

Scrutiny Streets, Environment & Homes Sub- Committee Agenda



To: Councillor Sean Fitzsimons (Chair), Councillor Jan Buttinger (Vice-Chair)
Councillors Robert Canning, Richard Chatterjee, Luke Clancy, Felicity Flynn
and Callton Young

Reserve Members: Clive Fraser, Karen Jewitt, Michael Neal,
Andrew Pelling, Helen Pollard, Joy Prince and Gareth Streeter

A meeting of the **Scrutiny Streets, Environment & Homes Sub-Committee** which
you are hereby summoned to attend, will be held on **Tuesday, 19 March 2019** at
6.30 pm in **Council Chamber, Town Hall, Katharine Street, Croydon CR0 1NX**

Jacqueline Harris Baker
Council Solicitor & Monitoring Officer
London Borough of Croydon
Bernard Weatherill House
8 Mint Walk, Croydon CR0 1EA

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www.croydon.gov.uk/meetings
Monday, 11 March 2019

Members of the public are welcome to attend this meeting.
If you require any assistance, please contact the person detailed above, on the
righthand side.

N.B This meeting will be paperless. The agenda can be accessed online at
www.croydon.gov.uk/meetings

AGENDA – PART A

1. Apologies for Absence

To receive any apologies for absence from any members of the Committee.

2. Minutes of the Previous Meeting (Pages 5 - 14)

To approve the minutes of the meeting held on 19 February 2019 as an accurate record.

3. Disclosure of Interests

In accordance with the Council's Code of Conduct and the statutory provisions of the Localism Act, Members and co-opted Members of the Council are reminded that it is a requirement to register disclosable pecuniary interests (DPIs) and gifts and hospitality to the value of which exceeds £50 or multiple gifts and/or instances of hospitality with a cumulative value of £50 or more when received from a single donor within a rolling twelve month period. In addition, Members and co-opted Members are reminded that unless their disclosable pecuniary interest is registered on the register of interests or is the subject of a pending notification to the Monitoring Officer, they are required to disclose those disclosable pecuniary interests at the meeting. This should be done by completing the Disclosure of Interest form and handing it to the Democratic Services representative at the start of the meeting. The Chair will then invite Members to make their disclosure orally at the commencement of Agenda item 3. Completed disclosure forms will be provided to the Monitoring Officer for inclusion on the Register of Members' Interests.

4. Urgent Business (if any)

To receive notice of any business not on the agenda which in the opinion of the Chair, by reason of special circumstances, be considered as a matter of urgency.

5. Private Rented Housing in Croydon (Pages 15 - 36)

The Sub-Committee is asked to review the information provided on Private Sector Housing in Croydon and consider whether to make any recommendations.

6. Exclusion of the Press and Public

The following motion is to be moved and seconded where it is proposed to exclude the press and public from the remainder of a meeting:

“That, under Section 100A(4) of the Local Government Act, 1972, the press and public be excluded from the meeting for the following items of

business on the grounds that it involves the likely disclosure of exempt information falling within those paragraphs indicated in Part 1 of Schedule 12A of the Local Government Act 1972, as amended.”

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Scrutiny Streets, Environment & Homes Sub-Committee

Meeting held on Tuesday, 19 February 2019 at 6.30 pm in Council Chamber, Town Hall,
Katharine Street, Croydon CR0 1NX

MINUTES

Present: Councillor Sean Fitzsimons (Chair), Jan Buttinger (Vice-Chair),
Richard Chatterjee, Luke Clancy, Felicity Flynn, Joy Prince and Callton Young
Also Present: Councillor Helen Pollard (part)
Apologies: Councillor Robert Canning

PART A

10/18 Minutes of the Previous Meeting

The minutes of the meeting held on 22 January 2019 were agreed as an accurate record.

11/18 Disclosure of Interests

There was none.

12/18 Urgent Business (if any)

There were no urgent items of business.

13/18 Grounds Maintenance Contract

The Sub-Committee received a report set out in the supplemental agenda which provided an update on the decision to bring the Grounds Maintenance service back in-house from 1 February 2019.

The report was introduced by the Head of Environment who advised the Sub-Committee that following the decision to bring the Grounds Maintenance back in-house, the Council was taking steps to ensure that all the staff who transferred over from the previous contractor Idverde, were being paid the London Living Wage. A benefit of managing the service in-house, was that it would allow greater flexibility to meet the standards expected by the public.

Following the introduction, the Sub-Committee was given the opportunity to ask questions about the service. The first question concerned the decision to bring the service back in-house and whether there had been any particular concerns about the performance of the previous contractor. In response it was advised that the nature of the previous contract, with a cap on the total budget available to deliver the service, together with a detailed specification of the work required had meant that in practice it was very difficult for the contractor to deliver without operating at a loss.

As the service being provided by the contractor had not met the expected standard, it was questioned what steps had been taken to address the issues. It was advised that financial penalties were levied against the contractor for not achieving the standard set out in the contract. It was highlighted by a Member that in applying financial penalties, it would have made the service even less financially viable for the contractor, which was acknowledged.

The Sub-Committee was advised that many of the complaints from the public about the service related primarily to grass cutting and the emptying of bins in parks. It was suggested by Members that the decision of the contractor to delete the Park Ranger role and incorporate it into a broader park maintenance role may have helped to contribute towards the issues.

Despite the difficulties experienced with the contract it was emphasised that the contract had come to its natural end, rather than being terminated early. In light of the contract coming to an end an assessment was undertaken on the different options for the service going forward. This included in-house delivery, partial in-house with certain services out sourced and going back to market for a contractor to deliver the service in full. From the analysis it was clear that the cost would be approximately the same to deliver the service in-house as going back to the market. As such the decision was taken to bring the service back in-house as it offered the Council a greater degree of flexibility on service delivery. A request was made for information on the business case for bringing the service back in-house to be shared with the Sub-Committee.

As it was noted that the initial preparation work for changing the delivery of the Grounds Maintenance service had started in early 2018, it was suggested that it would have been beneficial if the Sub-Committee had been consulted at an earlier stage in the process, before the final decision had been made. It was agreed that a recommendation would be made to the Cabinet highlighting the need to consult with Scrutiny prior to making decisions on large contracts.

Focussing on the delivery of the service moving forward, it was advised that the first step would be a review of the service to understand the vision for park maintenance and what the public expected from the parks. The equipment and vehicles used to deliver the service would also be reviewed as and when the current equipment required replacing.

The Sub-Committee was pleased to note that the Council would be actively engaging with the various friends groups of local parks to allow the opportunity to input into the service review. It was questioned how the Council would consult with the public in those areas without friends groups. It was agreed to recommend that further thought be given to how to consult with the wider public on the service review.

Operating the service in-house would allow greater flexibility to manage how it was delivered going forward, particularly around the deployment of staff to manage resources at peak times. Grass cutting had been a particular issue for the previous contractor, however through delivering the service in-house it would allow staff to adjust their work to take into account seasonal growth.

It was noted that some of the parks in the borough suffered from anti-social behaviour and as such it was questioned what plans were in place to tackle this going forward. It was advised that going forward there would be an onus on staff to be the eyes and ears of the service, with a reporting process being put in place which would be easily trackable. Staff would also have training in how to deal with anti-social behaviour when it was encountered in parks.

