



Neighbourhoods and Environment Scrutiny Committee

Date: Wednesday, 2 September 2020

Time: 2.00 pm

Venue: Virtual meeting – Webcast at –

https://manchester.public-i.tv/core/portal/webcast_interactive/485364

There will be a private meeting for Members only at 11am, Wednesday 2 September 2020 via Zoom. A separate invite will be sent to Members with joining details.

Advice to the Public

The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020

Under the provisions of these regulations the location where a meeting is held can include reference to more than one place including electronic, digital or virtual locations such as internet locations, web addresses or conference call telephone numbers.

To attend this meeting it can be watched live as a webcast. The recording of the webcast will also be available for viewing after the meeting has concluded.

Membership of the Neighbourhoods and Environment Scrutiny Committee

Councillors - Igbon (Chair), Azra Ali, Appleby, Butt, Flanagan, Hassan, Hughes, Jeavons, Kilpatrick, Lynch, Lyons, Razaq, Sadler, Strong, Whiston, White and Wright

Agenda

1. Urgent Business

To consider any items which the Chair has agreed to have submitted as urgent.

2. Appeals

To consider any appeals from the public against refusal to allow inspection of background documents and/or the inclusion of items in the confidential part of the agenda.

3. Interests

To allow Members an opportunity to [a] declare any personal, prejudicial or disclosable pecuniary interests they might have in any items which appear on this agenda; and [b] record any items from which they are precluded from voting as a result of Council Tax/Council rent arrears; [c] the existence and nature of party whipping arrangements in respect of any item to be considered at this meeting. Members with a personal interest should declare that at the start of the item under consideration. If Members also have a prejudicial or disclosable pecuniary interest they must withdraw from the meeting during the consideration of the item.

4. Minutes

To approve as a correct record the minutes of the meeting held on 22 July 2020.

5 - 12

5. Private Rented Sector Strategy 2020-2025

Report of the Strategic Director (Growth and Development)

13 - 50

This report provides an overview of the new Private Rented Sector Strategy 2020-25 and action plan.

The Committee is invited to comment on the report prior to its submission to the Executive on 9 September 2020.

6. Extension to Selective Licensing Schemes - Public Consultation

Report of the Strategic Director, Neighbourhoods

51 - 80

One of the main themes of the refreshed Private Rented Sector Strategy is to improve property and management conditions in the private rented sector with a particular focus on the poorest quality properties. Selective licensing is a useful tool to apply targeted interventions in the most challenging areas of the City.

Officers are seeking approval to commence an extensive consultation exercise to establish whether the declaration of a selective licensing scheme is required within these identified areas.

The Committee is invited to comment on the report prior to its submission to the Executive on 9 September 2020.

- 7. Housing Compliance and Enforcement - Performance in 2019/20** 81 - 96
Report of the Strategic Director, Neighbourhoods

This report provides the Committee with an update on demand for and performance of the Housing Compliance and Enforcement Team during 2019/20.

- 8. Fire Safety in High Rise Residential Buildings** 97 - 116
Report of the Strategic Director (Growth and Development)

This report provides the Committee with information on the range of activities to address fire safety in high rise residential buildings.

The Committee is invited to comment on the report prior to its submission to the Executive on 9 September 2020.

- 9. Overview Report** 117 - 126
Report of the Governance and Scrutiny Support Unit

This report includes details of the key decisions due to be taken that are relevant to the Committee's remit as well as an update on actions resulting from the Committee's recommendations. The report also includes the Committee's work programme, which the Committee is asked to agree.

The relevant COVID-19 Sit-rep is to follow and will be circulated for information.

Information about the Committee

Scrutiny Committees represent the interests of local people about important issues that affect them. They look at how the decisions, policies and services of the Council and other key public agencies impact on the city and its residents. Scrutiny Committees do not take decisions but can make recommendations to decision-makers about how they are delivering the Manchester Strategy, an agreed vision for a better Manchester that is shared by public agencies across the city.

The Neighbourhoods and Environment Scrutiny Committee has responsibility for looking at how the Council and its partners create neighbourhoods that meet the aspirations of Manchester's citizens.

The Council wants to consult people as fully as possible before making decisions that affect them. Members of the public do not have a right to speak at meetings but may do so if invited by the Chair. Speaking at a meeting will require a video link to the virtual meeting.

Members of the public are requested to bear in mind the current guidance regarding Coronavirus (COVID19) and to consider submitting comments via email to the Committee Officer. The contact details of the Committee Officer for this meeting are listed below.

The Council is concerned to ensure that its meetings are as open as possible and confidential business is kept to a strict minimum. When confidential items are involved these are considered at the end of the meeting and the means of external access to the virtual meeting are suspended.

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Further Information

For help, advice and information about this meeting please contact the Committee Officer:

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This agenda was issued on **Monday, 24 August 2020** by the Governance and Scrutiny Support Unit, Manchester City Council, Level 3, Town Hall Extension, Manchester M60 2LA

Neighbourhoods and Environment Scrutiny Committee

Minutes of the meeting held on 22 July 2020

This Scrutiny meeting was conducted via Zoom, in accordance with the provisions of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020.

Present:

Councillor Igbon – in the Chair
Councillors Azra Ali, Butt, Flanagan, Hassan, Hughes, Jeavons, Kilpatrick, Lynch, Whiston, White and Wright

Apologies: Councillors Appleby, Lyons, Sadler and Strong

Also present:

Councillor Akbar, Executive Member for Neighbourhoods
Councillor Rahman, Executive Member for Skills, Culture and Leisure
Councillor Stogia, Executive Member for Environment, Planning and Transport

NESC/20/29 Minutes

Decisions

To approve the minutes of the meeting held on 24 June 2020 as a correct record.

NESC/20/30 COVID-19 update

The Committee considered a report of the Deputy Chief Executive and City Treasurer that provided a brief summary of the current situation in the city in relation to COVID-19 and an update on the work progressing in Manchester in relation to areas within the remit of this committee.

Some of the key points that arose from the Committee's discussions were: -

- Expressing disappointment that the report made no specific reference to BAME citizens;
- Expressing disappointment following the decision to withdraw the 179 bus service, noting that this service was important for key workers and older residents and calling for an end to any further cuts to bus services;
- Calling upon the Chair to write to the Chief Executive of Transport for Greater Manchester (TfGM) to request an immediate review of this decision to withdraw the 179 bus service;
- What advice had been provided to schools to support social distancing as schools prepare for a return in September and requesting an update on the Active Travel Bids;

- Recognising the amount of work delivered by the Highways Department during the lockdown period, however commenting that communication with residents still appeared to be an issue;
- Requesting an update on the number of homeless people in temporary accommodation;
- What was the approach to supporting homeless people in district centres;
- Noting the pressures that would be placed on the Homeless Service following the end of furlough and the ending of the restriction on the use of Section 21 (Notice to Quit) by private landlords;
- Information on the number of licensed premises across the city and the number of staff employed in the Licensing and Out of Hours Team to understand the scale of the challenge;
- Commenting upon the positive and proactive approach taken by licensed premises; Council officers and Greater Manchester Police to ensure the easing of the lockdown measures was managed in a responsible and safe manner.

The Strategic Director, Neighbourhoods stated that the disproportionate impact of COVID-19 on BAME residents was acknowledged and the strategies and recovery approach had been reported to both the Health and Wellbeing Board and the Health Scrutiny Committee.

The Chair stated that she would consult with the Chair of the Communities and Equalities Scrutiny Committee with the intention to writing a joint letter to the Chief Executive of TfGM to express the views of the Committee and to request a review of the decision to withdraw the 179 bus service.

The Executive Member for Environment, Planning and Transport stated that she shared the disappointment of the Committee in regard to the withdrawal of bus services, recognising the importance of these for residents and providing an alternative to journeys by car. She described that this clearly highlighted the need for the introduction of a democratically controlled, regulated bus service.

The Executive Member for Environment, Planning and Transport further stated that work with the Education Department continued around the issue of active travel in preparation for the schools returning in September. She advised that the local Neighbourhood Teams were supporting this activity, however resources were limited and called upon local Councillors and partners to support this activity. She stated that information on the Active Travel Bids would be provided to Members following the meeting

In response the comments regarding communications and school crossings work, the Executive Member for Environment, Planning and Transport advised that letters were sent to all affected properties and schools to inform them of planned works and local Members were informed via email. In addition the contractor would display signage in the area to notify the public of the works. She also added that it might be the case that some schools had not picked up correspondence due to Covid19 lockdown. She was aware of only one specific incident in Withington where the programme for the crossing delivery was paused following concerns from residents on the location of the proposed works. However, she invited where Members experience any communication issues they were to let her know, and that she would circulate a note

to members on how many crossings have been delivered to date. The Chair stated that a separate private meeting with Members of the Committee and the Executive Member for Environment, Planning and Transport would be useful for Members to raise issues they had experienced. The Executive Member for Environment, Planning and Transport agreed to convene such a meeting if there is interest from the committee for it.

The Director of Homelessness stated that there were currently 158 individuals placed in temporary hotel accommodation who had been rough sleeping at the start of the pandemic. He said that each had individual housing plans with a view to securing them permanent accommodation so they did not return to the streets. He stated that the decision had been taken to continue funding the hotel accommodation for rough sleepers until March 2021, despite the funding from central government ending.

The Director of Homelessness stated that currently there were approximately 2000 households in temporary accommodation across Greater Manchester. He stated that Bed and Breakfast (B&B) accommodation was only every used as a last resort and there was a statutory limit on the length of time a person could be accommodated in such a setting. He further advised that there had been a significant reduction in the number of families accommodated in B&Bs, adding that if families had been placed in them the average time before being moved to more appropriate accommodation was two weeks. He informed Members that the Homeless Service worked with private landlords, charities and registered housing providers to secure accommodation for people experiencing homelessness and a number of supported accommodation units had been commissioned to provide additional support.

In regard to the district centres, the Director of Homelessness acknowledged this issue and stated that the Outreach Team were working in district centres and were included in the regular homeless counts. He stated that whilst Outreach Workers continued to work with street homeless individuals, the approach was still on the prevention of homelessness. He further acknowledged the concerns expressed by the Chair regarding the ending of furlough and Section 21 Notices, and stated that this situation would continue to be closely monitored and the service was working closely with Shelter to understand the emerging situation, noting the importance of preventative work around the issue of homelessness.

The Executive Member for Skills, Culture and Leisure stated that the Council had both a statutory and moral duty to respond to the issue of homelessness. He commented that the current situation of using temporary accommodation was not ideal, however this was as a result of a failure of government to invest in the building of social and affordable housing. He concluded by encouraging any residents wishing to help rough sleepers to donate to the Big Change campaign rather than giving money directly to individuals on the street as he said this was often counterproductive.

The Head of Compliance, Enforcement and Community Safety informed the Members that across the city there was in excess of 2000 licensed premises and the Licensing and Out of Hours Team currently had 38 staff and managers working a shift pattern that covers from 10am to 4.30 am on Friday and Saturdays and 10am -

1am the rest of the week She stated that the staff have a wide range of duties and responsibilities and also undertake a significant amount of proactive work.

With regard to the number of Requests for Service, the Head of Compliance, Enforcement and Community Safety reported that whilst the number had not significantly changed compared to the same period last year, the nature of complaints had with far more domestic noise complaints being received. She explained that this could be attributed to the fact that people were at home a lot more than they usually were as a result of COVID-19 and would therefore likely be more conscious of noise from neighbours including music, DIY, parties etc. The Head of Compliance, Enforcement and Community Safety described that in terms of COVID-19 guidance the vast majority of premises had managed the transition from lockdown well. She described the circumstances that had resulted in two premises being required to close, however these had both successfully reopened and the situation would continue to be monitored.

The Executive Member for Neighbourhoods paid tribute to all of the staff working within the Licensing and Out of Hours Team and further reiterated the wide remit and responsibility for a relatively small team, noting that they were not just responsible for licensed premises. He further stated that the recent successful and safe reopening of licensed premises was to be applauded and had been informed by the positive proactive work undertaken by officers and the positive relationships that had been established. He stated that officers would, if necessary take appropriate enforcement action to ensure public safety.

In regard to the strategy for planning ahead and describing the workstreams that had been identified to progress the city's recovery, The Strategic Director, Neighbourhoods reported that the move to reopening leisure centres, play areas and hosting events would be managed with due attention to the national public health guidance regarding COVID-19.

Decision

To note the report.

NESC/20/31 Clean Air and Climate Change progress update

The Committee considered a report of the Deputy Chief Executive and City Treasurer that provided an update on the Greater Manchester (GM) Clean Air Plan including the impact of COVID-19 (C19) on the timetable for its implementation. It also provided an update on progress to deliver the Council's Climate Change Action Plan 2020-25 and annual direct emissions data for the 2019/20 financial year.

The main points and themes within the report included: -

- Information on the Greater Manchester Clean Air Plan and the considerations given to the statutory public consultation on the GM Clean Air Plan to be undertaken as soon as reasonably practicable due to COVID-19;

- An update on Manchester City Council Climate Change Action Plan, noting the documents provided Annual Direct Emissions Report, Pathway to Zero Carbon 2038, Quarterly Quantitative Emissions Reporting, Quarterly Qualitative Reporting and the correspondence with the Greater Manchester Pension Fund; and
- Information on Manchester Climate Change Framework 2020-25 annual report that was due to be launched 21 July 2020.

Some of the key points that arose from the Committee's discussions were: -

- Noting the anniversary since the Council declared the Climate Emergency motion, what progress had been made against the fifteen specific asks of the motion;
- What progress had been made in retrofitting domestic properties across the range of tenures;
- How would the Local Plan promote the mitigation of climate change and support the stated ambitions to reduce carbon emissions;
- An update was sought on the number of carbon / environmental themed engagement events held across the city;
- An assurance was sought that any consultation on proposals for a Clean Air Plan for Greater Manchester was inclusive and captured the voice of young people;
- Welcoming the introduction of 27 electric refuse vehicles;
- Was there any information on the proposals by Manchester Metropolitan University to distribute mobile air quality monitoring stations; and
- Noting the disappointing response from The Greater Manchester Pension Fund and reiterating the need for them to disinvest from fossil fuels as soon as possible to support the ambitions of Greater Manchester to address climate change.

