughout the duration of the designation, a consistent stream of complaints were received by the Council's Enforcement Team for properties licenced through both the Council and Homesafe. A high percentage of which resulted in enforcement action being required to be taken to achieve compliance.

Table 10 shows the number of complaints received by the Council's Enforcement Team relating to housing disrepair and unkempt properties throughout the duration of the 2015 - 2020 scheme, and the number of enforcement notices served in response to these complaints.

Table10:

Year	Housing Complaints	Unkempt Property Complaints	Housing Notices
Oct 14- Sep 15	21	8	10 (7 properties)
Oct 15- Sep 16	26	9	5 (5 properties)
Oct 16- Sep 17	31	7	7 (5 properties)
Oct 17- Sep 18	19	4	10 (7 properties)
Oct 18- Sep 19	29	6	14 (11 properties)
Oct 19- March 20*	19	3	3 (3 properties)

*Data only available for a 6 month period.

The Council's enforcement policy and preferred course of action to secure compliance is to work informally with the landlord and tenants. However enforcement action may be appropriate if it is proportionate to the circumstances of the case.

In the final full year of the previous scheme, the number of notices served was 40% more than it was in the year leading up to the area being designated for selective licensing. A significant number of properties have benefited from improvements. However, there is still a long way to go in order to sustain compliance and improve the demand for housing in Hexthorpe.

13. A new targeted approach to Housing Standards Inspections

The 2015-2020 scheme delivered some positive outcomes but, with hindsight, the proactive approach taken to inspect all properties annually was over ambitious and resource intensive. It is considered that positive results could be achieved by adopting a targeted, intelligence led, approach where properties are individually rated to determine the frequency and order

of inspection. This approach will free up the officer time and resources required to focus on the worst housing stock, rogue landlords and anti-social behaviour.

The initial ambitions of the 2015 - 2020 scheme in terms of inspecting every property annually were unrealistic and detracted from (what we now firmly understand from recent case law) the primary aim of selective licensing i.e. ensuring suitable tenancy management. Hazards arising from property defects should be controlled using the tools already available in the Housing Act 2004. We propose that going forward the new scheme will include an annual declaration of compliance submitted by each licence holder and the inspection regime will be robust, consistent and targeted (risk based rather than routine). Focusing resources on identifying unlicensed properties, non-compliant/unsatisfactory management and property conditions. We have had good successes in Hexthorpe but more intervention is now required to tackle those properties where we continue to have concerns regarding the standard of management.

The success of a selective licensing scheme cannot be measured in prosecutions data alone and needs to take into account the number of properties or management practices improved. Throughout the 2015 - 2020 scheme a high percentage of landlords were very cooperative and willing to improve their properties to a decent standard without the need for enforcement action to be taken. However, in some cases further hazards, arising from disrepair, were consistently found during subsequent property inspections. Using data retrieved from the previous scheme, going forward, we are able to target these properties using the proposed risk based approach.

The setting up and operation of the 2015 - 2020 scheme put pressure on the housing enforcement element of the Enforcement Team, due to the resource intensity of the proactive inspections. However, the Housing and Planning Act 2016 introduced the ability for Councils to issue financial penalties of up to £30,000 for specified housing offences. These offences include failure to licence and the non-compliance with Selective Licence conditions as an alternative to prosecution (referred to as Civil/Financial Penalties). The recent introduction of the financial penalty option for housing contraventions offers a more efficient opportunity for selective licensing areas to balance budgets for enforcement work and to ensure a robust stance is taken with landlords that do not respond positively to our incremental approach to enforcement.

14. The Effectiveness of the Co-Regulatory Approach Adopted in the 2015 - 2020 scheme

Consultation responses to the 2015 - 2020 scheme resulted in a co-regulatory approach being adopted. All licences were granted by the Council but landlords were given the option to apply via and be monitored by a co-regulator. Whilst it was open for any provider to register an interest in offering the co-regulator option, Homesafe was the only body that came forward. The co-regulator routinely monitored their member's compliance throughout the term of the licence but, as a non-regulatory body, they were unable to enforce the conditions of the licence and address non-compliance in the traditional sense i.e. by formal

legal action such as prosecution or financial penalties. In cases where they were unable to secure compliance through their support/advisory role, membership should have ultimately been terminated with the licence holder defaulting back to the Council for compliance monitoring/enforcement as appropriate.

Of the 659 premises that were licensed in the final year of the scheme, 397 (60%) opted to be licensed via the co-regulator. From the start of the 2015-2020 selective licensing scheme in Hexthorpe all licence holders were given the option to apply via a co-regulator and to be monitored for compliance by that body throughout the duration of the licence. Landlords who chose this route paid an administration fee to the Council to cover the costs associated with determining and granting or refusing the licence and then paid membership, inspection and any breach fees direct to the co-regulator for the remainder of the licence term. The co-regulator was expected to routinely monitor their member's compliance but were unable to enforce the conditions of the licence. In cases where they were unable to secure compliance through their support/advisory role, membership should have been terminated and the licence holder default back to the Council. Whilst the Council did not set a limit on the number of co-regulators that would be approved there was only one such partner, Homesafe, throughout the term of the previous scheme in Hexthorpe.

Whilst the co-regulator approach had clear advantages to both the regulated and the Council, it presented a number of challenges and drawbacks which included the loss of potential income from licence fees, effectively reducing the ability of the Council to meet the costs of running the scheme. The theory was that compliant landlords (or those willing to comply) were monitored by the co-regulator, leaving the Council to concentrate resources on those who need to be brought to compliance. This is sound in principle but was different in reality.

Firstly, there was no earned autonomy. The applicant chose whether they wanted the perceived soft touch educative approach to compliance from the co-regulator without the perceived threat of prosecution from the Council for non-compliance. It is worth noting that, with the exception of extreme circumstances, the reality is the Council will, predominantly seek to secure compliance, initially, by working with landlords rather than immediately resorting to enforcement action. The Council, like most regulators, are legally obliged to comply with the legislative and Regulatory Reform Act 2006 which sets out the principles-based framework for how they should engage with those they regulate.

Secondly, the law does not lend itself neatly to the co-regulation approach. In the event that a licence holder (who has opted to join the co-regulator scheme) became non-compliant and, despite the efforts of the co-regulator remained non-compliant, it is up to the Council to enforce the terms of the licence. However, the licence holder has not made a financial contribution towards the Council's enforcement costs but instead made payments to the co-regulator. In the event that a licence holder left the co-regulator scheme either by choice or by expulsion, the mechanism for changing the terms of the licence is extremely bureaucratic and open to challenge both in terms of the change and with regard to the recovery of fees. The law allows for an application fee but does not allow for a variation fee and a complex,

challengeable, process of altering the terms of the licence ensues, including the calculation and recovery of monies considered due.