It was noted that there was often inconsistency in the timings of when parks were locked in the evening, which may be helping to contribute towards a rise in anti-social behaviour. In response it was advised that the locking of parks would be reviewed to ensure that it was focussed on those parks where it was most needed.

It was questioned whether there would be opportunities to increase the income raised from using parks for events such as festivals and whether any funds raised would be invested back into the service. It was confirmed that options to increase the number of events held in local parks were being explored and any income raised would go back into the park service budget.

The Sub-Committee welcomed the range of opportunities made possible from bringing the service back in-house and questioned whether there were plans to improve the biodiversity of the parks in the borough. It was advised that there were a number of different boroughs who had good biodiversity programmes that the Council could learn from. However it was likely that there would be some parks that were more suited to environmental initiatives than others.

The Chair thanked the officers for this attendance at the meeting and for answering the Sub-Committee questions and invited them and the Cabinet Member for Clean, Green Croydon to attend a meeting of the Sub-Committee in the autumn to provide and update on the service review.

Information Requests

The Sub-Committee requested that further information be provided on the business case for bringing the Grounds Maintenance Service back in-house.

Conclusions

Following the discussion of this item, the Sub-Committee reached the following conclusions:

1. Although the Sub-Committee was supportive of the Grounds Maintenance service coming back in-house, it was agreed that it would have been beneficial if more information had been included in the report on the business case for doing so.
2. It would have been preferable for the Cabinet Member for Clean, Green Croydon to consult with the Sub-Committee prior to the decision being made to bring the Grounds Maintenance service back in-house.

3. The Sub-Committee welcomed the move to ensure that all staff were paid the London Living Wage.
4. During the discussion, there were various ideas raised for future service delivery, but the Sub-Committee agreed that for the immediate future the business plan for the service should have a primary focus on providing the core services at an acceptable level.
5. The Sub-Committee recognised that there was a wide variety of parks and open spaces in the borough and as such felt that a bespoke approach, tailored to the specific circumstances in each area was needed rather than an overarching, one size fits all approach.
6. The move toward increased engagement with the various Friends Groups of the parks in the Borough was welcomed, but it was questioned how the Council would engage with users of parks without Friends Groups.
7. The Sub-Committee welcomed the development of a Service Improvement Plan for the Grounds Maintenance contract.

Recommendations

The Sub-Committee **RESOLVED** to recommend to the Cabinet Member for Clean, Green Croydon:-

1. That the immediate focus for the Grounds Maintenance Service should be on providing its core services at an acceptable level for the residents of Croydon.
2. That the business plan should be developed on a park specific level.
3. That consideration should be given to how to consult with the public in those areas without friends groups.
4. That the Cabinet Member for Clean, Green Croydon be invited to attend the meeting of the Sub-Committee on 1 October 2019 to provide an update on the Service Review and future plans.

The Sub-Committee **RESOLVED** to recommend to all Cabinet Members:-

1. That Scrutiny should be consulted before decisions were made that would change the method of service delivery, such as bring a service back in-house.

14/18 Trams Update

The Sub-Committee received a report set out on pages 17 to 46 of the agenda, which provided an update on the improvements made to passenger safety following the tram derailment in November 2016.

In attendance at the meeting for this item was:-

- Jackie Townsend – Managing Director, Tram Operations Limited
- Mark Davis – General Manager, Transport for London – London Trams

The Sub-Committee received a presentation from Jackie Townsend on the performance of the tram network in Croydon and the steps that had been taken to improve safety following the derailment. During the presentation the following was noted:-

- i. The investigation into the tram derailment was still ongoing.
- ii. The tram system was accessible for all without assistance. With space available for mobile scooters and buggies. Going forward further consideration would need to be given to the provision of bicycle storage.
- iii. The service regularly achieved near 99% performance on a daily basis, with only a noticeable drop during the Ampere Way fire which had effected the service for over a week.
- iv. The majority of issues with the trams in Croydon arose from road traffic accidents. When incidents occurred, Trams Operations Limited worked with both the Metropolitan and Transport Police to clear the route as quickly as possible.
- v. Following the tram derailment, an emphasis had been placed on improving the competency and expertise of drivers with more assessors and trainers employed along with enhanced safety guidance being provided to staff.
- vi. Changes had been made to the staff rosters to ensure they were more fatigue friendly. From April a system of five day rosters would be introduced, down from seven day roster system used at present.
- vii. The Guardian device, new equipment designed to quickly identify driver fatigue through monitoring the eyes, nose and mouth area of drivers had been introduced. The device caused the driver chair to vibrate, sounded an alarm and send notification to a control centre if the driver's head dropped or looked in the wrong direction for a length of time.
- viii. Trams Operations Limited was the first tram company in the UK to install the Guardian device. Other public transport providers were now looking at introducing it.
- ix. Aligned with the new equipment, a fatigue management procedure had also been introduced to support drivers to manage any fatigue related issues. Managers and supervisors had been taught how to ask staff questions about fatigue and all staff understood what fatigue was and were able to identify the signs.
- x. Enhanced customer training had been introduced to ensure that staff looked after the wellbeing of customers.

- xi. Following the derailment, there had been engagement with staff at all levels of Trams Operations Limited and a process had been put in place to report back to staff after issues had been raised.
- xii. All the improvements introduced had led to an improved relationship with the Trade Unions. New uniforms had been provided for staff and the mess rooms at the depot and the tram link shop had been refurbished.

Following the presentation the Sub-Committee were given the opportunity to question the attendees, with the first question concerning the reduction of the maximum speed for trams to 70 kilometres per hour (kph) and whether this was still too high. It was advised that trams were only allowed to reach 70kph on open stretches of the track when they could not mix with other traffic or pedestrians. In all other circumstances the limit was 20 kph.

Regarding additional safety precautions introduced on the network, it was confirmed that cats eyes were being fitted in tunnels to help drivers to recognise which direction they were driving. The glass used in the windows of trams was being fitted with extra strength film, with it currently installed in 13 trams and the full roll out due to be completed by the Spring. Progress was also being made on the introduction of a new braking system, which was expected to be installed by the end of 2019.

It was questioned whether there had been many complaints about the driving ability of the tram drivers. It was advised that issues mainly arose from the use of the hazard brake, the effect of which could be jarring for passengers. On average the hazard brake had to be used once or twice a day across the tram network.

Looking forward to the future of the tram network, it was questioned whether there had been any discussion about potentially extending the route to allow greater connectivity across South London. It was confirmed that officials from Transport for London had met with representatives from Croydon Council, but at present the only extension of the route being considered was towards Sutton, with options for this being assessed. Transport for London was looking at different ways to fund extensions to the tram network, which as such did not preclude further extensions in the future. It was noted that bus routes were also being looked at as part of the Mayor of London's Transport Strategy.

In summing up the discussion the Chair highlighted that all the Sub-Committee were tram supporters who would welcome any additional investment. The Chair thanked both Mark Davis and Jackie Townsend for their attendance at the meeting and the information provided to the Sub-Committee.

Information Requests

Information was requested on the time scales for introducing the new braking system on trams travelling on the Croydon network.

Conclusions

Following the discussion of this item, the Sub-Committee reached the following conclusions:

1. The Sub-Committee welcomed the positive report and agreed to send its thanks to the Managing Director of Tram Operations Limited for the detailed content provided in her presentation.
2. The Sub-Committee was reassured by the ongoing work to improve both safety in the network and driver wellbeing.