The Executive Member for Environment, Planning and Transport addressed the Council motion and described that progress against each of the "asks" which had also been provided within the report submitted for consideration by the Committee. She detailed which actions were either completed or partially completed and described the reasons for this including those which had been impacted by COVID-19. She further stated that she shared the disappointment and frustration of Members in regard to the response from The Greater Manchester Pension Fund. She said the Pension Fund needed to set out a clear pathway so as to address climate change in line with the ambitions of the region, and she would work with her colleagues from across Greater Manchester to continue to lobby on this important issue.

The Strategic Lead Policy and Partnerships informed the Members that work had been commissioned to understand the cost of retrofitting Northwards properties, and this analysis was being used as the basis to estimate the costs of retrofitting the city's Private Rented Sector stock but with a 20% uplift to take into account the condition of these properties. . He stated that this would involve significant sums of money to deliver and that bids were being prepared to submit to government as part of the Comprehensive Spending Review. He further stated that confirmation was still awaited on the full details of the Green Homes Grant that had recently been announced by government including eligibility criteria.

The Chair commented that a substantive item on the issue of housing would be submitted to a future meeting of the Committee and this would provide an opportunity for Members to discuss this further.

With regard to the Local Plan, the Head of Local Planning and Infrastructure stated that the existing Core Strategy included the requirement for developments to include a range of environmental standards to mitigate climate change. He commented that Manchester was the first to require BREEAM assessments to be completed for proposed developments, noting that BREEAM assessments were undertaken by independent licensed assessors using scientifically-based sustainability metrics and indices which covered a range of environmental issues. He concluded by saying that the new Manchester Local Plan whilst needing to comply with national guidance would also seek to be ambitious in demanding high environmental standards from new development and a full consultation exercise would be undertaken.

The Head of Local Planning and Infrastructure informed the Members that a GM wide consultation on the GM Clean Air Plan would be conducted in October 2020. He noted the comments from the Committee regarding the need to ensure this was inclusive and stated that an Equality Impact Assessment of the proposed consultation would be undertaken prior to the launch. He acknowledged the need to capture the voice of young people in this exercise. He concluded that further enquiries would be made regarding the proposals by Manchester Metropolitan University to distribute mobile air quality monitoring stations.

The Head of Neighbourhoods described that prior to the COVID-19 lockdown a number of environmental themed resident events had been held across the city, which had included engagement with schools and young people. In addition ward coordination meetings continued to promote environmental issues and local climate change actions. She said work would continue with schools around the issue of active travel and that a list of all events held would be circulated to Members following the meeting.

The Executive Member for Environment, Planning and Transport stated that she had attended a number of events across the city and consideration was being given as to how these can be reinstated in a safe and appropriate manner with regard for the current guidance regarding COVID-19.

The Executive Member for Environment, Planning and Transport summarised the achievements to date of the City Council to address climate change and reduce carbon emissions. She stated that the Council had achieved a 53.8% reduction in its direct CO₂ emissions against the target set of 41% between 2009/10 and 2019/20. She said this had been achieved by an ambitious and wide ranging plan of action that had seen the delivery of the civic quarter heat network; the introduction of electric vehicles; the switch to LED street lighting; reducing emissions from the estate; a programme of planting trees; supporting bio diversity and nature based solutions; allocating space for active travel and progressing the introduction of clean air zones. She described that in response to comments from the Committee regular reporting of this progress had also been introduced.

The Executive Member for Environment, Planning and Transport concluded by stating that the impact of COVID-19 was unprecedented and reflection and consideration would be given to this as the city planned for green recovery. She recognised the impact that COVID-19 had on young people and the importance of recognising their concerns and ambitions around climate change. She reiterated that

the Council recognised this and supported them. She further commented on the significant socio-economic impact that COVID-19 would have on a large number of residents as the ending of furlough was realised and the impact that have on food and fuel poverty experienced by residents. She stated that this was recognised as a social justice issue and she called upon all partners and local businesses to continue to build upon the good work and help deliver a cleaner, healthier, carbon neutral city.

Decision

To note the report.

NESC/20/32 Overview Report

The report of the Governance and Scrutiny Support Unit which contained key decisions within the Committee's remit and responses to previous recommendations was submitted for comment.

The Chair noted that the Members would be meeting in private following this meeting to discuss the work programme.

Decision

To note the report.

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**Manchester City Council
Report for Resolution**

Report to: Neighbourhoods and Environment Scrutiny - 2 September 2020
Executive - 9 September 2020

Subject: Private Rented Sector Strategy 2020-2025

Report of: Strategic Director Growth and Development

Summary

This report provides an overview of the new Private Rented Sector Strategy 2020-25 and action plan attached as appendix 1 & 2.

Recommendation

The Executive is asked to approve the Private Rented Sector Strategy 2020-25 and delivery plan.

Wards Affected:

All wards.

| Supporting the Manchester Strategy | Summary of the contribution to the strategy |
|---|---|
| A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities | An efficient and well functioning housing market is essential for the economic wellbeing of the City and delivery of the Greater Manchester Strategy. If Manchester is to meet the needs of the forecast population and employment projections there is an urgent requirement to increase the supply of good quality housing of all tenures, including a good quality PRS. |
| A highly skilled city: world class and home grown talent sustaining the city's economic success | The delivery of the housing opportunities will have major economic benefits for the City creating jobs across the supply chain and the development cycle, providing a positive impact on the performance of the local economy and the availability of local employment. |
| A progressive and equitable city: making a positive contribution by unlocking the potential of our communities | Good quality housing of all tenures supporting successful neighbourhoods have helped to develop a sense of self-esteem and mutual respect amongst communities |
| A liveable and low carbon city: a destination of choice to live, visit, work | Good quality homes including those that are energy efficient are very important to the City |

| | |
|---|---|
| | and residents, this strategy will closely align to the Councils zero carbon strategy. |
| A connected city: world class infrastructure and connectivity to drive growth | n/a |

Full details are in the body of the report, along with any implications for

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

There are no direct financial implications

Financial Consequences – Capital

None

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Background documents (available for public inspection)

- Market Rental Strategy 2015 - 2020
- Residential Growth Prospectus - 2016
- Manchester Housing Strategy 2016-21
- Manchester Affordability Strategy 2018
- Selective Licensing update report March 2020

1.0 Introduction

- 1.1 The Private Rented Sector (PRS) Strategy 2020-25 attached to this report as appendix 1 sets out how the council along with its partners will support the improvement of housing standards within the sector over the next 5 years (2020-25).
- 1.2 The main focus of the strategy is to improve housing and management standards at the lower end of the private rented sector market and ensuring fire safety issues are addressed in all relevant buildings. Assisting landlords and residents to meet their individual responsibilities by providing advice and information will support both of these objectives.

2.0 Background

- 2.1 The PRS across the UK continues to grow in size and importance. It provides 4.7 million households with a home including 1.7 million families - 3 times as many as a decade ago.
- 2.2 In Manchester the sector's growth has continued at pace, with it now overtaking owner occupation as the largest sector (38%) in the city, expanding outside of the city centre and student markets.

3.0 Developing the strategy

- 3.1 Public consultation was carried out late last year to understand what the PRS means to residents and stakeholders and what is important to them. To inform the new strategy, meetings and workshops were also organised to engage directly with key stakeholders:
- Member consultation
 - Northwards Housing
 - North, Central and South Place Group meetings
 - Manchester Housing Providers' Partnership
 - Northern Housing Consortium
 - Four drop-in events and online consultation for Tenants, Landlords and Representative Bodies
- 3.2 Common themes emerged out of the conversations and consultation and these themes have forged the main objectives of the strategy.
- Information for Health colleagues
 - Issues with poor property condition
 - Concerns about lack of security of tenure and choice
 - Training and support needed for tenants and landlords
 - Improved communications with the sector
 - Mixed tenures and RP intervention
 - Concentrations of temporary accommodation.

4.0 Private Rented Sector Strategy 2020-25 - Vision

- 4.1 The vision for the strategy was developed using the feedback from residents and discussions with members:

“Manchester’s Private Rented Sector will provide a high quality, low carbon, affordable and sustainable offer so that Manchester’s residents have a good choice of quality homes in clean, safe and vibrant neighbourhoods.”

Strategy Themes and Objectives

- 4.2 There were three clear themes that emerged from the consultation and these have formed the strategic objectives within the strategy and underpin the interventions and actions within the strategy delivery plan

Theme 1: Improve Property and Management Standards

- 4.3 Target and focus intervention and proactive enforcement on the very worst properties, landlords and agents and improvement of neighbourhoods

Theme 2: Increase Opportunities within the Sector for Low Income Households

- 4.4 Narrow the quality gap between the lower end and that of the middle and higher end of the market so that people on lower incomes have greater access and more choice.

Theme 3: Greater Communication Across the Sector

- 4.5 Raising awareness of landlord, agent and tenant responsibilities; sharing good practice and an enhanced role for the relevant professional bodies will help ensure standards continue to be met at all levels of the market.

5.0 Contributing to the Our Manchester Strategy

(a) A thriving and sustainable city

One of the key aims of the Strategy is to improve the quality and choice of the PRS market to benefit and support those who contribute to Manchester’s economic success.

(b) A highly skilled city

Via the delivery plan one of the aims is to work more closely with teams around the neighbourhoods, this will include improving homes so people can thrive and become more skilled.

(c) A progressive and equitable city

Previously there has been limited data available to accurately quantify the impact of interventions in the private rented sector, either economically, socially or on health and wellbeing.

(d) A liveable and low carbon city

The strategy supports the delivery of increasing low carbon homes within the sector to meet the Council's ambitious 2038 zero carbon target.

(e) A connected city

None

6.0 Key Policies and Considerations**(a) Equal Opportunities**

We will attempt to develop a number of key performance indicators to measure the success of our interventions within the strategy. These will include reductions in crime, improvements in health, reductions in fuel bills and improved resident satisfaction.

(b) Risk Management

Not at this stage but a risk assessment will be carried out alongside the delivery of the strategy action plan.

(c) Legal Considerations

None.

Private Rented Sector Strategy 2020-25

Insert Foreword (Cllr Richards)

Coronavirus Pandemic

During the Covid-19 crisis the Government intervened in our lives in unprecedented ways from March 2020 onwards. Lockdown restrictions put in place from the 23rd March effectively put a freeze on the housing market, halting transactions in both the sales and lettings market and slowing construction activity. Legislation was hastily put in place to prevent evictions, initially for three months, then extended to five months, and landlords were allowed mortgage holidays to help their cash flow.

Following an initial pause, most developments across the city returned to site after the Easter weekend as contractors began to adopt new practices to work more safely in line with social distancing guidelines and as the more stringent restrictions began to be lifted from May onwards, sales and lettings market activity increased. By the end of Summer the courts are due to begin to consider rent arrears cases once more.

At the time of writing it is unclear how the private rented sector will respond but there is a genuine concern that landlords will immediately seek to evict tenants in arrears leading to a serious spike in homelessness.

As referenced later, the short-term lettings market adapted rapidly to the changing demand (i.e no visitors) with many landlords switching properties back into traditional private lets.

As this strategy is being drafted the Council does not know how long this pandemic will continue and whether it will return. What it does know, however, is that a disproportionate amount of people living in poorer quality housing have been directly affected by this virus. It has also disproportionately affected specific groups, particularly those from Black, Asian and Minority Ethnic (BAME) communities, many of whom live in extended families in, often, overcrowded housing. This strategy must do everything it can to improve the quality of accommodation and the life chances for those communities who have suffered most.

Private Rented Sector - Vision

“Manchester’s Private Rented Sector will provide a high quality, low carbon, affordable and sustainable offer so that Manchester’s residents have a good choice of quality homes in clean, safe and vibrant neighbourhoods.”

Introduction

This Private Rented Sector (PRS) Strategy sets out how the council, along with its partners, will support the improvement of housing standards within the sector over the next 5 years (2020-25). The main focus of this strategy is improving housing and

management standards at the lower end of the market, and assisting landlords and residents to meet their individual responsibilities by providing advice and information.

Over the last 5 years the approach and delivery of the previous Market Rental Strategy has been, in part, successful. A report on progress was presented to the Council's Neighbourhoods and Environment Scrutiny Committee in March 2020 and can be found here:

<https://democracy.manchester.gov.uk/documents/s16166/PRS%20Strategy%202020-25.pdf>

However, the continuation of welfare reform, and the issues around housing supply, affordability, homelessness and no fault evictions has seen a further polarisation of the sector. This has led to a review of the strategy to make sure the Council can effectively refocus its priorities to meet the challenges affecting the sector, specifically at the lower end of the market.

This strategy will sit alongside the Housing Strategy and Residential Growth Plan which sets out the wider overarching strategic objectives for housing and growth across the city.

Wider Strategic Context

The 'Our Manchester' strategy has established a series of high level aims to secure the 2025 vision for the city, in particular the need to build well designed, energy efficient, sustainable and affordable homes to rent and buy. Creating more homes to meet the needs of a growing population and economy is a significant priority.

The Residential Growth Strategy (2015-2025) sets out the city's approach to providing the right mix of housing for all residents. One of the six key principles set out in the Residential Growth Strategy is "developing a quality private rented sector" and the Market Rental Strategy (2015) set out how the Council would meet this commitment.

The key strands of this strategy were:

1. Promote greater self-regulation of the sector.
2. Target and focus intervention and proactive enforcement on the very worst properties, landlords, agents and neighbourhoods.
3. Enhance the role of partners.

Background

There has been a significant growth in the number of homes in the private rented sector in Manchester over the past two decades, growing from 18.8% of total stock in 2001 (c.25,000 homes) to 38% of total stock today (c.88,000 homes). This growth has been concentrated in areas of highest population growth and new job creation - principally the city centre and inner city areas.

The city has undergone a period of significant post-industrial economic restructuring, with the emergence of a new and diversified employment market in a number of important sectors across the city including digital, tech and media. This has resulted in c.100,000 new jobs created across the city between 2011 and 2019, attracting new residents and fuelling rapid population growth¹.