Therefore, in terms of enforcement, where a licence holder failed to engage positively with the co-regulator there was a significant delay in the licence holder being brought within the control of the Council, to be brought to compliance or subject to punitive action. The timescales were much shorter for a licence holder who opted to be monitored by the Council from the outset. For Council officers dealing with neighbourhood issues arising from tenant behaviour e.g. waste in a garden or fly-tipping, the co-regulator approach was found to be an added complication. A referral was made to the co-regulator resulting in an inevitable delay, to the extent that the officer often dealt with the issue direct with the landlord, albeit usually informally to resolve the issue.

As the previous scheme progressed it became increasingly challenging for the Council to deploy additional resources into compliance monitoring and enforcement as those licence holders, who opted for the co-regulator approach, migrated to the Council either through choice or following expulsion for failure to engage.

Where the co-regulator approach was successful was in undertaking a significant number of health and safety inspections of their members' properties and bringing a significant number of serious hazards to the attention of the licence holders. The ability to task officers to concentrate on such inspections without the distractions that routinely divert Council officers from performing such tasks was a recognised advantage of the co-regulator approach.

That said, at the time the scheme ended on the 30th June 2020, 91 Homesafe members' properties were identified, by the co-regulator, to be in breach. This equates to ¼ of the 397 properties monitored by Homesafe. The members were in breach for failing to confirm that they had resolved what were considered to be high priority issues identified during a compliance inspection. 42 outstanding cases were from the 3rd year inspection and 49 from the 4th year inspection. In addition to the 91 properties in breach, at the end of the previous scheme 7 cases were still open with outstanding issues identified during the 3rd inspection and 29 cases with outstanding issues identified during the 4th inspection. It is recognised that progress towards addressing such issues was put on hold due to the unique circumstances arising from the COVID-19 lockdown.

The above cases have been transferred to the Council's Enforcement Team to take appropriate action with the landlord to remedy defects which may contribute to serious hazards. This intelligence will form part of the Council's approach to target and risk based property inspections during the proposed scheme. After 5 years of intense property inspection activity by both the co-regulator and the Council, the need to undertake such frequent inspections should be capable of being substantially reduced and resources should arguably be concentrated on ensuring the licence holders' property and tenant management arrangements are up to standard and targeting non-compliant landlords.

Of the premises that were licensed in the first year of the designation, 70% of those who applied opted to license via the co-regulator. During the 12 month period that preceded the 2020 review of the previous scheme, a total of 80 new licences were granted of which only 19% opted for the co-regulation approach. Towards the end of the previous scheme there was a marked shift towards the Council and away from the co-regulator. Under the previous licence fee structure, the co-regulator option became less financially attractive when compared to the Council option. This is clearly evidenced by the shift in uptake from predominantly co-regulator to almost entirely council by year 3 and 4. This suggested that those who opted for the co-regulator route may have been motivated by finance and may have been due to the monthly payments scheme on offer, rather than the perceived fear of enforcement.

15. Empty Properties in Hexthorpe

According to recent research, nationally there is uncertainty over the effectiveness of licensing in reducing the number of empty properties. Nevertheless, as low housing demand is one factor considered when designating an area for Selective Licensing, it is useful to look at the empty property data for Hexthorpe throughout the duration of the 2015 - 2020 scheme (tables 11 and 12).

In June 2015, there were a total of 101 empty properties in Hexthorpe of which 11 were considered long term empties, having been unoccupied for more than 2 years.

Table 11:

Period of time the property has been empty	Number of empty properties within the Selective Licensing Area
< 2 Years	90
≥2 Years	11
Total	101

In August 2019, there were a total of 111 empty properties in Hexthorpe, of which 25 were considered long term empties.

Table 12:

Period of time the property has been empty	Number of empty properties within the Selective Licensing Area
< 2 Years	86
≥2 Years	25
Total	111

Of the current 25 long term empty properties, 6 were empty at the start of the 2015 - 2020 scheme and 19 of these were more recently occupied as a private rented property.

85 of the properties that were registered as empty in 2015 are no longer registered as empty, 5 of which were considered long term empties at the start of the scheme, nevertheless the overall number of long term empty properties has increased by 127% in the last 5 years

suggesting that there is a lot more work to be done to create a sustainable neighbourhood in which people want to live.

16. Doncaster's Empty Homes Strategy

Doncaster Council are working with St Leger Homes to help bring back into use as many empty residential properties as possible, to provide much needed homes for local families. Some of the ways in which we hope to achieve this are:

- **Empty Property Matching Service**

St Leger Homes have developed a scheme which aims to match homeowners of empty properties, who would like to sell their property, with people who want to buy an empty home. To be eligible for the scheme, the property must have been registered as empty with Council Tax for at least 6 consecutive months. Interested developers can register their details and St Leger Homes will facilitate communication between them and the property owners.

- **Empty Homes Loan Scheme**

St Leger Homes 'Empty Homes Loan Scheme' aims to provide financial assistance for owners that require support to refurbish their empty property in order to bring it back into use. The amount of loan available is dependent upon individual circumstances but can range from £5,000 to £30,000. Once refurbished, the property can be either sold or let through the St Leger Lettings service.

- **Empty Property Grants**

Dependent on available funding, grants of up to £12,000 per owner may be available in limited cases to help improve an empty property so it can be brought into use. To qualify, the property must have been owned for a minimum of 12 months, empty for at least 6 months and must be re-let under a minimum 5 year management agreement with St Leger Lettings.

- **Empty Property Acquisitions**

Working in partnership with Doncaster Council, St Leger Homes have limited funding available to purchase and improve empty homes so that they can be re-let. The property must have been empty for at least 6 months and will be subject to meeting further qualifying criteria in terms of the area the property is located and housing need.

17. Demand for Housing in Hexthorpe

Table 13 compares the average property prices and number of property sales for a selection of streets in Hexthorpe over a 5 year period leading up to the 2015 designation with the following 5 years (4 years of which selective licensing was in operation).