15/18 Utilities

The Sub-Committee received a report set out on pages 47 to 62 of the agenda, which provided an update from SES Water and a presentation from Thames Water. The updates provided focussed on water resource, managing leaks and managing the effect of adverse weather upon water supply.

In attendance at the meeting for this item were:-

- Alice Keeping, Local Government Liaison- Thames Water
- Danny Leamon, Head of Metering - Thames Water

During the presentation from Thames Water, the following points were noted.

- i. 2018 was the joint hottest summer on record and had required Thames Water to pump and additional 450 million litres of water into the network.
- ii. Although Thames Water usually tried to avoid asking customers to limit their water usage, they had to in 2018 in those areas that were particularly effected by low water levels. There was a drive to encourage customers to provide mobile numbers to enable Thames Water to communicate more effectively during dry periods.
- iii. Predicted demand for water across the area covered by Thames Water was an average of 2,500 million litres a week. This took into account the variance for seasonal demand, with projections modelled on both a short and long term basis.
- iv. The source of 70% of the water used by Thames Water customers came from rivers, with the rest supplied by underground sources and boreholes.
- v. There had been below average rainfall for 8 of the last 13 months. Rain was needed to allow the opportunity to put water back into reservoirs, which were currently 90% full. January and February had been dry, which was not good in terms of preparation for summer and it was hoped that rainfall would be closer to average over the next couple of months to make up for this.
- vi. Croydon was very similar to the rest of London, with 50% of its water supply coming from the River Thames and the rest from underground water sources which were located in Waddon, Russell Hill, West

Wycombe and Addington. Thames Water was continuously undertaking maintenance on its infrastructure to ensure that it was reliable for summer.

- vii. Action being taken by Thames Water to manage demand included the offer of smart meters for homes which was now being extended to businesses. There was enhanced modelling in place for extreme weather events and improved support for vulnerable customers during any such events. Thames Water also worked hard to reduce leakages and ensured that there was resilience in the potentially vulnerable areas of the system.

Following the presentation the Sub-Committee was given the opportunity to question the representatives from Thames Water on their service delivery. The first question related to the roll out of water meters to all residential properties, with it highlighted that correspondence had been received advising residents that it would be happening in the local area, but to date there had not been any evidence of this work taking place. In response it was highlighted that the installation of water meters was a large programme of work with over 400,000 homes covered by Thames Water. From the work undertaken to date, Thames Water had encountered a number of issues such as complications from installing meters in large rental properties. However they had been able to learn from this process to ensure that it would be more efficient going forward.

As residents had already received notification that the move to install water meters would be happening prior to Thames Water being in a position to install meters in the borough, it was suggested that sending the letter to inform residents may have been premature.

It was noted that anecdotally there seemed to be an increasing number of leakages and as such it was questioned how much was spent by Thames Water to fix these leakages. It was advised that Thames Water published information about leakages monthly on their website. It was acknowledged that the level of leakages was higher than it should be, with the target for leakages not met in the past two years. Thames Water had invested £100m above their original budget to address these issues which had resulted in improvements. The level of leakage in Croydon was high, but not adversely dissimilar to where it was expected to be. At present Thames Water was repairing 1,500 leakages a week, compared to 900 per week a couple of years ago.

In answer to a question about the response times for fixing leaks once reported it was advised that there was aimed to fix all visible leaks within 5 days, given the time it took to liaise with the Highway team at the Council to arrange for access to the leak. If a leak effected a customer's supply it would increase the urgency of repair. At present an average of 200 visible leaks were reported on a daily basis, all of which were visited within 24 hours.

As recent summers had been increasingly drier and hotter, it was questioned whether climate change was included as a factor when forecasting future demand. It was advised that Thames Water planned for maximum demand

periods such as during the summer and worked to ensure that there was resilience within the system to meet this through reducing leakages and investing in the infrastructure. Thames Water was also talking with their customers about managing demand to reduce the pressure on the supply during peak periods.

In response to a question about ground water levels, it was advised that the amount of water that could be taken from these sources was regulated by the Environment Agency, with only a certain amount of extraction allowed. Thames Water worked closely with the Environment Agency to plan ahead and mitigate against the times when there was a need to reduce the amount of water that could be extracted through the introduction of new pipe work to transport water or identifying new ground water sources. A concern was raised by the Sub-Committee about the water level of the River Wandle as a result of water extraction.

It was noted that in certain parts of the borough, which were at higher level topographically, residents had raised concern about their water pressure and as such it was questioned how water pressure was monitored. It was advised that pressure management was a key part to managing leakages and as such it was managed continuously for any issues. Thames Water would install boosters to increase the water pressure in tall buildings if required, but it was likely that residents living in areas of higher topography would experience more issues with pressure.

The Chair thanked both representatives from Thames Water for their attendance at the meeting and the information provided to the Sub-Committee.

Information Requests

The Sub-Committee requested the following information from the representatives of Thames Water:-

1. Request the full programme for meter roll out in Croydon over the next five year programme.
2. Request information on any additional infrastructure investment planned for Croydon.
3. Request information on whether there has been any issues in Croydon that may affect water pressure, particularly in the vicinity of Auckland Road and how residents can report issues.

Conclusions

Following the discussion of this item, the Sub-Committee reached the following conclusions:

1. The Sub-Committee agreed to send it's thanks to the representatives from Thames Water for attending the meeting and answering their questions.

2. The Sub-Committee felt that it would have been beneficial to have additional data in the report and agreed that there was a need to be clear on the specific information required when inviting an external organisation to attend a meeting.

16/18 Work Programme

The Sub-Committee received a report, set out on pages 63 to 66 of the agenda on its work programme for the remainder of 2018 – 2019.

It was noted that the next meeting of the Sub-Committee would be held on 19 March 2019 and would be focussed on a review of the Private Housing Sector in the borough. Prior to the meeting a briefing on the topic had been arranged for Members at 6.30pm on 6 March 2019.

The Sub-Committee **resolved** that the Work Programme be noted.

17/18 Exclusion of the Press and Public

This motion was not needed.

The meeting ended at 9.25 pm

Signed:

Date:

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For general release

REPORT TO:	Scrutiny Streets, Environment & Homes Scrutiny Sub-Committee 19th March 2019
SUBJECT:	Private Rented Housing in Croydon
LEAD OFFICER:	Steve Iles Director of Public Realm
CABINET MEMBER:	Councillor Alison Butler Cabinet Member for Homes & Gateway Services
PERSON LEADING AT SCRUTINY COMMITTEE MEETING:	Shayne Coulter, Head of Public Protection

CORPORATE PRIORITY/POLICY CONTEXT/AMBITIOUS FOR CROYDON: <i>Include here a brief statement on how the recommendations address one or more of the Council's Corporate Plan priorities:</i> Corporate Plan for Croydon 2018-2022

ORIGIN OF ITEM:	This item has been identified the Sub-Committee's Work Programme as an area to review.
BRIEF FOR THE COMMITTEE:	To review the information provided on Private Sector Housing in Croydon and consider whether to make any recommendations.

1. EXECUTIVE SUMMARY

- 1.1. The number of dwellings which are rented out by private landlords has increased substantially in recent years as home ownership has become more difficult to access and the amount of social housing continues to decline in relation to demand.
- 1.2. This report considers:-
 - 1.2.1. How the private rented sector impacts not just on tenants but also on the wider community, and
 - 1.2.2. How the council deals with the problems and opportunities presented by the private rented sector
- 1.3. The report concludes that the council's best option is to renew the Selective Licensing Scheme and ensure that it is fully integrated with the appropriate policies of the Council and partner agencies.