Between 2001 and 2011, Manchester was the fastest growing city and third fastest growing Local Authority in the UK and recent evidence shows no signs of this pace of growth slowing. According to the latest in-house population estimates, there are currently c.586,000 people living in Manchester - including over 65,000 in the city centre - a 15.8% increase on 2011².

The majority of the growth in the city centre is attributable to new graduates and young professionals coming into the city to access jobs and housing in close proximity across the central area. In response to this, newer Build to Rent products have emerged which have helped to professionalise the lettings market with higher management credentials, additional amenities and a greater sense of community (and a lower risk of rogue / absentee landlords).

This growth in new supply of higher quality products for rent combined with a sustained period of demand has driven average rents in the city centre to c.£1,000 pcm (2bed). Whilst this is higher than the city average (£730), options for sharers mean that the city centre market remains an attractive and affordable rental option for many residents and this is reflected in the proportion of households of 2+ people in the city centre which currently stands at over 70%.

Outside the city centre, the private rented sector has grown fastest in areas which have seen the highest levels of inward migration, such as Crumpsall (45.8% of stock) and Longsight (34.2% of stock). A recent study by The Migration Observatory found that three in four (76%) migrants who have moved to the UK in the last 5 years find accommodation in the private rented sector³. Recent migrants rely on the private rented sector because of its relative flexibility and ease of access. In Manchester this is almost certainly the case with the evidence suggesting many new migrants find rented accommodation through well established cultural and community connections.

Unlike the growth in the city centre however, many of these new residents are on lower incomes and as such, the private rented sector in these areas - principally North and East Manchester - remains concentrated in poorer quality existing stock and is pitched at lower price points. Properties in this part of the market are characterised by disparate ownerships, varied management and issues linked to property condition and criminality. They are owned either by absentee landlords or landlords who simply fail to respond when tenants report problems.

This polarisation of the private rented sector has led to the emergence of a series of submarkets across the city representing the full suite of price points, property types, location and quality. There is no accepted methodology to determine different types

¹ Greater Manchester Forecasting Model (GMFM) 2019

² Manchester City Council Forecasting Model (MCCFM) W2018

³ The Migration Observatory, "Migrants and Housing in the UK: Experiences and Impacts" (October 2019)

of PRS accommodation operating within the market. However, broadly speaking there are roughly 6 PRS submarkets operating at present in Manchester (see Appendix 1).

This strategy does not focus on the middle and premium end of the lettings market which will need to continue to be monitored separately. Similarly, the homelessness agenda is covered by a separate strategy. However, there are clear strategic links and actions that this strategy will directly contribute towards with regards to providing affordable housing to prevent homelessness and provide good quality move on accommodation.

This refreshed strategy will, therefore, focus on the areas that are most challenging, targeting resources to improve housing outcomes for some of our most vulnerable residents (the submarkets outlined in red in Appendix 1). It will also consider how best to respond to the emerging short-term lettings sector and, crucially, sets out our approach to developing a zero carbon strategy and a fire safety strategy within the private rented sector.

Market Context

Manchester's combination of relatively low property prices and strong rental growth presents a very attractive opportunity for prospective buy-to-let investors. Recent research by MCC found that landlords in North and East Manchester, in particular, could achieve yields upwards of 10% - which is amongst the highest in the country. This has also meant that, unlike parts of the country with very high property prices such as in central London, landlords in Manchester were not put off by the 3% Stamp Duty Land Tax (SDLT) surcharge on second home purchases introduced in April 2016. This coupled with the low value of sterling, high levels of demand and driven by unprecedented post-war levels of population growth, has continued to make Manchester amongst the most attractive cities in the UK for residential investors both at home and abroad.

There are no longer any areas of low demand in Manchester. Historically, Manchester's population growth has been absorbed through backfilling previously empty properties, however, sustained high demand has led to long term void rates remaining between 0.5% and 1% across all wards in the city.

As demand has continued to increase, landlords are no longer having to look to low income UC/HB claimants to fill properties and as a result the composition and make up of the sector has transformed to an overwhelmingly middle/high income in-work tenant base. As the number of working households living in the private rented sector has increased - c.43,000 in Manchester in 2011 (70% of PRS households) to c.81,000 in 2018 (93% of total PRS households) - the areas with high numbers of claimants has become concentrated in a minority of North and East Manchester wards. This step change is represented by the fact that fewer than 1 in 10 PRS households are currently out of work and fewer than 1 in 5 are claiming Housing Benefit or Universal Credit however there's still a large number of lower paid workers living within the sector.

Alongside this, limited availability has led to a period of sustained rental inflation in both high and low value neighbourhoods. As a result the number of wards with average rents at LHA levels has reduced and housing options for lower income residents has become more limited. Since the introduction of the Coalition Government's programme of welfare reforms, Manchester's LHA market has become increasingly concentrated in certain neighbourhoods. The impact of these changes is still being felt and whilst the announcement of the end to the freeze of the LHA rates was welcome, issues remain about the scale of the gap between market rents and the LHA rates linked to dysfunctional Broad Rental Market Areas⁴ in Manchester which are out of sync with current housing market dynamics in Manchester and Greater Manchester.

Non-traditional online lettings portals and word of mouth

Whilst the average rent in most Manchester wards is currently above the LHA rate, this does not mean that there isn't property affordable to claimant households. In 2019, 1.7% of properties advertised on the property website Zoopla across Manchester were under the local LHA rate and a further 2.3% were affordable to claimants able to "top-up" by up to £50pcm. In more affordable areas of the city this increases to between c.10% of properties available within the LHA rate and a further c.25% accessible to households able to "top-up".

Alongside Zoopla, there is an active lettings market which appears to transact through non-traditional portals and word of mouth. Recent research undertaken by the Council found that there were c.350 properties advertised for rent on non-traditional portals, however the majority of these (72%) were rooms (as opposed to full properties) in HMO-style accommodation. This even more lightly regulated lettings market mirrors a trend evident across the city, of landlords letting out properties on a per room basis to maximise rental income, in many cases in some of the smallest and poorest quality housing options in the city.

This, combined with a lack of recent new supply in areas where this market is most prevalent (Longsight and Cheetham) has led to an increasingly intensive use of property, particularly in lower end PRS stock. An increase in single person claimant households and larger / multi-generational claimant households has led to average household size of LHA claimant households increasing from 2.27 in 2012 to 2.75 in 2018 (compared to an increase from 2.34 to 2.45 in the mainstream market over the same period).

Where products in this market are comparable to mainstream portals, the evidence suggests that properties let through non-traditional portals / word of mouth don't provide a significantly cheaper alternative and in many cases, adverts were found to specify that tenants must not be in receipt of housing benefit. In addition, whilst these portals can provide a low cost model to landlords and agents, there are concerns around property condition and quality of management due to the unregulated nature

⁴ The pace of change in the lettings market in Manchester has led to the BRMA framework in Manchester bearing little resemblance current housing market dynamics. For example, the Central GM BRMA covers the neighbourhoods where rents range from £350pcm to over £2,500pcm (2beds) and in Wythenshawe (which is covered by the Southern BRMA) where LHA levels are dictated by rents in Trafford and Stockport

of the market. Despite this, it is clear that this market remains popular and continues to provide housing options for some residents.

Existing and Emerging Challenges

As we have seen over recent times the sector is constantly developing and this strategy has been written with this in mind. As the sector develops, the strategy and associated work streams will have to adapt to provide an evidence base to support decision makers tasked with increasing the supply of good quality affordable homes in clean and safe neighbourhoods.

Homelessness and Temporary Accommodation

Across Manchester an increasing number of individuals and families are becoming homeless and are at greater risk of homelessness. The main reason for statutory homelessness is the no fault loss of a private rented sector tenancy through the issue of a Section 21 notice, which has become the leading cause ahead of loss of lodgings, relationship breakdown and domestic abuse. Government welfare changes, which include capping personal benefits and limiting the amount payable in rent via the LHA, have had a major impact in contributing to the loss of tenancies. However, the buoyant housing market in the city is also a significant factor as landlords replace those who can't by those who can afford to pay the increase in rents.

Evicted tenants, who present as Homeless are often initially placed in emergency temporary accommodation (residential hotels). This accommodation is inappropriate for households and as such families with children, should only be placed in hotels for a maximum of 42 days, although for single people no such cap exists. The Council and the Greater Manchester Combined Authority (GMCA) are striving to improve the quality of such accommodation across the city region, and have made some progress in recent years, however there is still work to do. A number of specialist landlords acting at this level are responsible for Houses of Multiple Occupation (HMOs). Others provide accommodation on a larger scale - sometimes on a room by room basis. These suppliers consist of an assortment of hotels, hostels, and other multi-let operations.

The resident profile is mixed, with families who have lost their PRS property through no fault of their own, other than the landlord requiring possession of the property, showing limited support needs, to single people often suffering from multiple complex needs including poor health, financial and social exclusion. Tenants can have poor housing histories, including exclusion from social housing registers as well as having a history of criminal convictions, including acquisitive crime, drug related offences, violence and sexual offences. Many residents seek the use of hostel and hotel B&B accommodation following discharge from prison or having been asked to leave supported accommodation. There is evidence that demand for this type of Unsupported Temporary Accommodation (UTA), is increasing in the City and across Greater Manchester (GM). (NB - UTAs are not part of the Council's Homelessness offer).

Changes to welfare and benefit caps, including the change in age requirements for shared accommodation rates for housing allowance, is likely to force many single

people to live in shared accommodation in the future. For this reason the shared PRS is likely to come under immense pressure. The situation is particularly difficult for single people under the age of 35. Government rules mean they are only awarded enough housing benefit to cover the cost of a single room in accommodation with shared facilities. To make matters worse, many young people find that this kind of accommodation isn't easily accessible – leaving them with a stark choice between homelessness and paying for rent shortfalls out of some of the lowest incomes in the city.

Short Term Lets

Over the last ten years there has been a huge growth in online platforms which facilitate the short-term letting of rooms or whole domestic properties as an alternative form of visitor accommodation. As demand has grown, the market-place has developed and professionalised, evolving alongside residents renting out spare rooms towards a more professional entire property model, increasingly dominated by landlords.

Short-term lets are available across a variety of platforms (e.g. Homes Away, Booking.com etc), although Airbnb is by far the largest actor – estimated to be over 75% of the short-term lettings market in Manchester. Prior to the Covid-19 pandemic, Manchester had experienced a period of exceptionally rapid growth with well over 3,000 active Airbnb listings in the city (of which c.50% are for entire properties), comparable to other similar UK cities but much smaller than major European tourist destinations.

There are a wide range of different typologies of short-term lets operating in Manchester covering the full range of quality and management standards and carrying different levels of risk from a local authority perspective. At the lowest end of the risk spectrum is a large proportion of the city centre market (predominantly in and around the Northern Quarter) which makes up c.50% of total Airbnbs and is of high quality and generally well managed. Whilst there are some issues linked to antisocial behaviour, noise complaints and waste disposal there is evidence that, in some instances, professional management is beginning to remedy these problems.

Outside of the city centre however, whilst the total numbers of properties are smaller, and principally concentrated in relatively small pockets of Central, East and South Manchester, the issues faced are much more acute and the market is dogged by instances of poor property condition and / or unprofessional management. There is also evidence of a small but significant “HMO model” short-term lets market focused in Moss Side and Rusholme where multiple guests separately rent individual rooms within a property despite clear issues with safety, quality and management in some instances.

This portion of the short-term lettings market has generated a growing number of problems for residents nearby linked to poor waste management practices, noise and anti-social behaviour as well as, in some instances, criminal activity which has damaged the reputation of the city. These issues are exacerbated by the fact that in many cases entire home short-term lettings are taking family homes out of the mainstream market. In order to avoid the loss of any more family housing, MCC is

seeking legal advice to identify whether it can avoid properties built on Council-owned land being used as short term lets. An example of where this has worked well and had a real impact ensuring family homes are actually let to families can be found in Brunswick; where, to achieve this objective, clauses and restrictive covenants are included within the lease and freehold transfer, that provide for strict and controlled lettings within the neighbourhood.

Fire Safety

Following the Grenfell Tower disaster in June 2017, the government asked the former Chair of the Health and Safety Executive, Dame Judith Hackitt, to undertake a review of building regulations and fire safety. This review specifically relates to High Rise Buildings. The Council has worked alongside Greater Manchester Fire and Rescue Service to identify the relevant buildings in Manchester (over 200). The Council is working with owners and managing agents to identify the type of cladding and other features, such as balconies, on each building. The Council is also working with residents in some of those buildings to put pressure on the owners to carry out work to ensure their homes are safe whilst, at the same time, lobbying the government to make sure that individual leaseholders do not have to pay huge service charge bills.

The Council has been selected as an Early Adopter following the review and is working with government departments to test and develop new ways of working to ensure high rise building safety in the future. New legislation, in the form of a Fire Safety Bill and a Building Safety Bill, is being drafted and a new regulatory regime will be introduced which will formalise and professionalise high rise building safety management.

As an Early Adopter the Council is committed to implementing the recommendations made in the Hackitt review before legislation is introduced, doing everything within its powers to ensure that residents are safe in their homes. The Council's Building Control team, along with the Health and Safety Executive and Fire Risk assessors will play a key role in ensuring new, and existing, buildings are as safe as they can be for residents.

Health and Housing

The interrelationship between poor quality housing and health conditions is well documented and in Manchester there is a clear correlation between areas with high levels of poor quality PRS properties and long term physical and mental health issues.

Property conditions such as excess cold, damp and mould, excess heat and lack of ventilation, and lack of space and overcrowding all contribute to a decline in health outcomes within the sector and increasing costs to the health sectors. This was one of the major themes that came out of the consultation and this strategy will identify interventions with health colleagues to improve health outcomes for residents within the sector. This will include:

- Joint-working within and across Local Authorities in Greater Manchester, and with local health and social care providers.

- Improving the information provided to Health and Social Care around property standards within the sector and how and where to report issues
- Supporting landlords to make homes more energy efficient and explore working with RPs to assist with retrofitting homes.

Zero Carbon

Greater Manchester has declared a target of a carbon-neutral city region by 2038, and is taking action to tackle the residential component of carbon emissions. Expert support is needed to develop a method to model the need and opportunity for domestic retrofit in Greater Manchester and, through this, support the development of business cases to unlock investment opportunities and implement cost-effective pathways to retrofit existing homes. However this will be expensive and the council will need to identify investment and funding opportunities to meet these challenging targets and to be able to support landlords.