Table 13:

	15 th June 2009 - 14 th June 2014		15 th June 2014 - 14 th June 2019	
Street	Average value of property sold	Number of properties sold	Average value of property sold	Number of properties sold
Hexthorpe Road	£56,629	7	£46,312	8
Urban Road	£74,791	12	£66,979	24
Ramsden Road	£59,850	7	£53,454	24
Shadyside	£66,079	12	£74,324	6
Ellerker Avenue	£56,333	6	£44,320	17
Denison Road	£49,000	5	£42,375	4
	Average Total: £63,036	Total: 49	Average Total: £55,696	Total: 83

Analysis of the above findings show that, whilst the average house price in Hexthorpe has reduced by 12%, there has been a 69% increase in the number of properties sold.

In comparison to Doncaster as a whole, during the same periods, house prices have increased by 5% but there has been a 42% reduction in the total number of properties sold.

The overall reduction in house prices in Hexthorpe coupled with the significant increase in turnover, being the complete inverse of the borough as a whole, suggests that, during the period of the 2015 designation, the demand for houses in the Hexthorpe area did not increase.

In the 6 months period October 2019- March 2020, 21 properties have sold in Hexthorpe with an average selling price of £64,175.

The area of Hyde Park is similar to Hexthorpe in that the housing stock is predominantly Victorian terraced with small gardens that back on to narrow alleys and both areas are within walking distance of Doncaster Town Centre. When comparing the two areas for the same 6 month period, only 10 properties were sold in Hyde Park and the average property price is £122,286, almost double that in Hexthorpe (the average property price excludes the new build estates in Hyde Park). This concludes that Hexthorpe still remains an area of low demand.

18. Indices of Deprivation: Hexthorpe 2019 and 2015

In 2019 the area of Hexthorpe and Balby North was ranked 507 out of 32,844 areas in England, where 1 is the most deprived. This is amongst the 10% most deprived neighbourhoods in the country. In 2015 the area was ranked 735 out of 32,844 (Communities and Local Government, 2019).

The index of multiple deprivation can be broken down into seven domains (Table 14).

Table 14:

Domains	Ranking in 2019 (out of 32,844)	Ranking in 2015 (out of 32,844)
Income Deprivation	2,291	2,018
Employment Deprivation	1,790	605
Education, Skills and Training	213	1,134
Health Deprivation and Disability	623	1,841
Crime	194	995
Barriers to Housing and Services	7,132	13,723
Living Environment Deprivation	5,818	3,741
Index of multiple deprivation	507	735

According to the 2019 statistics, the area of Hexthorpe and Balby North has seen an improvement in terms of the quality of its indoor and outdoor local environment. The area has seen a drop in people suffering with deprivation from low income and there are more people of working age in work. However the 4 other domains which contribute to the overall deprivation of the area seem to have deteriorated further.

The neighbourhood of Hexthorpe and Balby North is amongst the 10% most deprived neighbourhoods in the country, however the borough of Doncaster is not considered to be one of the most deprived areas on the whole, ranking 41 out of 317 Local Authorities in England in 2019 (1 being the most deprived).

19. Support Engagement and Education Project (SEEP)

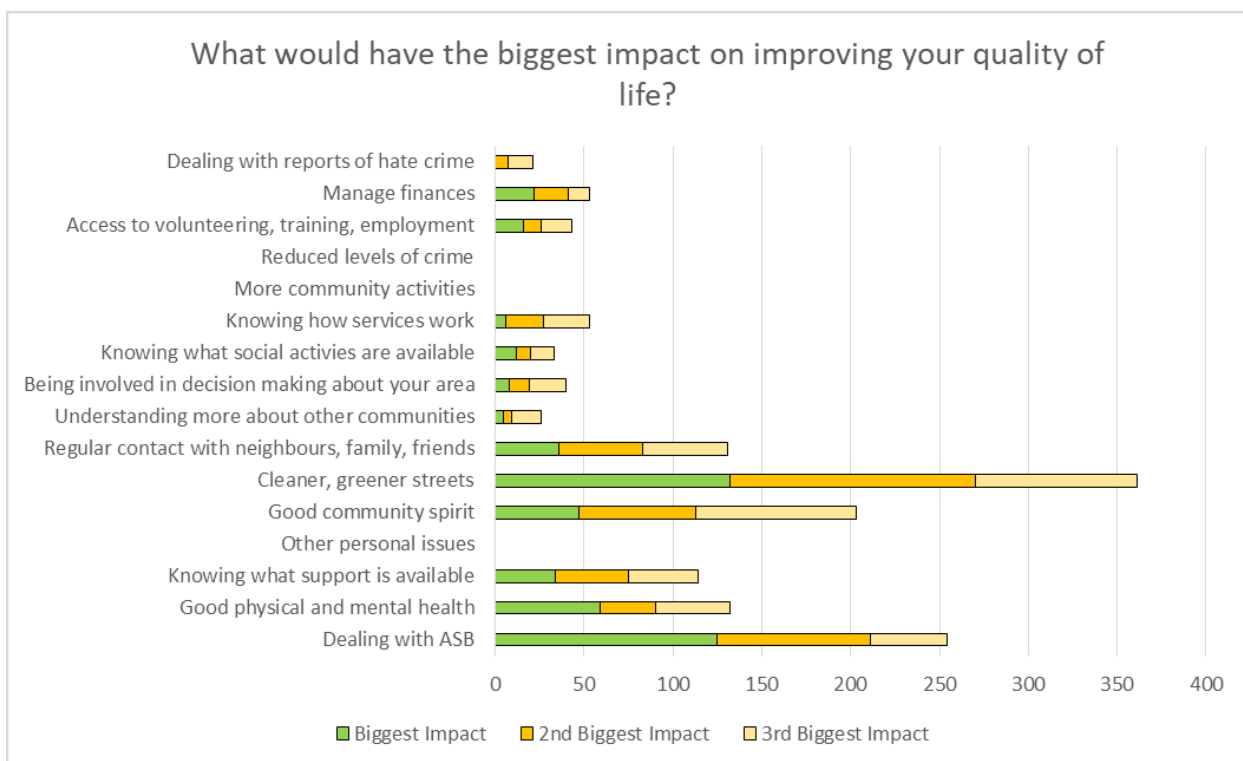
In 2018 Doncaster Council successfully obtained funding from Central Government to introduce a 2 year Support Engagement and Education Project in areas that were identified as some of the most deprived and diverse. The funding created 6 posts within the Stronger Communities Team and 2 posts within the Enforcement Team. The 8 additional officers were tasked with visiting every residential property within Hexthorpe and Balby North, Hyde Park and Lower Wheatley to carry out surveys which were specifically designed with partner agencies to capture data which would identify the needs of the local community, highlight sub-standard housing and give a picture of how satisfied residents are within the area they live in.