2. Impact of Croydon's Private Rented Sector On Tenants And The Wider Community

- 2.1. The statistics in Appendix 1 show that the levels of private renting in Croydon are higher than Government estimates and are increasing. Recent new-builds and conversions have added an estimated 5,000 dwellings since the scheme began, mostly in the private rented sector.
- 2.2. Survey work by the Licensing Team over the past few months has found relatively large numbers of properties which should be licensed but were not licensed at the time of inspection.
- 2.3. Experience has shown that the worst conditions in the private rented sector in Croydon are to be found in areas of mixed residential and commercial buildings. These tend to be located in somewhat run-down local shopping centres.
- 2.4. The big majority of landlords own less than 3 properties and often do not see owning property as a business with its attendant risks and regulatory framework. This means that many of the problems associated with the sector are the result of ignorance and negligence, neither of which can be considered as excusable.
- 2.5. While it may be self-evident how landlords can impact on the lives of their tenants it might be less clear how landlords can impact the wider community. Concentrations of poor quality housing are associated with higher levels of transience and anti-social behaviour as well as failing and marginal businesses. In the case of business premises it is becoming increasingly common in Croydon to convert and/or sub-divide buildings to provide residential accommodation without any form of official approval. This means that concentrations of poor quality housing can be equated with concentrations of poor quality landlords. The key ways landlord behaviour can affect the local community are:-
 - 2.5.1. Seeking appropriate references – if landlords don't take proper references then they are more likely to end up with tenants who cause or condone anti-social behaviour.
 - 2.5.2. Overcrowding –the housing crisis and lack of affordable homes combined with income and rent levels mean that families often have no choice but to move into properties which are too small for them in terms of the number of bedrooms and/or the size of the rooms. This often leads to all rooms being used for sleeping and on some occasions those with cooking facilities, apart from any other considerations, this is a fire hazard. It is not uncommon for prospective tenants to mislead landlords about the number of people who are going to live in the house. A proper system of referencing can usually prevent this.
 - 2.5.3. Maintenance of buildings – landlords should inspect their properties at least every six months and maintain them in good repair and free from serious hazards. Failure to do so can add to the run-down appearance of areas and detract from neighbouring properties.

- 2.5.4. Environmental management – landlords are ultimately responsible for ensuring that rubbish is properly stored and disposed of. Also, they must as far as possible prevent accumulations and quickly deal with any accumulations that do occur. Landlords must ensure that tenants are fully aware of the rules and procedures regarding waste collection services. Landlords must also be aware that the more people who live in a property the more waste they will generate.
- 2.6. For individual tenants the key impacts are often psychological. Defects such as damp and mould while detrimental in their own right are exacerbated by the landlord's indifference, and the fear of retaliatory eviction.
- 2.7. The maps in Appendix 1 shows the distribution of private rented housing according to the 2011 census. While it is expected that all wards have seen an increase in private renting it is highly probable that the relative distribution remains the same. The lower map shows the overlap between deprivation and concentrations of private rented housing.
- 2.8. Appendix 5 contains a diagram which describes the links between health and housing.

3. Private Landlords

- 3.1. A recent report from the Department for Communities and Local Government, English Housing Survey (Private rented sector, 2015-16) contains information about private landlords' as well extensive analyses of the private rented sector. The report can be found at <https://www.gov.uk/government/publications/english-private-landlord-survey-2018-main-report>.
- 3.2. The key findings are listed in Appendix 4 but perhaps the finding which causes most concern is the increase in the number of families with children in the private rented sector.
- 3.3. Affordability is also a key issue. Private renters in London spent, on average, 45% of their income (including Housing Benefit) on rent rising to 54% when any Housing Benefit is excluded. Outside of London, the comparative figures were 32% and 38%. These are averages and include house sharers.
- 3.4. 94.2% of landlords are private individuals rather than any form of corporate entity. 45% of landlords only own one property and 83% of landlords own less than 5 properties. 70% of landlords have been renting properties for more than 6 years.
- 3.5. The survey didn't find any "accidental" landlords. All those interviewed had made a positive choice to rent out properties for investment reasons. This has implications for all those landlords who claim to be unaware of regulation.
- 3.6. Only 17.5% of landlords saw themselves as being in business.

4. Deprivation

- 4.1. Deprivation statistics are based on the 2011 census but are updated by the Government from time to time. The census divides the country into small areas called Lower Super Output Areas (LSOA). Each Council ward contains several LSOA's. See the map in Appendix 1
- 4.2. The Index of Multiple Deprivation (IMD) places in order the most deprived areas in England.
- 4.3. In Croydon 6 wards have LSOA's in the most deprived 10% and 17 wards have LSOA's in the most deprived 20%.
- 4.4. Much of Croydon suffers greater deprivation than more than half of the country. If we look at all the LSOA's in the most deprived 50% then we find:-
 - 4.4.1. 142 out of 220 LSOA's in Croydon are in the 50% most deprived LSOA's in England.
 - 4.4.2. 26 out of Croydon's 28 wards have at least 1 LSOA in the most deprived 50% in England. (The only 2 not represented are Parkhill & Whitgift and Shirley North).
- 4.5. While the most deprived areas tend to be in the north of the borough, the distribution of deprivation throughout the borough cannot be ignored.

5. Research Project

- 5.1. As has already been stated some of the worst conditions in private rented housing are often found in flats over shops. The Council has recently been awarded a small amount of money to carry out a sample survey of the 9 district centres (Addiscombe, Coulsdon, Crystal Palace, New Addington, Norbury, Purley, Selsdon, South Norwood, Thornton Heath) and 9 local centres (Beulah Road, Brighton Road (Sanderstead Road), Brighton Road (Selsdon Road), Broad Green, Hamsey Green, Pollards Hill, Sanderstead, Shirley, Thornton Heath Pond) as identified by the Local Plan.
- 5.2. Much of London Road has already been surveyed and the findings include 19% of properties which should be licensed were not licensed.

6. Enforcement

- 6.1. Private rented housing encompasses several regulatory regimes including:-
 - 6.1.1. Housing conditions – where there is a risk to the health and safety of residents caused by the physical condition of the property. Usually by serving Improvement Notice
 - 6.1.2. Management issues – items not dealt with by Improvement Notices
 - 6.1.3. Threats to public health – typically accumulations of rubbish, vermin, and very dirty living accommodation
 - 6.1.4. Tenancy relations – such as illegal eviction and harassment.
 - 6.1.5. Anti-social behaviour – caused by residents or visitors

- 6.2. The Council's enforcement policy requires the tenant to initially make a complaint to their landlord and for the landlord to ignore at least one request to carry out the work. Council enforcement officers can then approach the landlord of a property regarding housing defects, even then, informal action is always tried first.
- 6.3. Improvement Notices are really only the tip of the iceberg when it comes to enforcement. Numerous other notices are served which relate for example to gaining access.
- 6.4. Until Selective Licensing began, enforcement action would only be taken if a tenant or neighbour complained. The situation now is that following a Selective Licensing inspection the more serious hazards are referred for enforcement. However, it is the case that landlords so far have generally been cooperative.
- 6.5. Since the commencement of the Selective Licensing scheme more than 8,000 properties across the borough have been inspected. A table in Appendix 2 shows how many inspections have been carried out in each ward. Half of the properties which required enforcement action were not licensed at the time of inspection.
- 6.6. Appendix 2 contains some basic data on enforcement activity