Discussions are underway with the Red Coop and Carbon Coop regarding methods for reducing fuel poverty and domestic carbon emissions. Funding opportunities are being explored for pilot projects including a potential loan product for domestic retrofit of private rented sector homes. The aim would be to create warm, energy efficient, healthy homes and to share knowledge from the pilots.

Developing the Strategy

Along with identifying existing and emerging challenges within the sector, to assist with the development of the strategy, stakeholder engagement has been undertaken to understand the issues facing residents, landlords and other key stakeholders.

Stakeholder Engagement

Detailed consultation was undertaken with Registered Providers, Neighbourhood place based groups (made up of local neighbourhood services and includes health and social care, GMP, the fire service and representatives from various council services), Greater Manchester Combined Authority and the Northern Housing Consortium. Alongside this, four drop-in events and an online consultation for tenants, landlords and representative bodies was also carried out.

Rent levels and property conditions were consistently raised as the most important issues for tenants. Indeed, high rents were three times more likely than any other issue to be listed as one of the things respondents don't like about the sector and 68% reported experiencing at least one problem with their private rented sector property over the last 6 months (with fewer than half saying the issue was fixed satisfactorily). The other main issue raised by tenants was the insecurity of the tenure (linked to Section 21 evictions) and more than a quarter of respondents said they had been subject to the threat of unlawful eviction.

Feedback was received from landlords and managing agents representing over 10,000 properties across Manchester. The most important issue to landlords was ensuring the ability of tenants to pay their rent. A number of landlords highlighted concerns around letting to tenants in receipt of housing benefit or Universal Credit,

due to delays in tenants receiving benefits, increasing the likelihood of defaulting on their rent. In contrast to the tenants' responses, all landlords responded saying that any problems or issues raised with their properties over the last 6 months had been resolved satisfactorily.

Other issues raised during the consultation included:

1. The need for more, open dialogue with health colleagues about property condition and health issues
2. A request for training and support for both tenants and landlords
3. A desire for improved communication between the Council and landlords and agents
4. Concern about the concentrations of temporary accommodation for homeless families
5. The potential for Registered Providers to take a more active role in neighbourhoods through ownership or management

Full analysis can be found on the city council's website: [access the download directly here](#)

In response to the consultation we have developed a number of strategic themes and objectives and a clear set of actions described in Appendix 2.

Strategic Themes & Objectives

Objective 1: Improve Property and Management Standards

“Target and focus intervention and proactive enforcement on the very worst properties, landlords and agents and improvement of neighbourhoods”

The improvement of property condition and management standards across the private rented sector has been a key area of focus over the past 5 years with progress made on a number of fronts through both MCC interventions, work with Registered Provider partners and private initiatives. Continuing these approaches will remain a factor within this strategy as well as new initiatives.

Selective Licensing

Selective licensing is intended to respond to problems of poor property condition, management, crime and anti-social behaviour (ASB) within a defined geographical area. All privately rented properties within a designated area require a licence with some exemptions, for example, property rented to family members.

Manchester currently has four Selective Licensing areas, encompassing approximately 2,000 private rented properties. Further areas will be identified and consulted upon for future designation within a rolling programme.

Build to Rent Family Housing

Build to Rent is predominantly a city centre apartment product, however over the past 5 years the sector has expanded across the rest of the city including a lower density family housing product. The Council entered into a joint venture with the Greater Manchester Pension Fund (GMPF) to build 120 new homes for rent in Chorlton, Wythenshawe and Gorton under the Matrix Homes brand. Alongside this, Sigma Capital Group and Countryside Properties developed a 59 home scheme in Charlestown under the DifRent PRS brand.

The continued growth of this well managed lettings product, targeting families, is key to enabling access to good quality accommodation that meets the aspirations of Manchester residents on a range of incomes.

Registered Provider-led market rent schemes

The Manchester Housing Providers Partnership (MHPP) Growth and Affordable Homes workstream coordinates developments with the Council to deliver its target of a minimum of 6400 affordable homes by 2025.

In 2018-19, One Manchester completed c.170 new homes across two sites at Leaf Street and Royce Road in Hulme and, more recently, Your Housing Group's development at Amberley Drive includes an element of market rent alongside homes for Shared Ownership. These new developments are increasing the provision of well managed private rented sector homes in Manchester.

Alongside these new build developments, One Manchester have also announced the planned acquisition and refurbishment of around 300 existing properties in North and East Manchester which would have otherwise likely transferred into the sector - almost certainly towards the lower end of the PRS.

Short Term Lets

The Council expects good quality management of short-term lets and to encourage this within the sector we are working with the Short Term Accommodation Association (STAA) to develop a Considerate Short Term Letting Charter which defines parameters and sets out best practice for property owners, managing agents and hosts engaging in this activity, emphasising the shared responsibility of them and their guests.

Interim Management Orders (IMOs) and Empty Dwelling Management Orders (EDMO)

Empty dwelling management orders (EDMOs) are a legal device which enable local authorities to put an unoccupied property back into use as housing. There are a number of occasions where management orders may be necessary: as a sanction in Selective Licensing areas and to deal with long term empty properties. Funding for this scheme will need to be identified and a proposal developed.

Rent Repayment Orders (RRO)

RROs require repayment of rent, or housing benefit, or the housing costs element of universal credit paid in respect of a tenancy or licence, by a landlord/agent who has committed a particular offence listed in the legislation. The Housing Compliance and Enforcement team will pursue such cases and if an RRO is granted, this can require the repayment of rent.

Zero Carbon

The Council is currently working with the GMCA on a project modelling the characteristics of the current housing stock across Manchester and GM in order to identify the estimated cost of retrofitting properties to meet the Council's ambitions for Zero Carbon by 2038. It is anticipated that the final results of this work will become available from early 2021.

Fire Safety

The Council has been selected as an Early Adopter following Dame Judith Hackitt's review of the construction industry (link to review below). The Council is committed to doing everything within its powers to ensure that residents are safe in their homes. The Council will ensure that managing agents and owners carry out relevant works to make their buildings safe and ensure that they undertake the new duties which will come into force following Dame Judith's report and the Grenfell Tower Inquiry recommendations.

<https://www.gov.uk/government/publications/independent-review-of-building-regulations-and-fire-safety-final-report>

Objective 2: Increase Opportunities within the Sector for Low Income Households

“Narrow the quality gap between the lower end and that of the middle and higher end of the market so that people on lower incomes have greater access and more choice”

The success of Manchester's growth over the past twenty years has created a number of challenges for lower income households in Manchester linked to increasingly limited housing options. There are a number of key programmes of work currently underway which are looking at ways to improve access to high quality housing for residents across a range of incomes.

Local Housing Company

The establishment of a Local Delivery Vehicle for the delivery of new homes in Manchester will be an intrinsic part of the City's economic recovery post Covid-19. It will be more important than ever for the Council to lead the recovery of the Manchester housing market and out of the recession.

A new vehicle will increase delivery capacity for new homes, at a time when major housebuilders may be reticent to bring forward large volumes of property for sale. Creating a long term stable investment proposition will provide confidence and

certainty for the wider Manchester market. The scalability and long term ambitions of the Council proposition will allow suppliers, and those in the supply chain, to make confident long term decisions to invest and innovate both in respect of social value outcomes and technology to support the low carbon objectives of the Council.

Registered Providers

RPs are becoming the lead developers in many neighbourhoods for mixed-tenure housing including PRS. The Council are proactively working with RP partners to tackle some of the issues in the private rented sector across the city. Growth programmes by a number of RPs are developing new homes for a range of tenures across Manchester with the aim of bringing better quality properties into the affordable and private rented sector.

The purchase and refurbishment of empty properties within the private sector in partnership with RPs will continue. Where possible these homes will include a zero carbon refit and provide affordable housing options for first time buyers and people on lower incomes.

GM Ethical Lettings Agency

Over the last 18 months, the GMCA has been developing initiatives towards improving the sector. A partnership of GM Housing Providers has set up the Ethical Lettings Agency to work with the GMCA to enable greater access to private rented sector properties and offer an alternative to landlords who do not want to let their properties through high street letting agents. The agency has secured funding to create a portfolio of 800 properties across GM over the next two years. Manchester will work with the agency to focus on solutions around homelessness prevention (for people threatened with homelessness) and move on accommodation for households moving out of temporary accommodation.

Objective 3: Improve Communication across the Sector

“Raising awareness of landlord, agent and tenant responsibilities; sharing good practice and an enhanced role for the relevant professional bodies will help ensure standards continue to be met at all levels of the market”

The online consultation highlighted the importance of the Council’s website as a valuable resource for providing advice and information for both tenants and landlords. It is important that this is recognised along with ways to further improve communication within the sector at the national, regional and local level including the use of modern methods of communication to raise awareness of the rights and responsibilities of landlords, agents and tenants.

Social media takeover days

Social media takeover days will raise awareness and provide information about how the Council is developing and delivering solutions to meet the city’s wide ranging housing needs. The takeover days will include posts on Facebook and Twitter, with links to the housing advice pages of the Council’s website. This also enables residents to retweet and share so that the messages are disseminated further.

Messages can be focussed on a range of issues, such as the rights of those in private rented accommodation, action taken against non-compliant landlords and signposting tenants to other advice and support.

Considerate Short Term Letting Charter

We are working with the Short Term Accommodation Association (STAA) to develop a Considerate Short Term Letting Charter. This will define parameters and set out best practice for property owners, managing agents and hosts active within this market, emphasising the shared responsibility of them and their guests.

Improving Landlord and Tenant Interactions

The online consultation highlighted the feelings of many private sector tenants in Manchester that the balance of power weighed too heavily towards landlords. It is important therefore to work with partners to continue to provide information to residents on their rights and responsibilities and empower them to become more discerning tenants. Opening these lines of communication could provide a key source of insight into the lower end of the market.

Similarly, an appropriate framework to engage private sector landlords and encourage good practice could provide a vehicle through which to identify and grow the good quality parts of the sector - particularly outside the city centre. During the consultation process, landlords expressed support for the reintroduction of forums and the overwhelming majority were in favour of better training and provision of advice. A landlord "hub" will be created, in partnership with other stakeholders, to provide up to date advice and information for landlords and residents.

Greater Working with Health Colleagues

Work is underway to improve communication between the Council and Public Health colleagues to help identify where poor housing is having a significant impact on residents' health and ensure GPs and Health Visitors are aware of how to report concerns of poor property condition. The importance of this is highlighted by the outbreak of Covid-19 with initial evidence suggesting those living in overcrowded conditions (including HMOs and larger households - particularly BAME residents) are more adversely affected.

Greater Manchester Private Rented Sector Strategy

The Council is working closely with GMCA in the development of a GM-wide Private Rented Sector Strategy. The strategy will have significant emphasis on lobbying the Government for greater levels of resource and autonomy to improve the sector.

Issues currently under consideration include:

1. Greater influence over the welfare system.
2. Additional powers to intervene in issues of safety and security of our residents at risk from the effects of poor housing or rogue landlords and

3. An opportunity to pilot the Rugg Review proposal for 'property MOTs' for PRS properties.

Work with GM will also include identifying and attracting investment for zero carbon objectives.

Future Workstreams

Against this background, an action plan has been developed in conjunction with key partners which sets out a series of workstreams aligned to the objectives set out above.

Underpinning this action plan will be a programme of work focused on continuing to utilise the Council's data resources to monitor key housing market and demographic indicators in order to understand how the private rented sector continues to evolve across the city. This will be used to inform evidence based policy making and ensure that the Council's resources to effectively intervene are maximised. Alongside this baseline monitoring, work is underway to monitor and respond to emerging national policy & legislation including new regulations around Assured Shorthold Tenancies and Section 21 notices and changes to welfare provision.

Governance and Reporting Structure

The PRS Strategy will be delivered by a newly formed delivery group. The membership of the group will be made up of the Action Plan leads and will meet monthly, each lead will report on the progress of their specific actions.

The delivery group will report to the Strategic Housing Board which meets monthly.

Conclusions

This strategy sets out the current challenges faced by tenants and landlords in the private rented sector - specifically at the lower end of the market - and begins to outline the Council's plans to work collaboratively with key partners and stakeholders to continue the progress made over the past 5 years and identify new areas of opportunity.

Large elements of the private rented sector self regulate and are delivering an attractive housing offer for residents. However where there are instances of poor practice the Council will continue to use its enforcement powers to ensure quality and management standards are upheld. Part of the role of the Council over the period of this strategy will be to promote and facilitate the growth of the good quality parts of the sector and, working with both public and private sector partners, create the right conditions to address the poor quality and resource intensive parts of the market.

The private rented sector will continue to play a major role in providing housing for a large proportion of Manchester residents and is only likely to grow as the city continues to attract new residents from home and abroad. The limited public sector resources will be appropriately targeted to improve the lower end of the market and to deal with any fire safety issues.