So far the project has been recognised as a huge success in terms of engagement with local residents. By the end of the first year the team had knocked on over 7600 doors and spoke to over 3400 residents, 1370 of which completed the full interview. 350 residents were referred for additional support and 115 privately rented houses were reported to the Enforcement Team who engaged with landlords to resolve issues identified during the visit. To date, the project has funded over 20 community activities and events.

As part of the project, the “Welcome to Doncaster” guide was created and this has been distributed to residents within the community. The welcome pack is designed to help residents who have recently migrated to Doncaster. It includes all the basic information required when starting a new life in Doncaster such as housing, finding work, supporting your family, living in your neighbourhood, finding schools, local healthcare, staying safe and transport information. The “Welcome to Doncaster” guides have been translated in to the most commonly spoken languages within each area, as identified from the survey. Officers are distributing the guides to each family, in a language they understand, going through them at the time of delivery and directing residents to specific webpages for more in depth information. The webpages can also be translated in to multiple languages.

A resident satisfaction survey was also completed after the first year of the project. One of the survey questions was “please tell us which three issues would have the biggest impact on improving your quality of life?” The residents were given a number of options and asked to prioritise them with the issue they felt had the biggest impact first. Just over 500 residents in Hexthorpe and Balby North took part in the satisfaction survey. The responses have been collated and are displayed in the following bar chart (Figure 6).

Figure 6:



The residents consider that having cleaner, greener streets would have the biggest impact on improving their quality of life, with over half of the respondents putting this as either their first or second priority. This was closely followed by dealing with anti-social behaviour, with 25% of respondents believing this has the biggest impact on the quality of their life.

The responses to this survey confirms what the Council and partner agencies believe are the most prevalent issues in Hexthorpe today i.e. poor waste management and anti-social behaviour. This supports the view that a great deal of work is still required to improve Hexthorpe thereby making it a desirable area where residents are happy.

20. Legislative Context

Under the Housing Act 2004, Part 3, Local Authorities can introduce a selective licensing scheme for 5 years as long as certain conditions apply and can be evidenced. These include:

- a) that the area is experiencing a significant and persistent problem caused by anti-social 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.

It is the considered view of Doncaster Council and its partners that all the above apply in parts of Hexthorpe.

All private rented sector landlords in the designated areas will have to apply for a licence for each property they rent out but certain exemptions apply (see Appendix 2 for details of the exemptions). The most likely to apply will be an exemption if the property is already licensed as a House in Multiple Occupation (HMO). If exemptions apply private sector landlords will need to contact the Council's licensing team to confirm exemption. Where no exemptions apply landlords will need to apply for a licence or face a financial penalty of up to £30000 or prosecution and an unlimited fine. Each privately rented property must have a licence with a named landlord and/or managing agent responsible for complying with the terms of the licence. The proposed licence conditions can be found at Appendix 3. Where a landlord fails to licence a property, they may also be required to re-pay all the rent monies received whilst the property is un-licensed.

The Council's Enforcement Team will monitor compliance with the terms (conditions) of the licence in accordance with its Enforcement Policy. Failure to comply with terms of a licence can result in financial penalty of up to £30000 or prosecution and an unlimited fine. They will also be assessing the physical condition of a property and will follow up any issues arising outside of the Selective Licensing scheme in the same way as they do now. In this way there will be a clear distinction between compliance work on the licensing scheme conditions and other enforcement activity.

21. Benefits of Selective Licensing – the solution

The intention of this proposal is to directly address the problem of ASB within the PRS where landlords are failing to take appropriate action to combat the problem. In more general terms the intention is to improve and standardise tenancy management within the PRS. The legislation exists (which was explained in the previous section) as a way of supporting and encouraging landlords to meet their responsibilities to communities in which they are providing much needed housing. This though has to be done in a way that is acceptable to

those communities. The legislation also provides Local Authorities with powers to enforce against those landlords that do not meet those responsibilities in taking appropriate action. These responsibilities are detailed in the proposed Licence Conditions at Appendix 3.

The expected benefits of this are clear, to landlords, tenants, neighbouring residents and the wider community, the Council and other agencies. These can be summarised as follows:

<p>Benefits to Landlords</p> <ul style="list-style-type: none"> • Reduction in ASB • Level playing field/no undercutting • Receive advice and support • Shorter voids/reduced turnover • Improved reputation • Eventual increased rental income 	<p>Benefits to tenants</p> <ul style="list-style-type: none"> • Reduction in ASB • Better tenancy management • Empowerment • Better support • More cohesive community • More sustainable community
<p>Benefits to residents/wider community</p> <ul style="list-style-type: none"> • Reduction in ASB • More cohesive community • More sustainable community • Values increase 	<p>Benefits to DMBC/other agencies</p> <ul style="list-style-type: none"> • Reduction in ASB • More co-ordinated support activity • Ensures landlord's engagement • Less reactive resource costs • Meets commitments to customers

It is not expected that landlords will immediately become responsible for their tenants behaviour but that they will become more responsible for their own behaviour in how they manage their tenants. The expectation thereafter is that due to better tenancy management the behaviour of tenants will improve. Where tenant behaviour does not improve, the expectation is that landlords will take appropriate steps to address this, including possession proceedings.

22. Licence Fee Structure

We feel it is important that landlords and residents can comment on what fee structure the Council are proposing for the cost of a licence per property, as well as the conditions attached to that licence.

We consider the proposed fees to be reasonable and not excessive. The proposed fees are based on an estimate of the actual cost of the scheme, divided by the number of properties estimated to be licensed. We have used our experiences from operating previous schemes to inform our fee setting process. The fees will be subject to review in accordance with the Council's usual fee setting process.

The proposed fee structure is split the fee into two parts: Part One for the application fee, i.e. the cost of processing the licence application and Part Two to cover the compliance monitoring/enforcement costs of the licence. Part Two of the licence fee only becomes due if we determine that it is appropriate to grant the licence. If the licence application is refused, the Part One fee is not refunded.

Part 1: Application Fee £200

Part 2: Compliance Monitoring Fee (Grant Fee) £400*

*see below for proposed pro-rata payment plan

It is proposed that all licences, unless there is good reason not to, will be issued for 5 years.