7. Anti-social behaviour

- 7.1. The effects of anti-social behaviour (ASB) can be far reaching. It not only disrupts the lives of immediate neighbours, it can demoralise local communities. When a family is already in severe housing stress the impact of ASB can be magnified to beyond intolerable.
- 7.2. Licensing conditions require landlords to take references before granting a tenancy and also to take responsibility for dealing with ASB which occurs in their properties.
- 7.3. ASB comes in many forms and sometimes it isn't specifically referred to as ASB because it is dealt with by other legislation. E.g., in 2018 the Pollution Team served 325 notices to stop nuisances which could also be considered to be ASB. The notices served are in addition to verbal warnings where no notices were served.
- 7.4. The ASB Team can be called upon to support the Pollution Team when stronger enforcement measures are needed. When the ASB is caused by a private tenant then the landlord can be made liable, especially when there is a licensing scheme in operation. In 2018 the ASB Team closed 83 cases.
- 7.5. Selective licensing inspectors have worked with the ASB Team regarding 18 addresses during 2018 and there have been several joint meetings with landlords. So far, no formal action has been necessary.

8. Homelessness

- 8.1. Homelessness is a very complex issue and would require a separate report to be able to be considered in any depth. This report can only refer to homelessness as it impacts on the Council's private sector housing service.
- 8.2. Evictions from the Private Rented Sector (PRS) remain the biggest cause of homelessness. As part of the survey referred to above, 500 cases of homelessness which originated from private rental properties are being analysed with a view to assessing how the Selective Licensing Scheme could be used to help prevent evictions.
- 8.3. An eviction is said to be "retaliatory" if it is done because the tenant complains to the Council about their living conditions. Evictions are not lawful if a licensable property is not licensed or if a formal Improvement Notice has been served.
- 8.4. It should also be said that Croydon and neighbouring Councils in exercising their duties regarding the housing of homeless people relies very heavily on the private rented sector. Numerous families have been placed in Croydon by other local authorities.

9. Permitted Development

- 9.1. For some years developers could convert commercial buildings to residential use without Planning Permission. Although this has now been stopped in Croydon town centre (the Croydon Opportunity Area) because the Council made an Article 4 direction, there is still a legacy of converted office blocks with large numbers of flats of an unacceptably low standard. This accommodation is often marketed as suitable for local authority temporary accommodation.
- 9.2. Anecdotal evidence from the Housing Enforcement Team suggests that some of these conversions represent a new generation of slum housing.
- 9.3. It is also the case that with the reduced demand for retail units, many shops would also be attractive investments for unscrupulous landlords regardless of planning legislation. If conversions such as these are not found quickly then they may have established use and thus only Housing Enforcement can rectify the situation
- 9.4. The current research project will identify any unacceptable retail conversions but a more strategic approach may be needed for the office buildings.

10. Selective licensing In Croydon

- 10.1. The current Selective Licensing Scheme commenced in October 2015 and covers the whole borough. The scheme runs for 5 years so will end on 30th September 2020.
- 10.2. Selective licensing is intended to be additional to the enforcement powers found elsewhere in the Housing Act 2004. Selective licensing conditions make it possible to address key issues which cannot be dealt with by the serving of Improvement Notices in that they:-

- 10.2.1. Promote good management e.g. Ensure adequate provision and management of rubbish disposal
 - 10.2.2. Protect the wellbeing of residents e.g. Ensure that the resident is provided with a written statement of the terms of occupation
 - 10.2.3. Prevent problems arising e.g. Require the licensee to inspect the property at reasonable intervals and to take references before granting a tenancy
 - 10.2.4. Ensure that tenants in high rise buildings are kept properly informed about evacuation policies and procedures in the event of a fire.
- 10.3. The scheme has proved to be very successful in dealing with relatively low level problems relating to licensing conditions. In the majority of cases a single email was enough to resolve issues.
- 10.4. The proactive inspection regime which was made possible by the selective licensing scheme has enabled the Council to find and take enforcement action against Category 1 and Category 2 hazards which were not reported by residents, often due to fear of retaliatory evictions, lack of knowledge of acceptable standards or their rights as tenants, fear of rent increases or a desire to keep knowledge of their way of living from their landlord (for example, sub-letting or overcrowding)

11. Experience Gained from the Current Selective Licensing Scheme

- 11.1. Breaches of conditions are not confined to, nor concentrated in specific areas – even where there are no Category 1 or Category 2 hazards, the breaches of conditions indicate management failures which should not be allowed to lead to such hazards.
- 11.2. In the majority of cases, landlords who licensed without the need of Council intervention remedied breaches quickly following the receipt of an email from the Selective Licensing Officer.
- 11.3. The worst properties, the worst deprivation, and the highest rate of unlicensed properties are concentrated in specific areas.
- 11.4. The high turnover of landlords and tenants combined with the large number of private rental units coming to the market every year means that the work of selective licensing, like all private sector housing enforcement, will always be needed.

12. Renewal of the Selective Licensing Scheme

- 12.1. Because the current scheme has proved to be so useful and successful officers are currently working on a submission to the Ministry of Housing, Communities & Local Government (MHCLG) to seek approval for a new Selective Licensing Scheme to run for 5 years from 1st October 2020.
- 12.2. There has to be a consultation process but this won't start until Cabinet authority has been received.

- 12.3. The new selective licensing scheme will be essential to helping ensure that homes and neighbourhoods provide safe and healthy environments for residents, visitors, and businesses.
- 12.4. The key challenges the selective licensing scheme will have to address are:-
- 12.4.1. Poor and deteriorating housing conditions which many vulnerable households have to endure because they do not have the means to access better quality housing. Tenants are often frightened to complain because they fear eviction. A selective licensing scheme greatly reduces the ability for landlords to use retaliatory evictions.
 - 12.4.2. Unsafe environments caused by ASB and crime. Selective licensing means that landlords can't just walk away when their tenants or tenants' visitors are responsible for Anti-Social Behaviour in or near their property.
 - 12.4.3. Large numbers of high rise flats which are privately rented. It is vital that all tenants are made aware of evacuation procedures and policies in the event of a fire.
 - 12.4.4. Borough-wide distribution of potential problem properties. While most problems are concentrated in discrete areas (typically local centres as demonstrated by the attached research) the nature of the private rental property market is now such that rogue landlords can appear in any neighbourhood.
- 12.5. A Selective Licensing Scheme which is targeted to those parts of the borough with the greatest concentrations of private rented housing is what the Government say they prefer. However, it is clear that all parts of the borough would benefit from the scheme.
- 12.6. In order to evade their responsibilities some landlords may themselves target areas where there is no licensing.
- 12.7. It is clear that there are pockets of deprivation located all over the borough which will inevitably attract unscrupulous landlords.
- 12.8. With a borough wide scheme most (but not all) proactive work would be focused on the concentrations of private rented housing. However, all parts of the borough will be subject to random inspections. Also, the framework will already be in place when serious issues arise in areas with little private rented housing.
- 13.** It is therefore recommended that officers continue working on a submission for Government approval for a borough wide Selective Licensing Scheme in 2020.