Appendix 1 - Submarkets Within the Private Rented Sector in Manchester

| Market Segment | Common Characteristics |
|--------------------------------------|---|
| Premium Market | <ul style="list-style-type: none"> • Houses & apartments in affluent areas • Asking rents £1,200 pcm for a 2 bed • Good quality & professionally managed • Professionals (and potential owner occupiers) in the top 10% of highest earners |
| Middle or Mainstream Market | <ul style="list-style-type: none"> • Conurbation Core & South Manchester • Asking rents £850 - £1,200 pcm for a 2bed • Good quality & professionally managed • Professionals (and potential owner occupiers) with higher than average salaries |
| Student Market | <ul style="list-style-type: none"> • A range of products (apartments/HMOs/shared houses) covering a range of markets: • High Price International – Premium market (Conurbation Core) • Low Price International – Including families (Conurbation Core) • High Price Domestic – Central / South (higher rents) • Low Price Domestic – Limited Choice Sharing in Central / South |
| Lower End – Professionally Managed | <ul style="list-style-type: none"> • Concentrated in North & East Manchester • Asking rents c.£600 pcm for a 2 bed • LHA claimants and sharers • Large scale professional landlords – engaged with the City Council |
| Lower End – Unprofessionally Managed | <ul style="list-style-type: none"> • Unregulated with absent landlords and possible criminality • Asking rents c.£600 pcm for a 2 bed • Little credible intelligence • Poor property conditions and management • Intensive use of property by vulnerable tenants |
| Bottom End | <ul style="list-style-type: none"> • Almost exclusively LHA claimants • Poorest quality and management • Temporary Accommodation, Bed and Breakfast hotels and other Homlessness temporary housing. • Various precarious housing options / borderline homeless |

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PRIVATE RENTED SECTOR STRATEGY
Delivery Plan 2020-25 (Revised Annually)

| Theme 1 - Improve Property and Management Standards | | | | | | |
|--|---|--|--------------------|----------------------|--|---|
| 1. Target and focus intervention and proactive enforcement on the very worst properties, landlords & agents and improvement of neighbourhoods | | | | | | |
| | Objectives | Description | Time scales | Lead Officer | Key Actions | Measuring success |
| 1.1 | Designate further areas of Selective Licensing across the city (a rolling programme) to respond to problems of poor property management, crime and anti-social behaviour (ASB) within a defined geographical area. | Evaluation of the success of Selective Licensing (SL) in four pilot areas of the City was shared at Scrutiny Committee (March 2020). The Committee expressed support for further targeted SL areas, in consultation with local councillors. Schemes of around 400 properties enable a focused and effective approach. Specific areas will be selected based on data analysis showing areas which are experiencing higher levels of poor property management, crime | May 21 | Breige Cobane | <ul style="list-style-type: none"> ● PRI team to analyse data and identify areas which meet the criteria. ● Produce ownership lists using Land Registry/ Council Tax data. ● Carry out statutory consultation. ● Carry out external and some internal inspections of properties ● Create an online questionnaire. ● Organise drop-in sessions. ● Liaise with existing residents groups/ community groups/Registered Providers. ● Update SL web pages. ● Report to the Executive on the outcome of consultation. ● If approved, move on to the Designation phase. | 10,000 more licensed properties by end 2025 at approx 2,000 per year. |

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| | | and anti-social behaviour (ASB). | | | | |
| 1.2 | Maintain Proactive Rogue Landlord resource to target the poorest property and management standards across the city. | Continue proactive work using area based initiatives, working with partners in Immigration Enforcement as well as neighbourhood colleagues. Identify and systematically review portfolio landlords' stock working with HMRC and GMP to tackle illegal activity. | Mar 21 | Breige Cobane | <ul style="list-style-type: none"> Proactive work targeting locations with known high risk properties with poor and unsafe conditions. Tackling rogue portfolio landlords who demonstrate continued unsafe and/or illegal practice. Identify funding for Rogue Landlords Team if Civil Penalty Notice (CPN) income decreases. | Average of 150 inspections carried out per year. |
| 1.3 | Identify baseline health data of people living within the PRS to enable initiatives to improve health outcomes for residents. | Work with Public Health colleagues to identify where poor housing is having a significant impact on residents' health. Ensure all key health personnel (GPs/Health Visitors/Care Navigators/Health Development Coordinators) are aware of how to report concerns re property conditions. | Dec 20 | James Greenhedge | <ul style="list-style-type: none"> Approach services to identify baseline data Update information for health organisations. Work with national landlord and agent organisations to raise awareness of safeguarding issues. Link into the "Be Well" service focussing in on the Moss Side SL area initially as a pilot. Link to the Nesta 100 day challenge - work across boundaries with the integrated neighbourhood team (including health colleagues) to try something new and to work in a different way to meet the needs of local people. | Baseline data obtained (Dec 20) for analysis. |

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| 1.4 | Use rent repayment orders (RRO) to strengthen the enforcement against problematic landlords | Housing Compliance & Enforcement have developed a process for use. Will be employed where certain offences have been committed and where housing benefit has been used for payment of rent. If an RRO is granted, this can require the repayment of rents received by the landlord back to the Council. | Mar 21 | Breige Cobane | <ul style="list-style-type: none"> ● Track use of RROs and impact on landlords' behaviours. ● Track recovered income to the Council to demonstrate savings for the Council. ● Publicise information of rent recovered for housing offences to send a clear message to landlords. ● Determine income that could be potentially returned to the council | 2 RROs served by March 2021. |
| 1.5 | Improve the standards of property management and letting agency practices | <p>Compliance & Enforcement undertake proactive work as part of the rogue landlord team to engage with partners at Immigration Enforcement, GMP, HMRC and Electricity North West to have a multifaceted approach to tackling criminal landlords.</p> <p>Establishing links with landlord groups to understand what advice and support landlords</p> | Mar 24 | Breige Cobane | <ul style="list-style-type: none"> ● Continue to use CPNs to take direct action against landlords who do not meet required standards. ● Identify funding sources for training to simplify regulation. ● Re-form links with landlord forums and link to any GM work. ● Consider a "paid for" advice service for Landlords re property standards. ● Consult on proposal to introduce Selective Licensing to address issues with problematic flats above shops. | <p>Landlord forum re-established and/or regular attendance at existing landlord forums. Intangible at this time however measuring this will be established following reintroduction.</p> <p>This will include:</p> <p>Number of Landlords provided with advice.</p> <p>Number of Landlords provided with training.</p> |

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| | | <p>need to understand their duties.</p> <p>Continue to tackle poor housing conditions in all workstreams (Responding to complaints, identifying issues as part of programmed licensing work as well as proactive work).</p> | | | | <p>Number of Landlords engaged with through forums.</p> <p>Reduction in number of Landlords with repeat compliance issues.</p> |
| 1.6 | Provide a coordinated approach to place-based neighbourhood management | <p>Integrate with the “Bringing Services Together” hubs working with RP partners on a range of projects and initiatives as part of a place-based approach specifically around neighbourhood management.</p> | Mar 22 | James Greenhedge/ Jude Millet | <ul style="list-style-type: none"> • Discuss with RPs how neighbourhood and property management expertise can be potentially expanded into service delivery within the PRS and place-based neighbourhood services. • Progress potential initiatives into workstreams and projects for delivery. | <p>Deliver 1 pilot neighbourhood management hub by March 2022.</p> |
| 1.7 | Implement and use Empty Dwelling Management Orders (EDMOs) and Interim Management Orders (IMOs) | <p>There are a number of occasions where management orders may be necessary: as a sanction in Selective Licensing areas and to deal with long term empty properties.</p> <p>We have had agreement in principle from RPs to take on the</p> | Mar 22 | Breige Cobane | <ul style="list-style-type: none"> • Funding proposal for EDMOs to be considered by the Executive. • Compliance & Enforcement to contact MHCLG regarding potential capital funding for this. | <p>EDMOs and IMOs process in place by March 2021.</p> |

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| | | management of properties that will be subject to the Management Orders. | | | | |
| 1.8 | Launch Short Term Lettings Charter | Agree content for a Charter for Landlords, Letting Agents and the Council. Encourage landlords/letting agents to sign. | Dec 20 | Fiona Sharkey / Gary Sullivan | <ul style="list-style-type: none"> A task group is working with the Short Term Accommodation Association (STAA) to develop a Considerate Short Term Letting Charter. Target date: Dec 2020. | <p>Charter launched Dec 2020.</p> <p>Baseline data of complaints of ASB and waste analysed to review improvements.</p> |
| 1.9 | Increase the number of properties within the PRS that meet energy efficiency standards to assist the City with its commitment to reduce carbon emissions | Exploring options to reduce carbon emissions in the PRS, to improve energy efficiency and reduce fuel poverty. Pilot projects to assess retrofitting options and working with national landlord organisations to draw up a 'road map' to assist landlords in understanding potential improvements they can make. | Mar 21 | Breige Cobane | <ul style="list-style-type: none"> Extrapolate information from the Northwards/GM stock condition surveys. Lobby government (GM) for funding for zero carbon/retrofitting measures. Pilot projects - consider the use of equity loans for pilot projects in the private sector to demonstrate what can be done to retrofit existing housing. Add reducing carbon emissions to any landlord training developed. | <p>Calculate potential cost of improving PRS properties by Jan 2021.</p> <p>Undertake pilots to identify cost of measures by March 2021.</p> <p>Include zero carbon strategy in landlord training by June 2021.</p> |
| 1.10 | Enforcing Minimum Energy Efficiency Standards in the PRS - | From 1 April 2020, all domestic private rental properties must be a minimum Energy Performance Certificate | Timescale missing | Breige Cobane | <ul style="list-style-type: none"> Identify EPCs below E through investigations at requests for service. Request EPC certification as part of HMO and Selective Licence application process. | Review data held on the public register of properties below E rating. |

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| | <p>contributing to the Council commitment to be carbon neutral by 2038.</p> | <p>(EPC) band E, unless a valid exemption is in place.</p> | | | <ul style="list-style-type: none"> • Enforcement action requiring remedial works to be carried out (e.g. Improvement Notice) to ensure properties meet the minimum domestic energy efficiency standards. • Issuing penalty notices for non compliant properties of up to £4000, with a further £2000 to be added to those that do not comply with bringing properties up to the minimum standard. • In addition to or as an alternative to a financial penalty, issuing a publication penalty, which registers details of the landlord breach(es) on the National PRS exemption register. | <p>Identify properties where action is required.</p> <p>Number of properties engaged with and action taken.</p> <p>Number of Penalty notices issued.</p> |
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| 2. | <p>Theme 2 - Increase Opportunities within the Sector for Low Income Households</p> <p><i>Narrow the quality gap between the lower end and the middle / higher end of the market so that people on lower incomes have greater access and more choice.</i></p> | | | | | | |
| | Objective | Description | Time scales | Lead Officer | Key Actions | Measuring success | |
| 2.1 | <p>Deliver opportunities in the PRS for move-on from temporary accommodation</p> | <p>Working with RPs and other housing organisations to deliver tangible projects to increase the number of move on properties within the PRS.</p> | <p>Mar 2022</p> | <p>Gareth Clarke / James Greenhedge</p> | <p>Continue to work with RP partners to purchase larger homes for settled accommodation.</p> <ul style="list-style-type: none"> • 6 RPs have committed £9.3M • Will purchase approx 63 units of settled accommodation, to meet demand for larger properties by families currently in temporary accommodation. | <p>Over 60 homes purchased and families rehoused by 2022.</p> | |

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| | | | | | <ul style="list-style-type: none"> MCC have match-funded £5M. <p>Princess Road Project</p> <ul style="list-style-type: none"> The proposal is to refurbish an empty 8 bed property to bring it back into use for move-on accommodation. The property is owned by One Manchester (OM). Refurbishment work will be carried out via funding from OM and MCC. This will be an annex site to the Longford Centre and will provide support to people who need help to move on to fully independent living. | Property refurbished and occupied, 8 - 11 bed spaces to be provided (there are three double rooms) by Dec 2020. |
| 2.2 | Develop investment opportunities to increase the level of affordable PRS homes in Manchester | Work with Homes England, private investors and RP partners to identify funding streams to build more affordable housing as part of mixed tenure developments. | Mar 24 | Steve Sheen | <ul style="list-style-type: none"> Monitor/research new funding streams being introduced. Establish acceptable Sale and Leaseback model(s) for Manchester. Create a Local Housing Development and Management Company to deliver affordable housing. | <p>A preferred Sale and Leaseback model established by March 2021.</p> <p>Local Delivery Vehicle created and properties bought, leased and built 2024.</p> |
| 2.3 | Introduce a range of good quality affordable homes to rent in Manchester | RP partners in Manchester are making the transition to acquiring and managing new homes in the PRS via the MHPP Growth Group. This is linked to the development of their | Mar 24 | James Greenhedge | <ul style="list-style-type: none"> Continue work with RPs to ensure that any potential disposals stay within the social rented sector. Refer to Let Us as a potential alternative option to retain properties for affordable rent. Share learning/good practice examples where RPs are intervening in the PRS. | <p>2019/20 no homes transferred from social rent to the PRS - target is to maintain this.</p> <p>300 new homes built by RP partners as part of a multi tenure</p> |

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| | | business and role in placemaking. | | | | newbuild programme 2024. |
| 2.4 | Invest the Council's Housing Affordability Fund (HAF) to increase supply of affordable homes for rent in the PRS | Provide funding through Manchester's HAF for a range of schemes and products that will deliver affordable homes for rent in Manchester | Mar 22 | Steve Sheen | <ul style="list-style-type: none"> Review the Cheetham Rent to Purchase scheme and establish a lessons learned log for future use. Identify further opportunities to roll out the Rent to Purchase scheme. Explore the use of the government's 'Affordable Private Rented' product and how this could be developed for Manchester. Set out a rolling investment plan for new affordable homes in the PRS market. | <p>Second rent to purchase scheme developed (subject to positive feedback from the pilot) 2022.</p> <p>Financial support provided for the delivery of 100 affordable homes in the PRS March 2022.</p> |
| 2.5 | Reduce Empty Homes | Continue to use intelligence to identify empty homes and get them back into use as quickly as possible. | Mar 24 | James Greenhedge | <ul style="list-style-type: none"> Use recycled grant funding to acquire and refurbish approximately 14 long term empty properties for sale to first time buyers/ owner occupiers. Sales receipts will be reinvested for a further phase. Use MCC funding from the HAF to bring empty properties back into use for affordable home ownership via a Section 22 agreement with a RP. New technologies to reduce carbon emissions will be trialled and learning to be shared. Sales receipts will be recycled and reinvested. approx 40-60 properties depending on costs. Compliance officers to take enforcement action as necessary. | <p>14 homes bought, refurbished and sold by Jan 2022.</p> <p>30-60 properties brought back into use by using the s22 if piloting low carbon retrofit. March 2024.</p> |

| 3. Theme 3 - Develop Greater Communication across the Sector | | | | | | |
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| <i>Raising awareness of landlord, agent and tenant responsibilities; sharing good practice and an enhanced role for the relevant professional bodies will help ensure standards continue to be met at all levels of the market</i> | | | | | | |
| | Objective | Description | Time scales | Lead Officer | Key Actions | Measuring success |
| 3.1 | Continue to share information and good practice with trade bodies and regional and GM Local Authorities to benchmark and develop specific interventions | <p>Continue to work collaboratively to address the following issues:</p> <ul style="list-style-type: none"> - Data and information sharing that will support our collaborative working across Leeds, Liverpool and Manchester - Raising standards - share good practice - Improving the lower end of the rented market through innovation - Attracting investment into high quality market rental new build e.g. Build To Rent - Policy development and lobbying - joint responses to legislative | Mar 21 | James Greenhedge | <ul style="list-style-type: none"> • Working group to agree list of priority areas for future meetings, to be shared with trade bodies and core cities for input. • Share information and good practice in relation to post Covid-19 work. | <p>Undertake 4 meetings per year with the PRS regional group.</p> <p>Obtain 2 areas of working practice that can be utilised within Manchester from one of the key issues identified.</p> |