As part of the licensing scheme, we recognise that we cannot charge fees for matters such as:

- A licence variation after the licence has been granted
- A licence revocation
- Issuing a Temporary Exemption Notice

We feel this is set fairly to reflect the resources required to run a meaningful scheme and compares favourably with other schemes across the country.

As part of this consultation we would welcome representations with regard to the following matters which are being considered:

- a) The ability to pay the Part 2 licence fee in instalments on a “pay as you go” basis e.g. a pro-rata monthly/annual fee for the duration of the licence rather than a one off non-refundable fee when the licence is granted.
- b) A reduced licence fee for membership of an approved body e.g. Landlord Association

23. Conclusion and Proposal

There is clear evidence that certain types of ASB in Hexthorpe is significant and persistent with the majority of it being directly associated with the private rented sector.

It is proposed to designate the area of Hexthorpe, as defined on the map in Appendix 1, as an area for selective licensing for a period of 5 years. If designated, all private rented properties within the defined area, subject to statutory exemptions, will require a licence.

It is considered that making a designation will, when combined with other measures taken in the area by the Council and its partners, lead to a reduction in the identified problem.

Through this consultation we actively encourage your comments and representations on the proposal to designate a defined area of Hexthorpe for selective licensing.

If the area is designated, it is currently proposed that new scheme will involve:

- A change of direction away from annual inspections to a targeted, risk-based, approach where the frequency of visit is based on individual property/landlord compliance intelligence, i.e. properties where compliance can be predicted to be high are visited less frequently thereby freeing resources to tackle those that are less compliant.
- Consideration being given to whether it is considered appropriate to continue with the co-regulator approach adopted in the 2015-2020 scheme. The good work undertaken

by the co-regulator inspecting a significant number of properties and identifying major hazards should be fully recognised but we should now consider the effect it had on securing compliance and the limiting effect this had on the Council's available resources for both operating the scheme, driving up property management standards and tackling ASB associated with the PRS.

- Further work to reduce incidents of ASB. We will tackle the issue of fly-tipped waste, in particular the back alleys. We will make the most of the CCTV project which is producing some excellent results out in the field. We will do everything that is reasonably practicable to identify and hold individual offenders to account as well as ensuring landlords are meeting their own obligations in terms of tenancy management.
- Proactively engaging with licence holders. We will review and publicise the outcomes of the scheme at appropriate intervals to help encourage engagement with stakeholders and to recognise the achievements of the scheme.
- Consideration being given to a revised fee structure where following an initial application fee the remainder of the licence fee is paid at periodic intervals throughout the duration of the licence.
- Full use of financial penalties (civil penalties) for non-compliance. This will go some way to incentivise compliance, whilst affording the opportunity to rebalance the resources required for enforcement and reduce the financial burden on the compliant landlords who are effectively subsidising the non-compliant ones through their licence fees. There will always be a role for informal approaches to secure compliance.

The proposed selective licensing scheme combined with other initiatives such as the Public Space Protection Order, the Support Engagement and Education Project, Empty Homes Initiatives and the CCTV project will contribute towards the goal of making Hexthorpe a more desirable place where people want to live and thrive.

24. What Happens Next

This consultation will begin on Thursday 1st October 2020 and end on Thursday 10th December 2020 (being a period of not less than 10 weeks).

Throughout the consultation period officers from the Council will be available to clarify any issues arising from this consultative document. All enquiries should be submitted by email to: Selective.Licensing@doncaster.gov.uk

Where it is practical and appropriate to do so, we will endeavour to publish all relevant enquiries and the response given on the [dedicated page of the Council's website](#). The purpose of this is to facilitate better informed representations by the consultation closing date.

At the end of the consultation we will consider any representations made in accordance with the consultation and not withdrawn. These representations will be considered and used to inform the decision whether to:

- i. Make a designation and implement the scheme as proposed; or
- ii. Make a designation and implement the scheme in a revised form; or
- iii. Decide not to designate the area for selective licensing.

The proposed timeline for the consultation, decision and, where applicable, implementation is set out below. Subject to statutory requirements being met, these dates may be subject to change.

1 st October 2020	Start of consultation on the proposal to designate Hexthorpe as an area for selective licensing. Regular updates posted on the website along with FAQs
10 th December 2020	Consultation ends. All responses reviewed and recommendation made to the Council's Cabinet
February 2021	Cabinet considers recommendation and makes decision.
If decision is to made to designate the area for selective licensing	
February/March 2021	Advertisement of the designation begins and application window opens.
Late May 2021	Earliest scheme start date (no sooner than 3 months from the date of the decision to designate).
End of May 2026	Likely end date of the designation and scheme. Scheme will be subject to regular review throughout. If the scheme is to continue beyond the period of the designation there is a statutory requirement for a further consultation.

Any licensing scheme will be managed by the Council's Regulation and Enforcement service in much the same way as other licences that are granted.

Checking for compliance with licence conditions and issuing financial penalties or prosecuting for non-compliance will also be the responsibility of the Council's Regulation and Enforcement service.

25. Consultation

We will endeavour to take all reasonable steps to consult persons who are likely to be affected by this designation i.e. to designate Hexthorpe as an area for selective licensing.

We will consider any representations made in accordance with the consultation and not withdrawn.

We will endeavour to make contact with every household, landlord (where known), solicitor and managing agent in or in near proximity to the proposed area of Hexthorpe to make them aware of this consultation and proactively encourage their participation.

We will set out why we are consulting, how you can access the consultative document and how to make representations.

The consultation will also be advertised on the public notice boards throughout Hexthorpe and on the Council's social media platforms.

We will proactively consult with a wide range of people and organisations including but not limited to:

- Local residents and their representatives
- Local Landlords
- Landlords associations
- The Church of England
- The Citizens Advice Bureau
- Registered Social Landlords
- Tenants and Residents Associations
- Community Groups
- Elected Members
- Chief officer of South Yorkshire Police
- Chief officer of South Yorkshire Fire and Rescue Service
- Representatives of local businesses
- St Leger Homes
- Doncaster Safeguarding Children Partnership
- Doncaster Safeguarding Adults Board
- Doncaster Council service areas likely to be affected by this proposal.

You can make comments and representations on this consultation online by visiting www.doncaster.gov.uk/services/housing/hexthorpeslc

Alternatively you can make representations in writing and submit them by email to Selective.Licensing@doncaster.gov.uk or by post to Doncaster Council, Regulation and Enforcement, Civic Office, Waterdale, Doncaster, DN1 3BU (please mark all representations - Hexthorpe Selective Licensing Consultation)

All representations should be received by midnight on **10th December 2020**.