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BACKGROUND DOCUMENTS:

[Corporate Plan for Croydon 2018-2022](#)

<https://www.gov.uk/government/publications/english-private-landlord-survey-2018-main-report>.

APPENDICES: Appendix 1 Overview of Private Sector Housing in Croydon
Appendix 2 Enforcement Data
Appendix 3 Teams Involved in Selective Licensing
Appendix 4 Main finding of the English Housing Survey
(Private Rented Sector 2015-2016)
Appendix 5 Relationship between Housing and Health

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Appendix 1:

Overview of Private Sector Housing in Croydon

Croydon's Housing Stock 2017

Owner-Occupied	Private Rented	Local Authority	Registered Provider	Total
97,174	33,806	13,660	12,750	157,390

The figure for private rented must be an under estimate as there are currently more than 32,000 licensed properties and more licensable properties are found every week as a result of the survey work being carried out by Housing Enforcement Team officers.

	Owner Occupied %	Privately Rented %
2017	61.74	21.48
2016	62.98	19.87
2015	64.33	18.42
2014	64.46	18.28
2013	63.40	19.25
2012	62.23	20.49

Also of interest is the number of new build private properties and changes in tenure in recent years

	Owner Occupied	Change		Privately Rented	Change
2017	97,174	-162		33,806	3,102
2016	97,336	-780		30,704	2,610
2015	98,116	791		28,094	499
2014	97,325	2,419		27,595	-1,219
2013	94,906	2,305		28,814	-1,675
2012	92,601			30,489	

Since the current Selective Licensing Scheme began in 2015 more than 5,000 properties have been added to the private rental stock. Many of these are in tower blocks and/or office conversions.

Rental Levels

The Local Housing Allowance (LHA) is the maximum level of rent recognised for benefit purposes. There are two LHA levels in Croydon. Inner South East covers a small area next to Lambeth while Outer South covers most of the borough.

Current Monthly LHA's for Croydon compared to actual rents

	One bed	Two bed	Three bed	Four bed
Inner South East LHA	£913.37	£1,187.34	£1,437.06	£1,812.05
Outer South LHA	£770.89	£970.73	£1,212.93	£1,541.30
Median rents in Croydon from VOA	£900	£1,200	£1,400	£1,785

Lowest rents in Croydon (VOA)	£878	£1,100	£1,300	£1,650
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Median Rents in London – see attached maps

Local Authority	Room	Studio	1 Bed	2 Bed	3 Bed	4+ Bed
Kensington and Chelsea	..	1,300	1,950	2,817	4,485	8,439
Westminster	694	1,387	1,842	2,492	3,467	6,283
City of London	.	1,647	1,842	2,383	..	.
Camden	953	1,101	1,560	2,058	2,817	3,629
Islington	719	1,083	1,517	1,950	2,383	3,044
Hackney	700	1,100	1,473	1,778	2,353	3,235
Hammersmith and Fulham	800	1,083	1,400	1,753	2,383	3,683
Inner London Average	675	1,100	1,425	1,733	2,254	3,012
Tower Hamlets	700	1,300	1,430	1,733	2,200	2,700
Wandsworth	700	1,000	1,352	1,672	2,150	3,000
Lambeth	600	950	1,300	1,600	2,100	2,900
Southwark	600	975	1,350	1,600	2,000	2,600
Richmond upon Thames	..	995	1,250	1,595	2,100	3,500
London Average	600	950	1,288	1,500	1,800	2,500
Haringey	624	900	1,250	1,500	1,800	2,250
Brent	637	875	1,270	1,500	1,850	2,300
Ealing	628	900	1,200	1,450	1,750	2,500
Merton	650	825	1,200	1,450	1,798	2,500
Lewisham	550	800	1,100	1,400	1,600	2,125
Newham	616	900	1,200	1,400	1,600	1,900
Barnet	585	850	1,150	1,375	1,797	2,500
Kingston upon Thames	550	878	1,100	1,325	1,595	2,325
Outer London Average	585	836	1,050	1,300	1,600	2,200
Enfield	545	800	1,050	1,300	1,550	2,249
Greenwich	583	850	1,100	1,300	1,550	2,000
Harrow	563	850	1,050	1,300	1,638	2,000
Waltham Forest	630	800	1,100	1,300	1,600	2,000
Hillingdon	600	795	1,000	1,250	1,450	1,900
Hounslow	638	867	1,100	1,250	1,500	1,850
Redbridge	500	798	1,000	1,250	1,550	2,000
Bromley	550	775	950	1,225	1,500	2,000
Barking and Dagenham	675	750	975	1,200	1,400	1,600
Croydon	550	750	900	1,200	1,400	1,785
Sutton	550	725	925	1,160	1,500	1,850
Havering	600	695	870	1,100	1,350	1,600
Bexley	585	600	788	1,050	1,300	1,550