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| | | and operational changes. | | | | |
| 3.2 | Strengthen PRS landlord and resident forums | During consultation on the strategy, tenants and landlords expressed support for forums, to share good practice and enable a closer relationship with the Council. Strengthen presence at existing forums. | Mar 21 | Breige Cobane/ James Greenhedge | <ul style="list-style-type: none"> Identify existing and relevant forums for tenants/residents and landlords and engage with them. Link the forums into the “virtual hub” with a range of information, advice and links to other support organisations. | Introduce 3 new landlord forums (North Central & South) by March 21. |
| 3.3 | Increase visibility of the PRS through modern methods of communication | Maximise use of MCC communications resources: web pages, social media, Neighbourhood Twitter accounts, campaigns, and relevant networks to raise awareness of rights and responsibilities of landlords, agents and tenants. | Mar 21 | James Greenhedge / Breige Cobane | <ul style="list-style-type: none"> Continue to run social media “takeover days”. Develop a Communications strategy for the PRS over the year. Develop a tagline for refresh of the strategy and use this to raise awareness (branding of the strategy). | <p>Deliver 4 media campaigns per year.</p> <p>Increase in engagement following successive media campaigns.</p> |
| 3.4 | Introduce Tenant and Landlord training | Identify potential funding to set up training for tenants and landlords. | Dec 21 | James Greenhedge / Breige Cobane | <ul style="list-style-type: none"> Investigate whether this could be part of a GM initiative using Fair Housing Futures funding. | Training programme introduced by Dec 2021. |

| Emerging Workstreams/Projects to be scoped, and Overarching Analysis. | | | | | |
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| | Activity | Description | Times cales | Lead Officer | Key Actions |
| a | Monitor market intelligence in PRS | Use market intelligence to monitor the overall market rent in | Qtrly | Nick Cole / Steve Sheen | Provide themed reports and intelligence updates on a quarterly basis and upon request |

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| | | <p>Manchester including:</p> <ul style="list-style-type: none"> - City Centre and city centre fringe - LHA markets - Impact of new purpose built supply in the city centre and secondary markets. - Sales and rent prices - Mortgage market - Voids - Homelessness and mediated tenancies - Segmentation of PRS - Short term lets - Affordability | | | |
| b | Monitor and Influence government policy / lobbying in relation to housing legislation | <p>An ongoing assessment of emerging policy and legislation including:</p> <ul style="list-style-type: none"> ● Homes (Fitness for Habitation) Act 2018 ● Welfare reform ● Reforms within PRS legislation including new | Continuous | James Greenhedge | Work with GM PRS Strategic Partnership. |

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| | | <p>regulations around ASTs and Section 21 notices</p> <ul style="list-style-type: none"> • EPC Minimum Energy Efficiency Standards (MEES) Regulations • MCC Housing Affordability Policy • Homelessness Reduction Act • Fire Safety Bill • Building Safety Bill • Monitor Greater Manchester Mayoral housing activities | | | |
| c | Respond to the impact of Covid-19 on the sector | <p>Assess the impact of Covid-19 within the PRS in particular on BAME communities. Monitor the behaviour of landlords with regard to rent arrears and intervene where appropriate. Identify opportunities to use empty PRS properties to support</p> | Sept 20 | TBC | <p>Working group to draw up post Covid-19 plans including:</p> <ul style="list-style-type: none"> • Joint work with GM regarding assistance to tenants facing potential eviction. • Comms to landlords and tenants around responsibilities and working together to manage arrears. • Monitoring risks across compliance and homelessness around increased illegal evictions and harassment. Need to coordinate support and prevention work. • Landlords to ensure non urgent repairs are carried out, when restrictions are lifted. • Analyse whether short-term lets will continue to offer long term PRS options. |

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| | | homelessness rehousing. | | | <ul style="list-style-type: none"> Assess whether some vacant student accommodation could offer opportunities to relieve homelessness. Assess outcomes from Parliamentary Inquiry into Impact of COVID-19 (Coronavirus) on homelessness and the private rented sector. |
| d | Introduce a “virtual” PRS “Hub” | “PRS Hub” will be a partnership website where residents and landlords can obtain advice, information, training and guidance. It will also carry links to associated organisations across GM for the sector as well as information from national landlord bodies - this will be linked into social media platforms. | TBC | James Greenhedge | <ul style="list-style-type: none"> Develop a project brief/business case including resources and any associated cost and timescales and outcomes for success. Set up a tenant and landlord “hub” with a range of information, advice and links to other support organisations. Map help available for tenants and landlords in Manchester. Following implementation of the virtual PRS Hub explore other IT solutions i.e Local Pad and how this could be integrated to the hub. |
| e | Fire safety | Implement the recommendations from the Hackitt Review and the Grenfell Tower Public Inquiry. | TBC | Martin Oldfield/ Wayne Timperley | <ul style="list-style-type: none"> Ensure that managing agents and owners carry out relevant works to make their buildings safe. Ensure that managing agents and owners undertake the new duties which will come into force following hackitt and the Grenfell Inquiry. Continue to collect data on high rise buildings. Work with the Building Safety Regulator (currently the Health and Safety Executive) to ensure all relevant buildings are as safe as they can be. Consider whether it is appropriate to have fire sprinklers in all shared accommodation - ie flats of any height. |

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Manchester City Council Report for Resolution

Report to: Neighbourhoods and Environment Scrutiny Committee - 2 September 2020
Executive - 9 September 2020

Subject: Extension to Selective Licensing Schemes - Public Consultation

Report of: Strategic Director (Neighbourhoods)

Summary

The Housing Act 2004 gives Local Authorities the power to introduce the licensing of private rented homes within a designated area, with the aim of improving the management and condition of these properties.

One of the main themes of the refreshed Private Rented Sector Strategy is to improve property and management conditions in the private rented sector with a particular focus on the poorest quality properties. Selective licensing is a useful tool to apply targeted interventions in the most challenging areas of the City.

Officers have used local intelligence, lessons learnt from the selective licensing pilots as well as reviewing local data on crime, ASB, waste and housing related complaints, along with deprivation statistics, to identify areas that meet the criteria to designate a selective licensing area; this can include low housing demand linked to property condition and high levels of antisocial behaviour, crime and deprivation. Officers are seeking approval to commence an extensive consultation exercise to establish whether the declaration of a selective licensing scheme is required within these identified areas.

Recommendations

The Neighbourhoods and Environment Scrutiny Committee is asked to note and comment on the contents of the report.

The Executive is recommended to:

1. Approve a consultation with residents, private landlords, businesses and other stakeholders to designate selective licensing schemes within the geographical areas listed in paragraph 4.2 of this report; and
 2. Subject to the outcome of the consultation, delegate authority to the Director of Neighbourhoods in consultation with the Executive Member for Housing and Regeneration and the Executive Member for Finance and Human Resources to approve up to 12 selective licensing areas identified in the report.
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Wards Affected:

Clayton and Openshaw, Harpurhey, Gorton and Abbey Hey, Longsight, Rusholme, Moss

Side, Cheetham and Levenshulme

| Manchester Strategy outcomes | Summary of the contribution to the strategy |
|---|---|
| A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities | Good quality and well managed private rented homes will contribute to the sustainability of neighbourhoods, ensuring residents have a settled and stable platform to contribute and thrive. |
| A highly skilled city: world class and home grown talent sustaining the city's economic success | Improving the private rented housing offer helps to attract and retain talent. |
| A progressive and equitable city: making a positive contribution by unlocking the potential of our communities | Increasing the supply of good quality affordable homes for private rent will provide the opportunity for Manchester residents to access quality accommodation in neighbourhoods where people are happier to settle for a longer period of time. |
| A liveable and low carbon city: a destination of choice to live, visit, work | The right mix of quality energy efficient housing is needed to support growth and ensure that our growing population can live and work in the city and enjoy a good quality of life. |
| A connected city: world class infrastructure and connectivity to drive growth | This approach recognises the importance a balanced housing offer plays within a well connected city and the neighbourhoods within it. It seeks to create neighbourhoods where residents will choose to live and their housing needs and aspirations are met |

Full details are in the body of the report, along with any implications for

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

Initial budget for the consultation process will be required; this is expected to be approx £70,000–85,000. If after public consultation the Council decides to proceed with Selective Licensing these costs can be fully funded via the licence fee.

Financial Consequences – Capital

There are no direct capital consequences to the Council arising from this report

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1.0 Introduction

The Council's Private Rented Sector Strategy is currently being reviewed. It has identified one of its main themes as tackling poor quality management in the Private Rented Sector and aims to focus enforcement resources on the worst property conditions and landlords in the sector.

One of the tools identified to assist with achieving this is Selective Licensing (SL). In 2017 the Executive agreed 4 pilot areas for SL. A review has been carried out in relation to these schemes that came into force in 2017 and 2018. The Neighbourhoods and Environment Scrutiny Committee received a report on this review on 4th March 2020. In general it was found that the schemes had a positive impact where implemented.

This report identifies 12 potential areas that are experiencing conditions that meet the criteria to designate a SL area and seeks approval to consult with residents, landlords and businesses on the proposed designation to replicate and strengthen the work undertaken in the pilot SL areas.

2.0 Context

2.1 The Private Rented Sector in Manchester

The private rented sector has doubled in size in the past 10 years and continues to grow. Recent data shows that Manchester was the fastest growing city and third fastest growing local authority area and market renting in the city had expanded more rapidly than anywhere else in the country to provide homes for over 75,000 households – more than doubling in size.

The majority of landlords provide a quality service for the growing number of residents who cannot, or do not want to, buy a home. However, there are some landlords who provide poor quality housing and exploit the most vulnerable people in the city. These poor conditions give rise to particular concern for the longer-term health consequences of living in damp, mouldy properties with poor thermal comfort. Lack of security and higher rents are significant issues for tenants along with property conditions.

There are a small number of neighbourhoods with very poor quality landlords, crime and high levels of deprivation. In some instances these landlords receive significant sums of public finance in terms of housing benefit, representing very poor value for money for the public purse. The draft Private Rented Sector Strategy sets out how we will work to improve standards and manage growth and one of the measures proposed to assist with this priority is the introduction of locally focussed SL schemes.

2.2 Legal Framework

The Housing Act 2004 gives the council the power to introduce the licensing of private rented homes within a designated area with the aim of improving the management and condition of these properties to ensure they have a positive impact

on the neighbourhood.

Selective Licensing is intended to address the impact of poor quality property and management standards primarily in areas of low demand or high deprivation and with poor quality housing.

In an area subject to Selective Licensing, all private landlords must obtain a licence. If they fail to do so, or fail to comply with the conditions bound by the licence, the local authority (LA) can issue civil penalties or prosecute the landlord. The Housing and Planning Act 2016 gives authorities the power to issue a civil penalty charge of up to £30,000 as an alternative to prosecution. Where a prosecution case is taken the fine is unlimited. In extreme cases the LA may issue a management order and assume management control of the property.

Since 1st April 2015 local authorities have had to seek confirmation from the Secretary of State for any selective licensing scheme covering more than 20% of their geographical area, or affecting more than 20% of privately rented homes in the local authority area.

Before taking a decision to designate an area subject to SL, LAs must consider whether there are other alternative means of addressing the issues. This analysis will be part of the consultation process.

2.3 Delivering a Successful Scheme

The council was able to identify landlords prior to declaring the pilot SL schemes introduced in 2017 and 2018 through access to information from land registry, enabling a targeted approach to advertising the scheme. This also enabled targeted enforcement of identified landlords in the defined areas who needed a licence and had not applied and resulted in an overall majority being licensed, freeing up time and resources to target suspect properties where landlords were unknown. The introduction of a reduced licence fee for early applications also helped to generate a high volume of licence applications at the beginning of each scheme.

The use of Civil Penalty enforcement powers as an alternative to prosecution has demonstrated successful outcomes with 14 civil penalties notices issued for breaches of licence conditions or for falling to apply for a licence which has resulted in fines of £10,055.6

As a result of the current schemes 1,741 properties have been licensed, 281 have been inspected, and 214 have had remedial works undertaken to improve property conditions. Work has been undertaken through engagement with landlords via either enforcement notice or formal hazard awareness letters.

3.0 Introducing Selective Licensing

3.1 Consultation

Consultation is a legal requirement and must take place before designating an area subject to SL. It should include local residents, tenants, landlords and managing

agents, members of the community who live in or operate business or services in the designated area and local residents and businesses in the surrounding area who will be affected. The consultation period must be for a minimum of 10 weeks and any representations made must be considered.

The costs of consultation can be recouped from licence fees however, if the outcome led to not declaring a SL scheme, this cost would have to be borne by the authority.

3.2 Licence conditions

There are mandatory conditions that must be included in the licence – these cover requirements to provide the LA with gas safety certificates, safety of electrical appliances, smoke alarms, providing a written tenancy agreement and obtaining references from prospective tenants. General conditions relating to property management and anti-social behaviour can also be included. Conditions must relate to the residential use of the property and can include measures to deal with anti-social behaviour of tenants and their visitors.

Appendix 1 - Proposed licence conditions

3.3 Licence fees

Local Authorities set the level of the licence fees landlords pay. Fees must be transparent and should cover the actual cost of administering the scheme including any stock condition survey works prior to designation. They can include the cost of taking action to make landlords comply with a scheme – either in applying for a licence or in meeting the conditions of the licence.

A good understanding of the number of landlords in the designated area is needed to calculate an appropriate level for licence fees. As noted in para 2.3 Land Registry data can be used to help identify landlords. The cost of administering schemes should be self-financing once they are operating.