If you require any points of clarification to inform your representation please email these to Selective.Licensing@doncaster.gov.uk. We will endeavour to respond to enquiries and will use this information to update the Frequently Asked Questions on our website throughout the consultation.

Appendix 1- Proposed Area of Designation for Selective Licensing



An interactive version of the proposed area of designation can be accessed via the following link: [Proposed Selective Licensing area - Hexthorpe](#)

Appendix 2 – Exemptions from selective licensing

[The Selective Licensing of Houses \(Specified Exemptions\) \(England\) Order 2006](#) specifies the descriptions of tenancies etc. of houses or dwellings that are considered to be exempt for the purposes of Part 3 of the Housing Act 2004 (Selective Licensing). The effect of the exemption is that Part 3 does not apply to these specified situations and they are not, therefore, subject to the licensing requirements i.e. no selective licence is required.

A full list of exemptions can be found in [The Selective Licensing of Houses \(Specified Exemptions\) \(England\) Order 2006](#)

The following is a list of properties that are not required to be licensed where a selective licensing scheme is in place:

- A prohibition order under the Housing Act 2004 is in force.
- It is being used for business premises.
- It requires another type of licence, for example a HMO.
- It has a tenancy for agricultural land and/or holdings.
- It is managed or controlled by a local housing authority, a police authority, a fire and rescue authority or a health service body.
- It is owned by registered social landlords, such as a housing association.
- It is a holiday home.
- It is a property occupied solely by students undertaking a full-time further or higher education course and where the person managing or in control of the property is the educational establishment.
- The tenancy agreement has been granted for more than 21 years and where the agreement does not include a clause which allows the landlord to end the tenancy (other than forfeiture) earlier than the term of the lease. (The house or dwelling must be occupied by the original person who was granted the tenancy or any members of their family.)
- Houses occupied by members of the owner's family*.
- The house is occupied by the tenant and landlord or his family*.
- Certain student halls of residence.
- If the property is not tenanted at the start of designation and remains unoccupied throughout the period of the licence. (As soon as the property is rented out, an application for a licence must be made).

*A person is a member of the same family, if:

- They live as a couple who are married to each other or live together as husband or wife (or equivalent relationship in the case of persons of the same sex).
- One is a relative of the other (parent, grandparent, child, grandchild, brother, sister, uncle, aunt, nephew, niece or cousin or half-blood of any of those listed, stepchild). Proof of relationships, for example birth and/or marriage certificates may be required.

Appendix 3 – Proposed Selective Licence Conditions - Hexthorpe

In these conditions ‘house’ refers to the building or part of a building, which is licensed in accordance with Part 3 of the Housing Act 2004. The “Licensing Authority” is to the local housing licensing authority, namely Doncaster Council.

Where another person, e.g. property manager, has agreed to be bound by the conditions of this licence, all references to ‘licence holder’ in this licence and conditions should, where applicable, be read to also include that other person.

Where there is a requirement in this licence to provide something in writing, unless specifically stated otherwise, this requirement can be met by providing the information electronically.

Where any of the following conditions place a duty or requirement on the licence holder to provide information or comply with a request for information, this information, unless stated otherwise, must be provided to the Licensing Authority within 28 days.

1	Gas Safety If gas is supplied to the house, the licence holder must produce annually, to the Licensing Authority, a gas safety certificate obtained in respect of the house within the last 12 months. Mandatory condition required in the Housing Act 2004, Schedule 4
2	Electrical Appliances and Furniture The licence holder must keep the electrical appliances and furniture made available by him in the house in a safe condition; and supply to the Licensing Authority, on demand, with a declaration by him as to the safety of such appliances and furniture. Mandatory condition required in the Housing Act 2004, Schedule 4
3	Electrical Installation The licence holder must keep the electrical installation in the house in proper working order and safe for continued use; and supply to the Licensing Authority, on demand, a declaration by him as to the safety of such installations. Mandatory condition required in the Housing Act 2004, Schedule 4
4	Smoke Alarms The licence holder must ensure that a smoke alarm is installed on each storey of the house on which there is a room used wholly or partly as living accommodation, to keep each such alarm in proper working order and to supply the Licensing Authority, on demand, with a declaration by him as to the condition and positioning of such alarms. Mandatory condition required in the Housing Act 2004, Schedule 4
5	Carbon Monoxide Alarms The licence holder is required to ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance, to keep any such alarm in proper

	<p>working order and to supply the Licensing Authority, on demand, with a declaration by him as to the condition and positioning of any such alarm.</p> <p>Mandatory condition required in the Housing Act 2004, Schedule 4</p>
6	<p>Tenant References</p> <p>The licence holder must:</p> <ol style="list-style-type: none"> i. Demand references from persons who wish to occupy the house. (Mandatory condition required in the Housing Act 2004, Schedule 4) ii. Without prejudice to the generality of the condition of part I, all references are to include details of previous housing history and tenancy conduct, including behaviour of the proposed occupier. Credit references in isolation are not adequate. iii. Retain all references obtained for all occupiers for the duration of this licence and provide copies to the Licensing Authority on demand.
7	<p>Terms of Occupation</p> <p>The licence holder must:</p> <ol style="list-style-type: none"> i. Supply the occupiers of the house with a written statement of the terms on which they occupy the house. (Mandatory condition required in the Housing Act 2004, Schedule 4) ii. Ensure that the written statement of the terms and conditions on which the property is occupied contains: <ol style="list-style-type: none"> a) a clause holding the tenant(s) responsible for any anti-social behaviour by themselves and/or their visitors. b) details of the arrangements in place to deal with repair issues and emergency issues. iii. Copies of the written statement of terms must be provided to the Licensing Authority on demand.
8	<p>Information for Tenants</p> <p>At the beginning and, where necessary, throughout each tenancy, the licence holder must provide the lead tenant(s) with the information prescribed below. This information must be provided in writing and in a language that the lead tenant(s) understands.</p> <p>The licence holder and tenant must obtain a signed declaration from the lead tenant(s) confirming that they have received and understood the information provided. The licence holder must retain a signed copy of this declaration for the duration of the tenancy and a copy must be produced to the Licensing Authority on demand.</p> <ol style="list-style-type: none"> i. Details of proper waste management arrangements. This must include information covering: <ul style="list-style-type: none"> • The usual days of refuse and recycling collections by the Licensing Authority • How to present their waste for collection