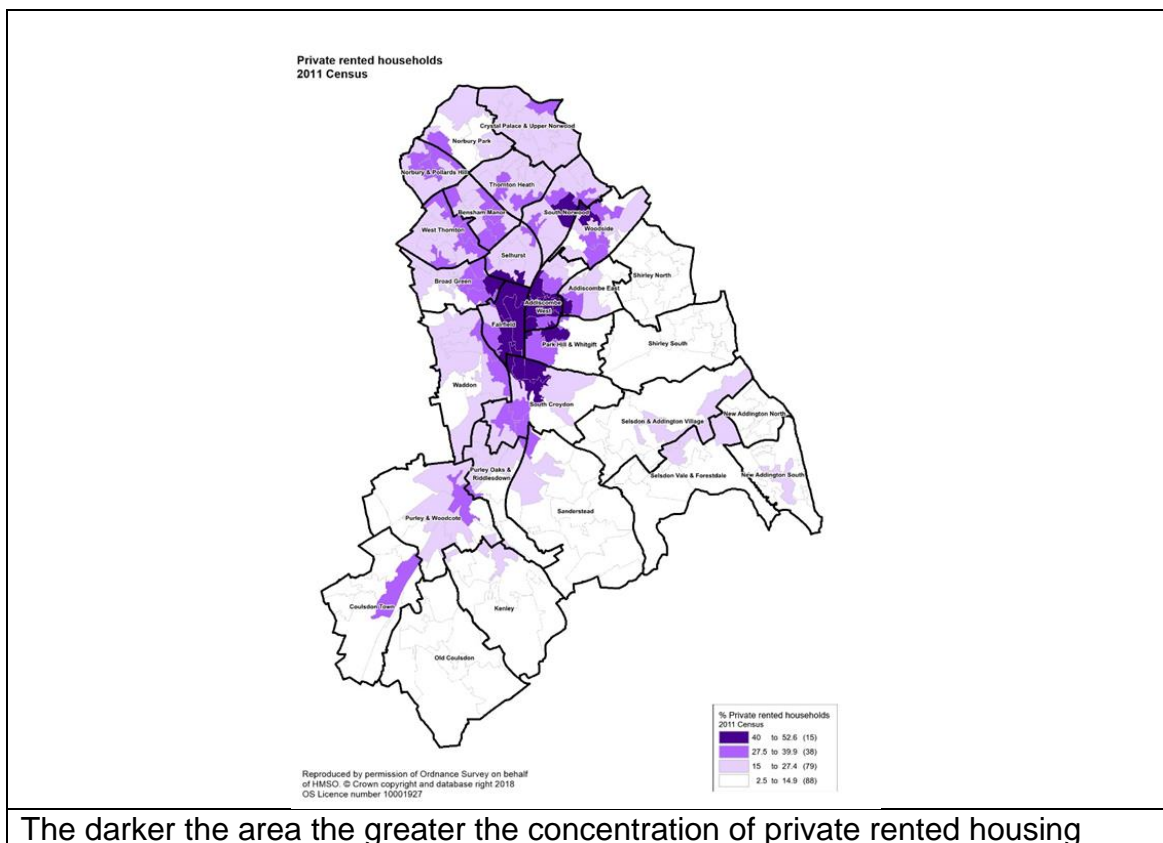
Property Prices

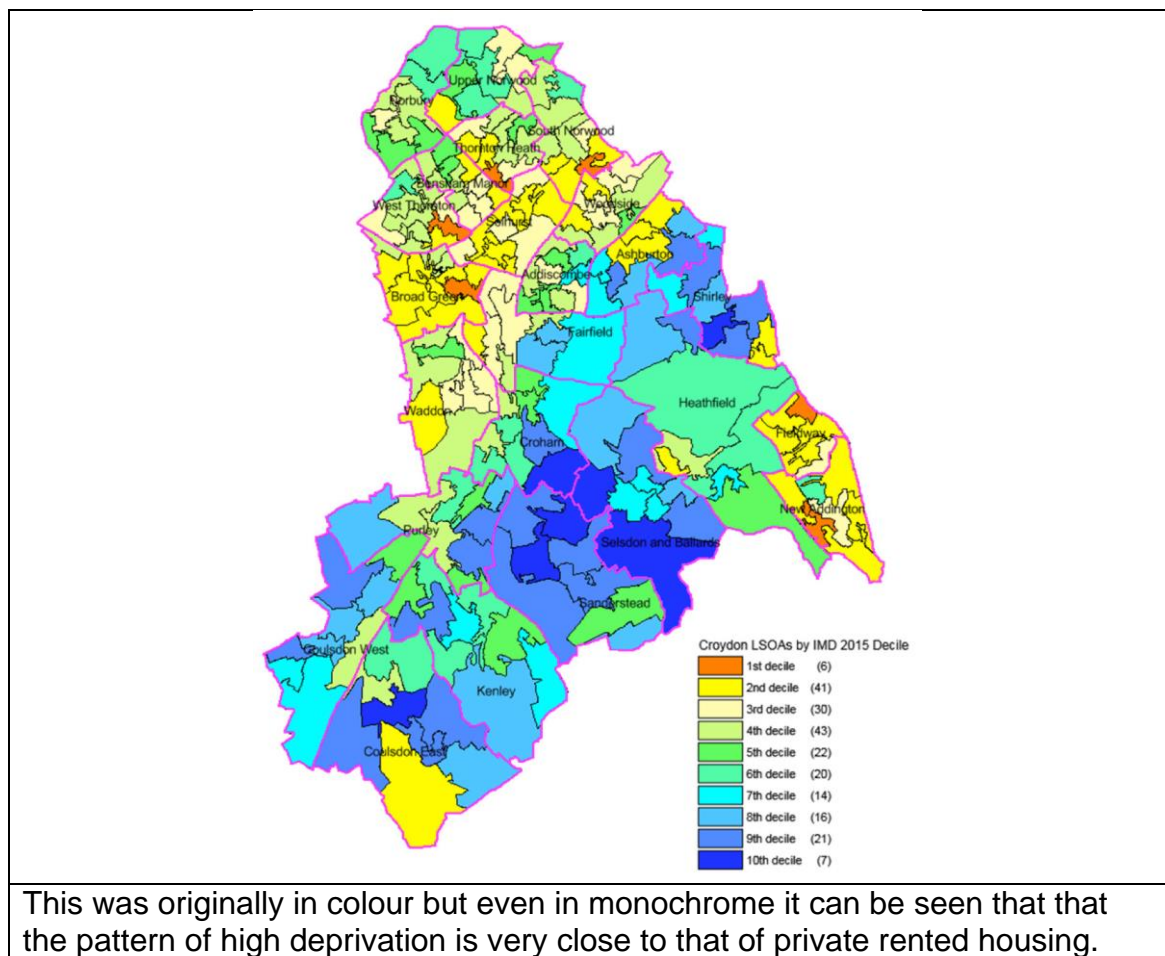
Average prices for transactions from last quarter of 2018 from the Land Registry

Flat	Terrace	Semi-detached	Detached
£287,668.01	£390,408.02	£469,396.56	£702,964.84

New-build transactions since the commencement of the current Selective Licensing Scheme

Property_Type	2015	2016	2017	2018	Totals
Flats	152	667	754	312	1,885
Detached	3	71	50	37	161
Semi-detached	6	18	49	47	120
Terrace	1	5	1	7	14





Appendix 2

Enforcement Data

Improvement Notices served in 2018

Type of Notice	Complied	Cancelled	Still In force	Totals
Informal	36	11	173	220
Formal	2	2	42	46

Ward	Inspected	Enforcement Action (including notices)	License Conditions Reminder Letter	Satisfactory (NFA)
Addiscombe East	107	14.95%	9.35%	75.70%
Addiscombe West	635	7.09%	11.50%	81.42%
Bensham Manor	449	16.70%	27.17%	56.12%
Broad Green	498	15.86%	21.89%	62.25%
Coulsdon Town	49	6.12%	18.37%	75.51%
Crystal Palace & Upper Norwood	222	13.06%	27.03%	59.91%
Fairfield	940	3.30%	7.02%	89.68%
Kenley	30	23.33%	16.67%	60.00%
New Addington North	27	25.93%	18.52%	55.56%
New Addington South	83	4.82%	20.48%	74.70%
Norbury & Pollards Hill	282	17.38%	29.79%	52.84%
Norbury Park	74	17.57%	17.57%	64.86%
Old Coulsdon	11	9.09%	0.00%	90.91%
Park Hill & Whitgift	169	1.18%	11.83%	86.98%
Purley & Woodcote	115	6.09%	14.78%	79.13%
Purley Oaks & Riddlesdown	105	3.81%	8.57%	87.62%
Sanderstead	24	8.33%	20.83%	70.83%
Selhurst	202	22.28%	18.81%	58.91%
Selsdon & Addington Village	58	5.17%	15.52%	79.31%
Selsdon Vale & Forestdale	25	0.00%	12.00%	88.00%
Shirley North	153	1.96%	6.54%	91.50%
Shirley South	92	0.00%	13.04%	86.96%
South Croydon	462	6.28%	7.58%	86.15%
South Norwood	475	18.11%	20.84%	61.05%
Thornton Heath	383	14.10%	30.55%	55.35%
Waddon	279	5.73%	13.98%	80.29%
West Thornton	685	13.87%	21.02%	65.11%
Woodside	274	16.06%	24.09%	59.85%
Totals	6,908	11%	17%	72%

Notices served by the Pollution Team in 2018 for activities which can be considered as anti-social behaviour.