A change in case law in 2018 means that Councils are no longer able to charge the full licence fee as an upfront cost on the submission of a licence application. Landlords must be provided with the option to pay the fee in two parts. This consists of an application fee and a fee at the time the licence is granted. If the licence is not granted for any reason the landlord is not required to pay the latter part of the fee.

4.0 Licensing Considerations & Objectives

4.1 Qualifying Criteria

When a SL designation is being considered an area has to be experiencing one or more of the following circumstances:

- 4.1.1 Low housing demand (or is likely to become such an area) and the outcome of the scheme will contribute to the improvement of the social or economic condition of that particular area.

4.1.2 A significant and persistent problem caused by anti-social behaviour

The outcome of the scheme should be a reduction in, or elimination, of anti-social behaviour (caused by tenants in the private sector) in the designated area.

4.1.3 Poor property conditions

The outcome of the designation should be a general improvement of property conditions in the designated area within the lifetime of the designation

4.1.4 High levels of migration

The outcome of the designation should be to preserve or improve the economic or social conditions of the area during the lifetime of the designation and ensure that a proper standard of management of privately rented property is maintained and that properties do not become overcrowded

4.1.5 High level of deprivation

The outcome of the designation should be (together with other measures) a reduction of the problems with housing in the private rented sector contributing to the high level of deprivation.

4.1.6 High levels of crime

The outcome of the designation (together with the other measures) should lead to a reduction in crime in the area.

4.2 Proposed SL Designation areas (Years 1 and 2)

After analysing local data, officers have identified areas that are experiencing one or more of the above circumstances and may benefit from a designation. These qualifying criteria must become the basis of measurable improvement objectives for each area. It is possible to add further objectives in addition to these and these will be considered as part of the consultation process.

All the 12 areas are identified on the attached maps and after data analysis and discussion with local neighbourhood teams and ward members, the following qualifying criteria are considered to have been met within each area:

4.2.1 Area 1; Ben Street- Clayton and Openshaw (approx 105 PRS properties)

- Anti-social behaviour - linked to environmental and waste management
- High levels of crime
- High level of deprivation

4.2.2 Area 2; Trinity- Harpurhey (approx 430 PRS properties)

- Anti-social behaviour - linked to environmental and waste management
- Poor property conditions

- High level of deprivation
- High levels of crime

4.2.3 Area 3; Ladders- Gorton and Abbey Hey (approx 773 PRS properties)

- Anti-social behaviour – poor environmental and waste management
- Poor property conditions
- High level of deprivation
- High levels of crime

4.2.4 Area 4; Flats above shops Hyde Road- Gorton/ Abbey Hey (approx 94 PRS properties)

- High levels of crime
- Anti-social behaviour – poor environmental and waste management
- Poor property conditions – visual signs of neglected maintenance
- High level of deprivation

4.2.5 Area 5; Royals- Longsight (approx 64 PRS properties)

- High levels of crime
- Anti-social behaviour – poor environmental and waste management
- Poor property conditions
- High level of deprivation

4.2.6 Area 6; Laindon Road/ Dickenson Road- Rusholme (approx 37 PRS properties)

- Anti-social behaviour - linked to environmental and waste management
- Poor property conditions
- High level of deprivation
- High levels of crime

4.2.7 Area 7; Claremont Rd/Great Western Street- Moss Side (approx 318 PRS properties)

- Anti-social behaviour - linked to environmental and waste management
- Poor property conditions
- High level of deprivation
- High levels of crime

4.2.8 Area 8; Heywood Street- Cheetham (approx 248 PRS properties)

- Anti-social behaviour - linked to environmental and waste management
- Poor property conditions – visually poor conditions externally
- High level of deprivation
- High levels of crime

4.2.9 Area 9; Birch Lane- Rusholme (approx 69 PRS properties)

- Anti-social behaviour - linked to environmental and waste management

- Poor property conditions – visually poor conditions externally
- High level of deprivation
- High levels of crime

4.2.10 Area 10; Esmond/Avondale- Cheetham (approx 76 PRS properties)

- Anti-social behaviour - linked to environmental and waste management
- Poor property conditions
- High levels of crime

4.2.11 Area 11; Flats above shops Cheetham Hill Road -Cheetham (approx 60 PRS properties)

- Anti-social behaviour - linked to environmental and waste management
- Poor property conditions – visually poor conditions externally
- High level of deprivation
- High levels of crime

4.2.12 Area 12; Matthews Lane- Levenshulme (approx 159 PRS properties)

- Anti-social behaviour - linked to environmental and waste management
- Poor property conditions
- High level of deprivation
- High levels of crime

Although these areas have been identified, an in depth consultation process must be followed to gauge public opinion. This feedback along with the local statistics will be used to evidence, and to test if Selective Licensing along with other enforcement measures would improve the objectives set out for each area.

Appendix 2 shows maps of proposed areas.

Appendix 3 shows the local statistics for each area considered.

4.3 Further SL areas to be considered in future years (Years 3 and 4)

Additional SL areas will be considered following designation of any of the schemes listed in 4.2. These additional areas are listed below. Proactive work will be carried out in some of these areas by the Housing Compliance and Enforcement Team in the meantime, and any future request to consult on SL designations for the areas below will be brought to Executive in a further report following Years 1 and 2.

Heathcote/ Sanby Road - Longsight (approx 174 PRS properties)

Enver Road - Crumpsall (approx 139 PRS properties)

Whiteway Street - Harpurhey (approx 95 PRS properties)

Clarendon Road - Whalley Range (approx 131 PRS properties)

Leng Road/ Melrose Street - Newton Heath (approx 228 PRS properties)

Flats above shops Stockport Road - Ardwick, Rusholme, Longsight and Levenshulme (approx 234 PRS properties)

Northmoor Road - Longsight (approx 444 properties)

Chorlton District Centre - Chorlton (approx 46 PRS properties)

5.0 Selective Licensing Consultation

5.1 Legal Requirements for Consultation

Current legislation requires an intensive consultation period of 10 weeks to gauge public opinion and gather feedback in order to implement a designation. The Council is required to consult fully with local residents, tenants and landlords, managing agents and local businesses, both within the proposed areas and in the surrounding areas.

5.2 Consultation Method

Consultation will take place incrementally using a staged approach; this was successful during the consultation for the current pilot schemes. This ensured operational resources were focussed on one area at a time.

One of the consultation methods will be contacting residents, landlords, letting agents and businesses directly via letter. The letter will explain what SL is, how it could improve the neighbourhood, how it would operate and how they may be affected. The letter will direct them to an online consultation page to complete an online form to obtain their views. The webpage will contain information regarding selective licensing and the process the council will need to undertake to operate such a scheme.

Another method of consulting with the wider community, used for the current SL schemes, will be drop in events held in local libraries and community centres, advertised in the local press and local public buildings. Subject to any Coronavirus restrictions in place at the time, it is proposed to hold these again, ensuring any covid secure arrangements required are in place. Virtual consultation sessions will be undertaken where Coronavirus restrictions prevent drop in sessions.

We will also consult the national landlord associations who support and advocate for a number of private rented sector landlords across the country.

5.3 Consultation Plan

The consultation plan has been developed to ensure that each step of the process is carried out and meets the legal framework, a summary of the processes within the consultation can be seen below with timescales for the first areas to be consulted on:

- Consultation report to Executive September, If approved to consult:
- Member and Press Briefings in October
- Organise drop in/ virtual consultation events October/November
- Add a consultation page and inbox on corporate website October
- Consultation period starts January
- Consultation period ends March
- Gather feedback and analyse data March
- Publicise results of consultation April

- Delegated approval to designate an area – May 2021

5.4 Consultation Evaluation

Following the closure of the consultation period the responses will be evaluated and published on the Council's website, the responses will be considered and will inform officer recommendations to Executive Members before making a final decision as to whether to proceed with selective licensing.

6.0 Conclusion

Executive is asked to approve the consultation plan outlined in Section 5 of this report and authorise officers to consult with residents, tenants, landlords, businesses and property management agencies with regards to the proposed SL schemes listed in 4.2. Subject to the outcome of the consultation, Executive is also asked to delegate authority to the Director of Neighbourhoods in consultation with the Executive Member for Housing and Regeneration and the Executive Member for Finance and Human Resources to approve up to 12 selective licensing areas identified in the report.

7.0 Key Policies and Considerations

(a) Equal Opportunities

- 7.1 This approach to consultation will enable engagement of a diverse range of local communities, through appropriate consultation it will give all stakeholders opportunities to engage in the development of locally focussed SL schemes.

(b) Risk Management

- 7.2 Risk will be managed via a project risk register, if consultation is approved risk areas will be mitigated and managed through the current governance arrangements associated with Private Rented Sector Strategy.

(c) Legal Considerations

- 7.3 At this stage the recommendations are primarily linked to public consultation and planning for any approval of the project and this process will be developed alongside our legal, communication and press colleagues.

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Appendix 1- Proposed Licence Conditions

Statutory conditions in Schedule 4 Housing Act 2004

1. If gas is supplied to the licensed premises the licence holder must produce annually to Manchester City Council (the Council) for their inspection, a gas safety certificate obtained in respect of the house named on the licence within the last 12 months.
2. a) The licence holder must keep electrical appliances and furniture supplied by him in a safe condition.
b) The licence holder must supply to Council, on demand, with a declaration by him as to the safety of such appliances and furniture.
3. a) 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, and keep each such alarm in proper working order (*Note: For the purpose of this condition a bathroom or lavatory is to be treated as a room used as living accommodation.*)
b) The licence holder must supply the Council, on demand, with a declaration by him as to the condition and positioning of such alarms.
4. a) The licence holder must 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; and to keep any such alarm in proper working order; (*Note: for the purpose of this condition a "room" includes a hall or landing and a bathroom or lavatory is to be treated as a room used as living accommodation.*)
b) The licence holder to supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm.
5. The licence holder must supply to the tenant/occupiers of the house a written statement of the terms on which they occupy it.
6. The licence holder must demand references from persons who wish to occupy the house.

General Conditions Applicable to all Selective Licences

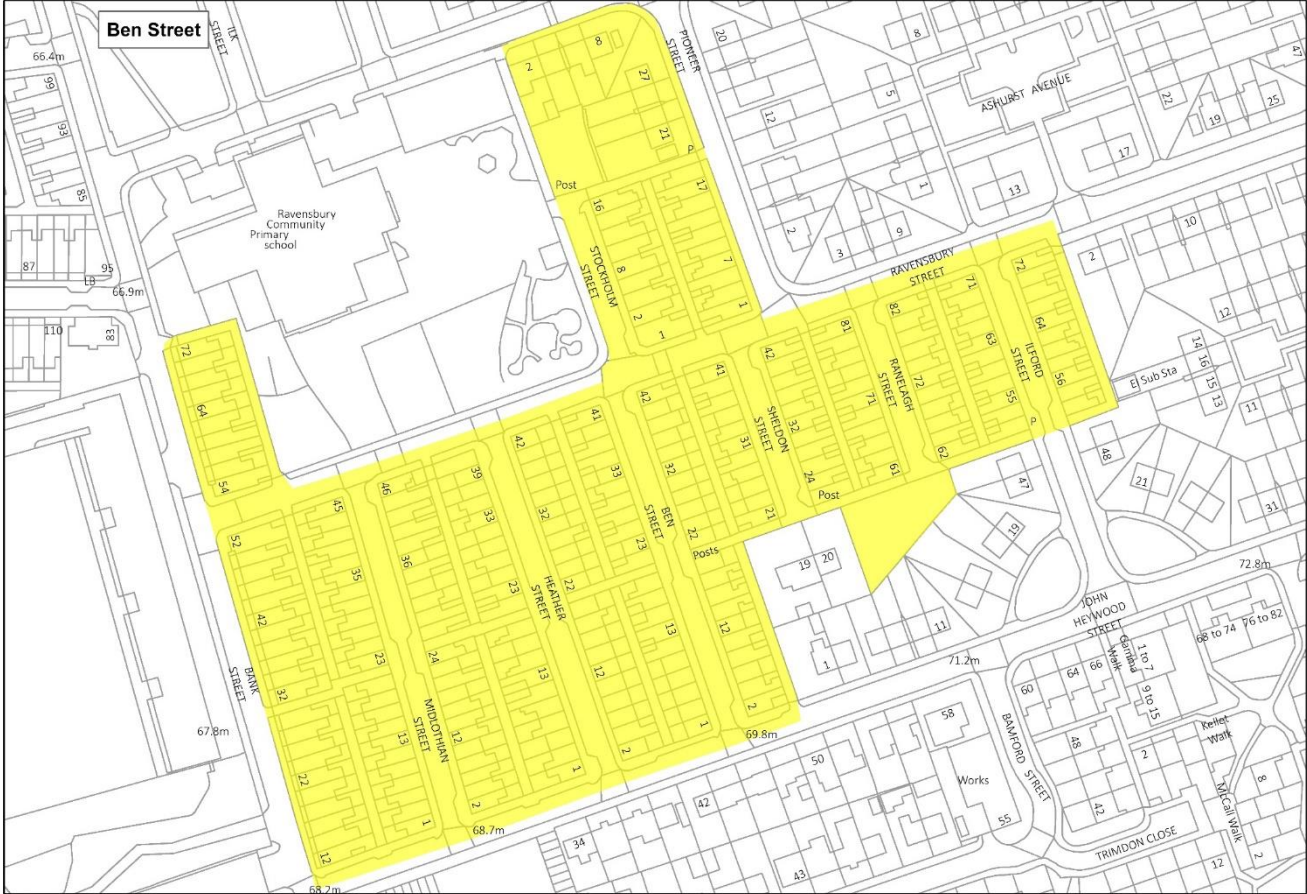
1. The licence holder must ensure that the premises and its grounds are in a clean, safe and habitable state prior to new occupiers moving in.
2. The licence holder must supply to the Council an original of the following documents:
 - Electrical Installations Inspection Certificate on demand (this should be carried out every 5 years)
 - Portable Appliance Test (P.A.T) Certificate on demand where electrical appliances are provided.
3. The following information must be included in the written statement of terms under which the premises is occupied :
 - The amount of rent payable and the mechanism for any rent increases

- . Tenancy start and end dates
 - . The details of any deposit required and the deposit scheme in which it is held
 - . Details of what the deposit covers and arrangements for the return of the deposit
 - . The frequency of payments
 - . The details of any utilities or other charges included in the rent
 - . The responsibility for payment of the Council Tax
 - . The responsibility for the payment of utilities and arranging for the provision of such
 - . Tenants responsibilities in regard of the use, occupation and condition of the licensed premises
 - . Notice periods for ending the tenancy/ licence to occupy
 - . Clauses relating to nuisance and/or anti social behaviour
 - . The location of any stop taps
4. Where the premises is alley gated the licence holder is responsible for providing the key to the tenant free of charge at the start of the tenancy.
 5. The licence holder must ensure occupiers are aware of behaviour that may constitute nuisance and/or antisocial behaviour, what is acceptable use of the premises and what the likely consequences of causing nuisance or ASB may be.
 6. The licence holder must take all reasonable steps to deal with nuisance and/ or antisocial behaviour perpetrated by occupiers and/ or visitors to the premises. This includes taking proactive action (e.g. warnings, legal action) as soon as the licence holder becomes aware of a problem and by co-operating fully with the relevant agencies e.g. MCC or GMP.
 7. The licence holder must provide the occupants of adjoining properties with direct contact details in case of an emergency or to enable them to inform the licence holder of problems affecting their properties.
 8. The licence holder must ensure occupiers are aware of how to report any faults or disrepair to the landlord and provide anticipated timescales for undertaking repairs when reported.
 9. The licence holder must give the occupiers reasonable notice of arranged access requirements to carry out work to the premises. Save in the case of an emergency, a minimum of 24 hours notice must be given in writing and as far as practicable access will be arranged at a convenient time for the occupier.
 10. When necessary, the licence holder must provide suitable alternative accommodation for occupiers when carrying out major works to the licensed premises for the period during which the works are being undertaken.
 11. The licence holder must ensure that the premises has adequate security measures on all exit doors and windows and that all keys are provided to occupiers. Where a burglar alarm is fitted to the premises, the licence holder will change the code at the onset of each new period of occupation.