- Their duty to return refuse containers within the curtilage of the property when emptied.
 - Details of how to arrange refuse/bulky item collections undertaken by the Licensing Authority.
 - The location and opening times of the local Household Waste and Recycling Centres.
 - The licence holder must repeat this procedure when notified of a waste related incident involving their tenant(s).
- ii. With regards to the prevention of anti-social behaviour (ASB):
- The clause in their tenancy agreement relating to anti-social behaviour imposed by condition 7(ii), and
 - A copy of the Licensing Authority's 'Terms and responsibilities of tenants and licence holders' document. The terms and responsibilities must be explained to the lead tenant(s) and the licence holder must understand their responsibilities outlined within the document.
 - The licence holder must repeat this procedure when notified of an ASB related incident involving their tenant(s).
 - Details of the services available to them and how they can report nuisance and anti-social behaviour to the relevant authorities.
- iii. The name and contact details of the licence holder and manager where applicable.
- iv. The emergency contact and management arrangements in the event of the property landlord/manager's absence.
- v. Details of the complaints and repairs procedure.
- vi. A detailed property inventory agreed with the lead tenant(s) before the start of their tenancy. This inventory must be initialled on all pages by both parties and signed and dated by them on the last page. A copy must be provided to the lead tenant(s) and the licence holder must retain a copy for their own records. The above procedure must be repeated at the end of the tenancy.
- vii. If accommodation is provided on a furnished basis, the lead tenant(s) must be provided with copies of user manuals for any installations or equipment provided as part of the agreement for the occupation of the house.
- viii. The lead tenant(s) must be provided with written information advising how they can reduce the likelihood of being a victim of burglary by ensuring that all reasonable steps are taken to secure the house e.g. by locking external doors, closing and locking windows, security marking personal valuables etc.
- ix. Where an intruder alarm is fitted to the house, the lead tenant/s are informed in writing as to how it is operated, what the code is to activate and deactivate the system, how the code may be changed and in what circumstances they are allowed to do so.
- x. Where alley gates are installed to the rear of the property, advise the lead tenant(s) to keep the alley gates locked and provide instructions on how to obtain additional or replacement alley gate keys.

9

Management of Anti-social behaviour* (see end note)

For the purpose of this licence, anti-social behaviour (ASB) is defined as conduct on the part of occupiers of, or visitors to, residential premises -

- Which causes or is likely to cause nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or
- Which involves or is likely to involve the use of such premises for illegal purposes.

The licence holder must take all reasonable and all practicable steps for preventing and dealing effectively with anti-social behaviour by persons occupying or visiting the house and the use of premises for illegal purposes.

The licence holder must:-

- I. Ensure suitable arrangements are in place to deal with complaints about an occupier's behaviour promptly and effectively and report back to the person making the complaint what action has been taken, or is intended to be taken. If after investigating the complaint the licence holder decides that the complaint is unfounded he should also inform the complainant accordingly.
- II. Undertake an incremental process of investigation and resolution of any complaints which have been made either directly to them, or via the Licensing Authority, regarding their tenants and/or visitors to the property. This is to include:-
 - a) Notify the tenant, in writing within 7 days of a complaint being received, of the allegations of ASB made against them and the consequences of its continuation.
 - b) Monitor the allegations following receipt of a complaint of ASB and take all reasonable steps to establish if the ASB is occurring.
 - c) Keep written notes of all meetings, telephone conversations and investigation activities regarding ASB and provide the Licensing Authority with a copy on demand within 7 days.
 - d) Where ASB has been established a reasonable step in less serious cases would be to ask the occupier to refrain from the conduct and warning them of the potential consequences of not doing so. If, following that approach, the problems persists the licence holder must give the occupier a written warning and, if necessary, call on other agencies for advice and assistance in arresting the problems.
 - e) Following that course of action, if there are no improvements, or the problem is so serious that there would be little point in invoking the previous stages, the licence holder must take enforcement action against the occupier, including possession proceedings.
 - f) Where an obligation under d) or e) arises, the licence holder will provide to the Licensing Authority, on demand within 7 days, a written plan setting out the proposed steps and estimated timescales for taking those steps in order to resolve the anti-social behaviour.
 - g) Notwithstanding the above, if, in any case, after 14 days of the tenant receiving the letter required by step a) the ASB is continuing, the licence holder must take appropriate formal steps to arrest the behaviour.

	<p>III. Cooperate with the Licensing Authority, the police or any other agency involved with investigation of anti-social behaviour relating to the property or tenants of the property.</p> <p>IV. Provide all known information relating to the full names and dates of birth of the lead tenant(s) and any other adults living at the property, on demand by the Licensing Authority within 7 days.</p>
10	<p>Property Monitoring Visits</p> <p>i. The licence holder must ensure that their property is inspected at least once every six months and the findings of such visits are recorded.</p> <p>ii. In the event a missed payment of rent, a visit must be made to the property no later than one month from the date the payment was due, to ensure that the property is secure and has not been abandoned.</p> <p>iii. Records of visits should be retained and provided to the Licensing Authority on demand within 7 days.</p>
11	<p>Permitted Number of Occupants</p> <p>The licence holder must ensure that:-</p> <p>i. The house is not overcrowded as defined in Part X of the Housing Act 1985.</p> <p>ii. If the licence holder becomes aware of overcrowding at the property, they must take all reasonable steps to deal with the issue and, on demand, advise the Licensing Authority of the actions taken.</p>
12	<p>Maintaining the Property</p> <p>The licence holder must ensure that:-</p> <p>i. The internal structure of the house and every window and other means of ventilation is maintained in good repair and that any fixtures and fittings and appliances made available are maintained in good repair and working order.</p> <p>ii. The water supply and drainage system serving the house is maintained in good working order and is not unreasonably interrupted.</p> <p>iii. Any gas and electricity supply that is used by occupiers of the house is not unreasonably interrupted.</p> <p>iv. Where the property becomes uninhabitable due to required repairs, during the period of the tenancy, that are not as a result of tenant(s) misuse, suitable alternative accommodation is provided/arranged for the period during which works are undertaken.</p>