Notice Type	
EPA 1990 s80 INFORMAL (Noise)	118
EPA 1990 s80 INFORMAL (bonfire)	66
EPA 1990 s80 STATUTORY (bonfire)	65
EPA 1990 s80 INFORMAL (Party)	24
EPA 1990 s80 STATUTORY (Loud Amp Music)	24
EPA 1990 s80 INFORMAL (Dog Barking)	15
EPA 1990 s80 STATUTORY (Dog Barking)	3
EPA 1990 s80 STATUTORY (Noise)	3
EPA 1990 s80 INFORMAL (Entertainment Licence)	3
EPA 1990 s80 INFORMAL (DIY)	3
EPA 1990 s80 STATUTORY (Fumes/Gases)	1
	325

Cases closed by the ASB Team in 2018

Client Group	Count
A: Noise	1
I: Domestic Violence / Abuse	1
A: Noise	25
B: Verbal Abuse / Harassment / Intimidation	13
C: Hate related incidents	1
D: Vandalism and damage to property	4
E: Pets and animal nuisance	2
F: Nuisance from vehicles	1
G: Drugs / substance misuse / dealing	6
I: Domestic Violence / abuse	3
K: Litter / Rubbish / Fly Tipping	1
L: Garden nuisance	2
M: Misuse of communal areas / public space	12
O: Other criminal behaviour	11
Total	83

Appendix 3

Teams Involved in Selective Licensing

The application process for selective licences is completely online. The form consists of a number of questions relating to the property, the applicant, the proposed licence holder and any other persons with an interest in the property. The application takes approximately 20 minutes to complete. Once the form is complete the applicant must pay online in order for the application to become valid.

A number of teams work together on the various aspects of selective licensing as follows:

Selective licensing administration – included within the council's licensing service, staff assist applicants in completing the form, answer any queries about the scheme, and who process the applications and issue the licences. They also provide witness statements to assist in any legal action taken by the enforcement team.

Selective licensing inspection – included within the council's public protection service and consists of two parts:

- **Selective licensing inspectors** – these officers carry out routine inspections of licensed properties to check the condition of the property and compliance with licence conditions, and also carry out targeted area-based inspections to locate unlicensed properties. They deal with minor infringements but if formal enforcement action is required the case is passed to housing enforcement.
- **Housing enforcement** – this team deals with complaints of disrepair from tenants and any cases passed over from selective licensing officers. Enforcement action usually starts with an informal approach with cases progressed to statutory action, works in default and legal action as appropriate/necessary.

Houses in multiple occupation – this team deals with 'mandatory' HMO licensing which applies to properties with 4 or more tenants. Smaller HMOs require selective licences but are inspected by the HMO team.

Anti-social behaviour and pollution teams – assist the housing teams in dealing with issues of ASB and noise in privately rented properties to ensure that licence holders are complying with relevant licence conditions relating to the behaviour of tenants.

Neighbourhood safety teams – assist the housing teams in dealing with issues of inadequate refuse disposal and accumulations of rubbish in gardens of privately rented properties, again to ensure that licence conditions are being complied with.

Housing options – works closely with housing enforcement in cases where private tenants have been served with a section 21 (possession) notice or where disrepair is cited as an issue which may lead to homelessness. Included in this team is tenancy relations and a significant number of cases are referred between housing options and housing enforcement.

Anti-fraud team – one part-time officer works with housing enforcement assisting with queries relating to whether an applicant is 'fit and proper' and carrying out investigations if infringements relating to benefits etc are suspected.

Council tax – visiting officers pass on information relating to unlicensed, privately owned properties. Housing enforcement officers pass on information relating to converted flats which are not registered separately for council tax.

Planning enforcement – works with housing enforcement on cases of properties which have been converted to flats without relevant permission.

Appendix 4

Main Findings of the English Housing Survey (Private Rented Sector 2015-16)

The private rented sector remains the second largest tenure in England, and Has more than doubled since 2000 to 4.5 million households.

The proportion of younger households who are now renting has doubled over the previous 10 years.

Over the previous 10 years an additional one million households with children have moved into the private rented sector.

20% of private renters are dissatisfied with their status as a private renter.

Private renters spend a significantly greater proportion of their household income on their housing costs than social renters, but are less likely to be in arrears.

Most private renters move because they want to but one in ten was asked to leave by their landlord.

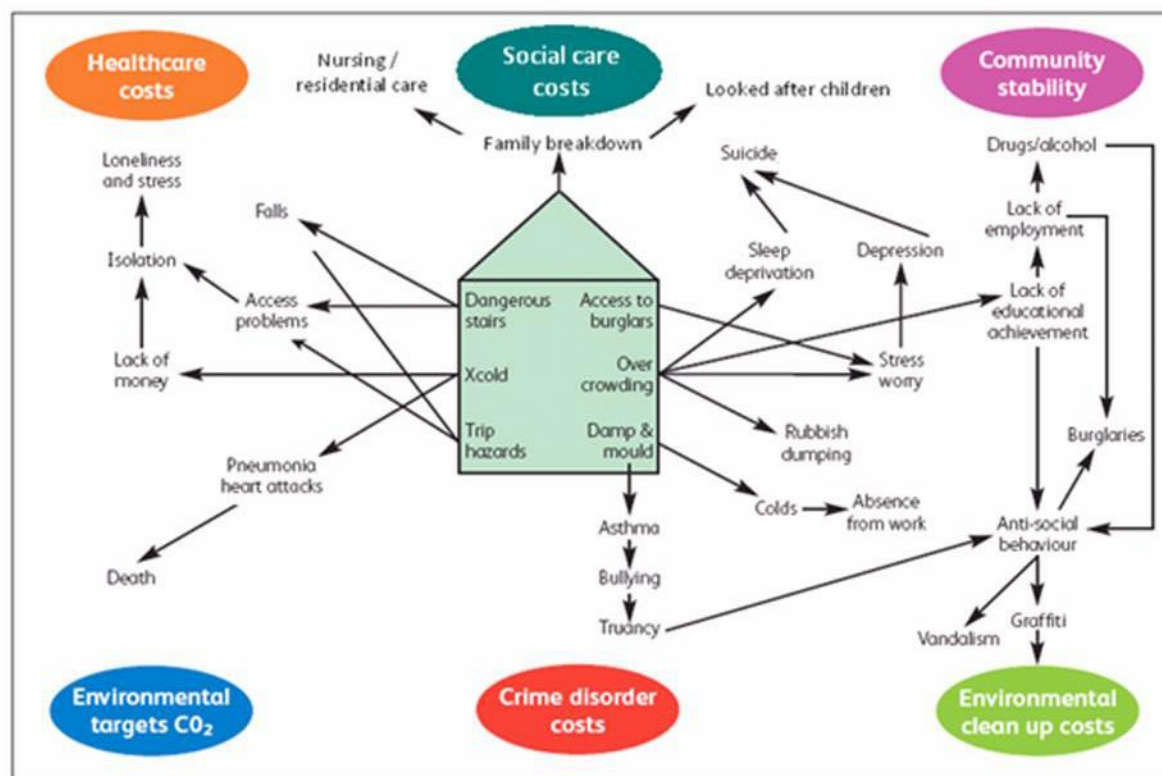
While the energy efficiency and quality of the private rented sector has improved, standards lag behind the social rented sector.

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Appendix 5

Relationships Between Housing and Health

The links between public health and housing



Local housing conditions influence broad ranging health related factors.

CLG evidence shows decent housing promotes:

- Improved communities
- Reduced crime rates
- Improved employment opportunities
- Improved educational achievement

Good Housing Leads To Good Health: A toolkit for environmental health practitioners published by the Chartered Institute of Environmental Health (CIEH). Modified to include social care costs.

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