	<ul style="list-style-type: none"> v. As far as is reasonably practicable, the exterior of the property (including any boundary walls, gates and gardens/yards) is maintained in reasonable decorative order and in a good state of repair. vi. Gardens/yards are kept free of refuse, litter, excess vegetation and infestations during any period the property is unoccupied. vii. They take all reasonable steps to ensure that the lead tenant(s) maintain the garden/yard of the property, keeping it free of refuse, litter, excess vegetation and infestations, throughout the duration of their tenancy. Arrangements must be made immediately for the proper collection and disposal of any rubbish additional to that contained within the bins and such rubbish shall be stored within the curtilage of the property at the rear if feasible. viii. As appropriate to the particular circumstances, the property boundary must be designed, constructed and maintained in a manner to ensure security of the property as well as providing a strong deterrent for fly tipping within the whole curtilage of the property. Where required, tenants must be provided with all necessary keys.
<p>13</p>	<p>Management of the Arrangements for the Storage of Refuse and Waste</p> <p>The license holder must ensure that they and their tenant(s) proactively comply with the waste collection scheme provided by Doncaster Council, which relates to the storage and disposal of household waste at the property pending collection.</p> <p>Without prejudice to the generality of the preceding paragraph, the matters to which this duty extends include in particular-</p> <p>Prior to the start of each tenancy:</p> <ul style="list-style-type: none"> i. Plan for waste storage at the property; ii. Ensure that bins and boxes for waste and recycling, are compatible with the requirements of the licensing authorities waste collection service, and are provided in sufficient numbers and type for the needs of the house; iii. Make suitable arrangements for the proper storage of bins and boxes within the boundary of the property; iv. Ensure that all bins and boxes are stored in a neat and tidy manner; and v. All refuse containers shall be located away from habitable rooms, so that they do not obscure the passage of natural light to any windows located at or below bin height, on hard-standings with suitable access for cleansing the area and removing of containers, and, where reasonably practicable, at the rear of the house. <p>Replacement Bins</p> <ul style="list-style-type: none"> vi. In the event that replacement bins are required during the period of a tenancy e.g. they go missing or are seriously damaged to the point they cannot be repaired, the licence holder is responsible for ensuring that replacement bins are ordered from the Licensing Authority's waste collection service. Where the licence holder chooses to pass on any cost incurred this must be detailed in the terms of occupation.

<p>14</p>	<p>Alley Gates</p> <p>Where there are alley-gates installed to any access areas (e.g. back alley) serving the licensed property, the licence holder must:</p> <ul style="list-style-type: none"> i. Take responsibility for holding a key for any alley-gates which are already in place or which are installed in the future. ii. At the start of each tenancy, issue the lead tenant(s) with at least one alley gate key for the household.
<p>15</p>	<p>Suitability and Competency of Licence Holder and Manager</p> <ul style="list-style-type: none"> i. The licence holder must ensure that any persons involved with the management of the house are to the best of their knowledge “fit and proper persons” as defined in the purposes of the Housing Act 2004. ii. Anyone bound by the terms of this licence must, where there is an identified need, attend a relevant training course, within a specified time frame agreed by the Licensing Authority and produce on demand written evidence of such attendance. iii. The licence holder shall not cause or permit any person who has previously applied for a licence in respect of the property and - <ul style="list-style-type: none"> a) has been found not to be a fit and proper person, or b) is subject to a Banning Order under the Housing and Planning Act 2016 to have control or management of the property and tenancies, or to carry out or arrange any repair, improvement or other works at the property.
<p>16</p>	<p>Property Management and Safety</p> <p>The licence holder must ensure that -</p> <ul style="list-style-type: none"> i. They have arrangements in place for dealing with complaints and disrepair. Where the licence holder is informed in writing (letter, text, email etc.) of disrepair or a pest infestation in the property by either the occupier(s) or the Licensing Authority, they must take action to investigate and, where necessary, remedy the disrepair and/or infestation. The licence holder must respond in writing to any such complaint, within 14 days, stating what action they have or are taking. ii. They have in place suitable emergency and other management arrangements in the event of their absence. The name and contact details of the licence holder and/or manager must be supplied to each lead tenant(s). iii. Any repairs, improvement works or treatments undertaken at the property are carried out by competent person(s).

17	<p>Payment of Licence Fees</p> <p>The licence holder must ensure that any monies due to the Licensing Authority in respect of the licence fee are paid by the due date in accordance with the Licensing Authority's approved fees structure.</p>
18	<p>Disclosure and Notification of changes</p> <p>The licence holder must:-</p> <ol style="list-style-type: none"> i. Notify the Licensing Authority within 1 month of any material changes of circumstances relating to the property that may affect the validity and/or terms of the licence (for example, these include: <ul style="list-style-type: none"> • Change of the ownership • Change to management of the property • Any events that may affect the fit and proper status of the licence holder or manager. • Change of address of the licence holder or manager. ii. Notify the Licensing Authority before making any material changes to the layout of the property. iii. Ensure the type of occupancy of each unit of accommodation is not changed without the prior written approval of the Licensing Authority, e.g. from single family dwelling to House in Multiple Occupation.
19	<p>Annual Declaration of Compliance</p> <ol style="list-style-type: none"> i. The licence holder must ensure that they complete the Licensing Authority's Annual Declaration of Compliance with the terms of this licence. ii. This declaration must be completed within 1 month of the date that the licence is granted and annually thereafter, within 1 month of the anniversary of the licence, for the duration of the licence.

Notes:

<p>*Anti-social behaviour (ASB)</p>	<p>The ASB conditions attached to this licence are intended to require the licence holder to combat it by ensuring that the conduct of persons they have permitted to reside at or are visitors to the property does not -</p> <ul style="list-style-type: none"> • cause nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of the premises, or • involve or is likely to involve the use of such premises for illegal purposes. <p>If ASB is being carried out within the immediate vicinity of the property and is being caused by the occupier(s) of the property then any reasonable person will associate this behaviour with the property. It is, therefore, entirely reasonable to expect the licence holder to take responsibility to ensure those persons living in the property are not conducting themselves in a way that is adversely impacting on the local community.</p>
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As to the conduct of visitors to the property, the above equally applies to them as the licence holder should not allow his property through the conduct of persons' visiting his occupiers to be a source of harassment, alarm, distress or nuisance to the local community.

Whilst a landlord/licence holder will not normally have responsibility for the conduct of occupiers of the property if the misconduct is not carried out within its vicinity, the landlord /licence holder is responsible where:

- There is reasonable suspicion that the landlord is promoting or encouraging the conduct (for whatever reason) and
- The misconduct is frequent and not trivial and the landlord is aware of it and the impact on the community.