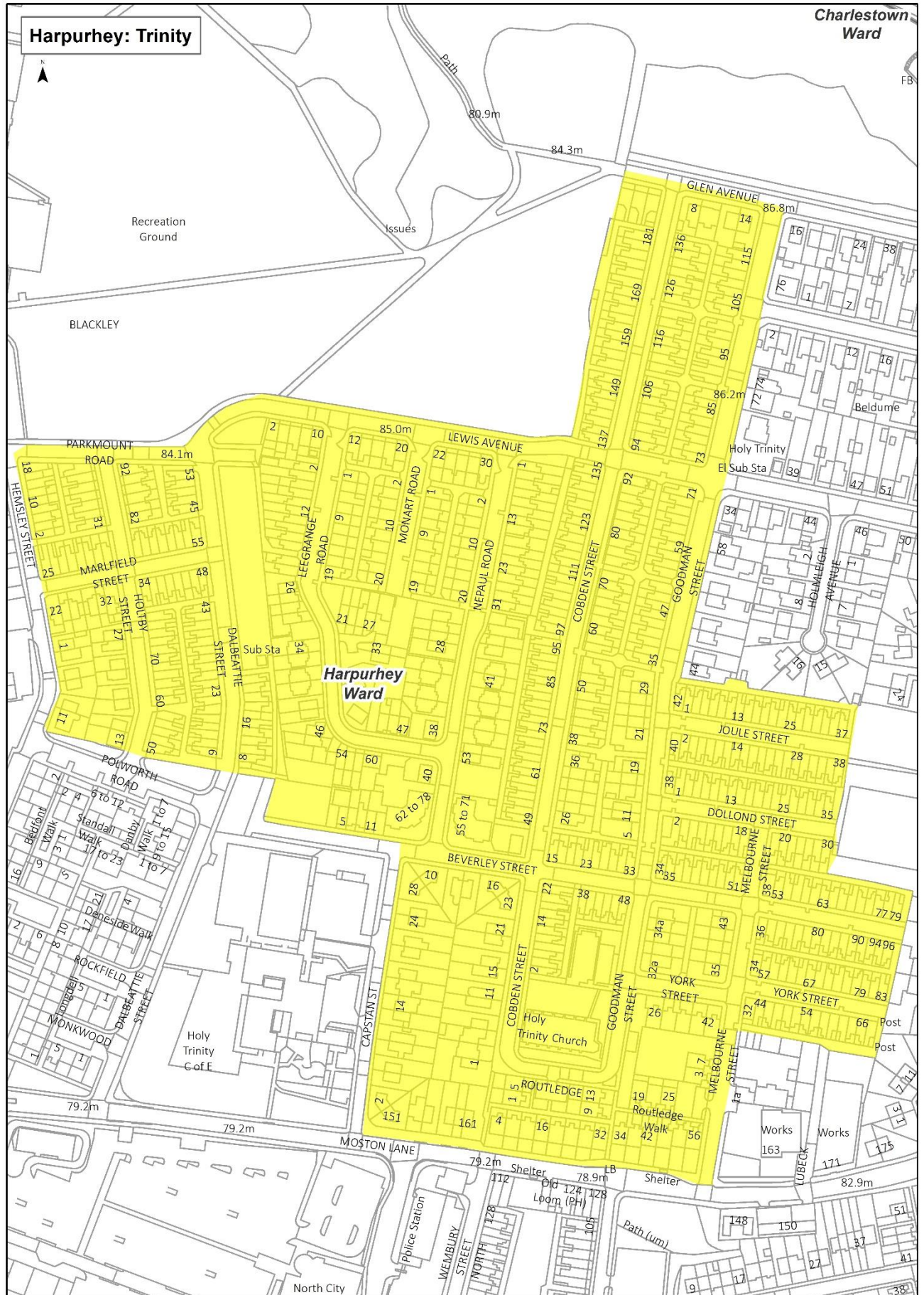
12. The licence holder must ensure that the full range of recycling and refuse bins are available at the start of a tenancy.
13. The licence holder must ensure that the occupier is made aware of the arrangements for the collection of refuse and bulky goods and that the occupier is requested to return the refuse containers within the boundary of the premises on the day of collection. The licence holder must co-operate with the Council to address problems caused by occupiers failing to dispose of refuse in the correct manner.
14. The licence holder must make adequate checks during a tenancy and during void periods to ensure that the premises and anywhere within the premises boundary is being kept in a clean condition and all refuse is disposed of in an appropriate manner.
15. The licence holder must make appropriate arrangements for the disposal of any waste at the end of a tenancy and produce waste transfer notes for inspection on request.

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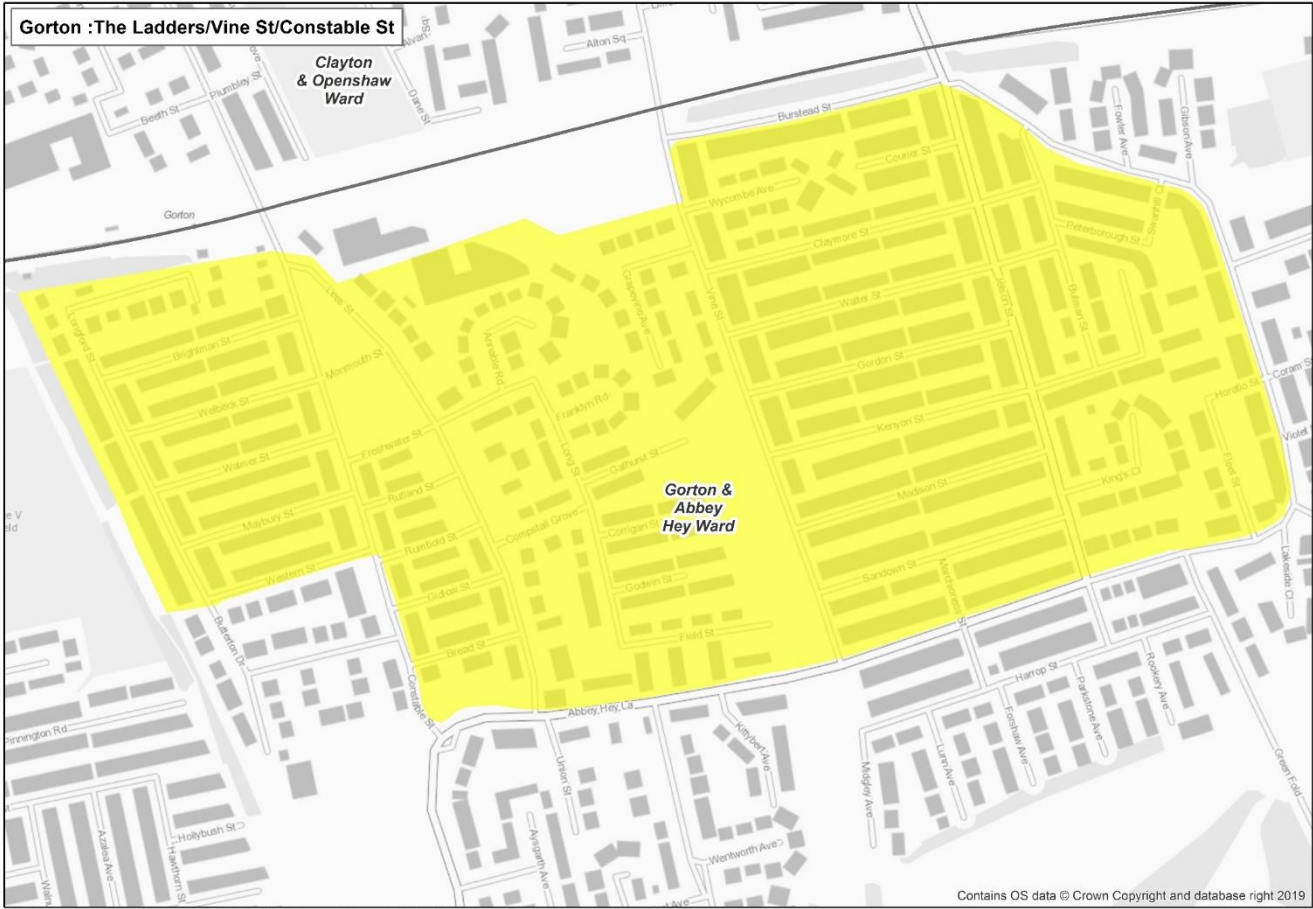
Appendix 2 Maps of proposed SL areas



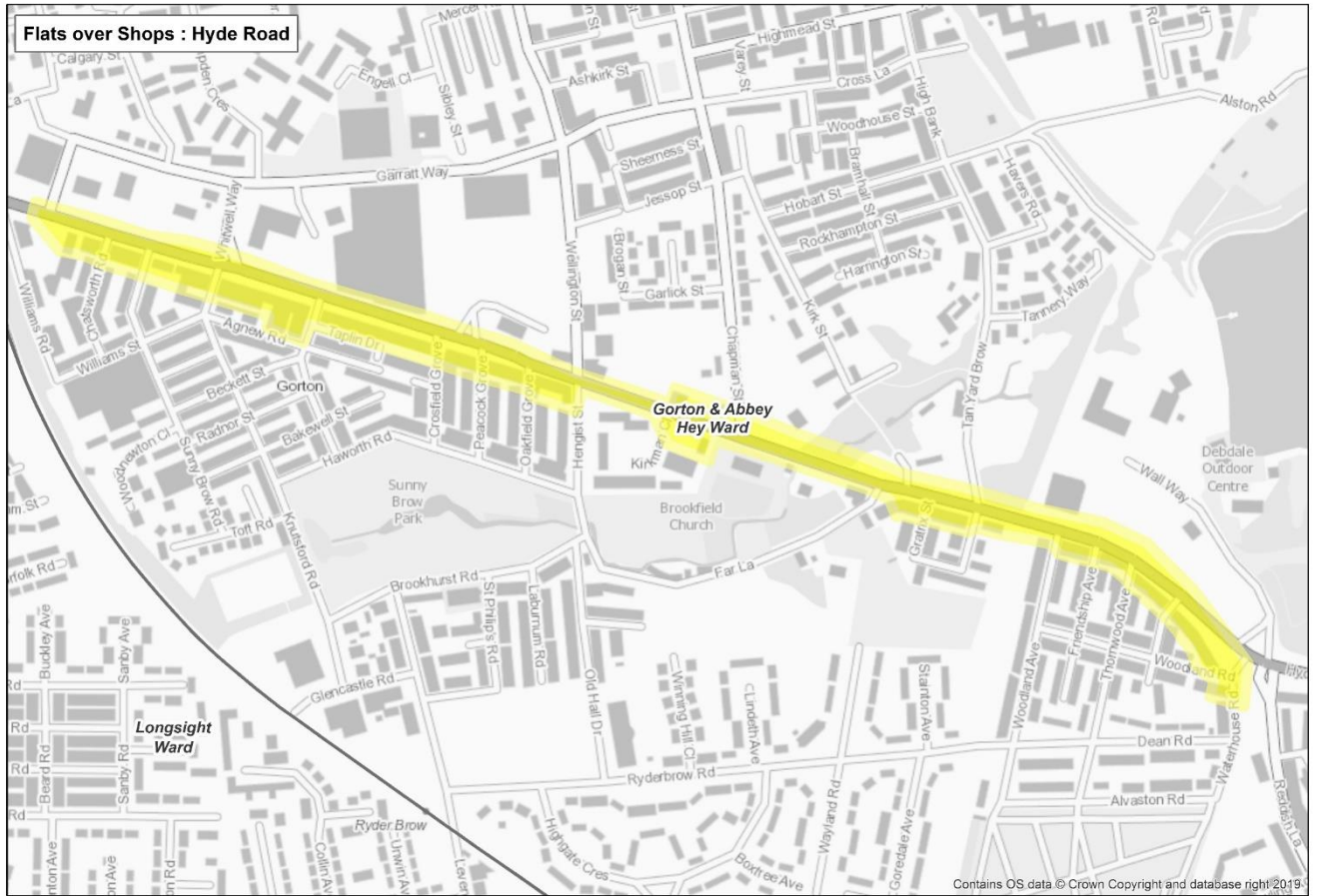
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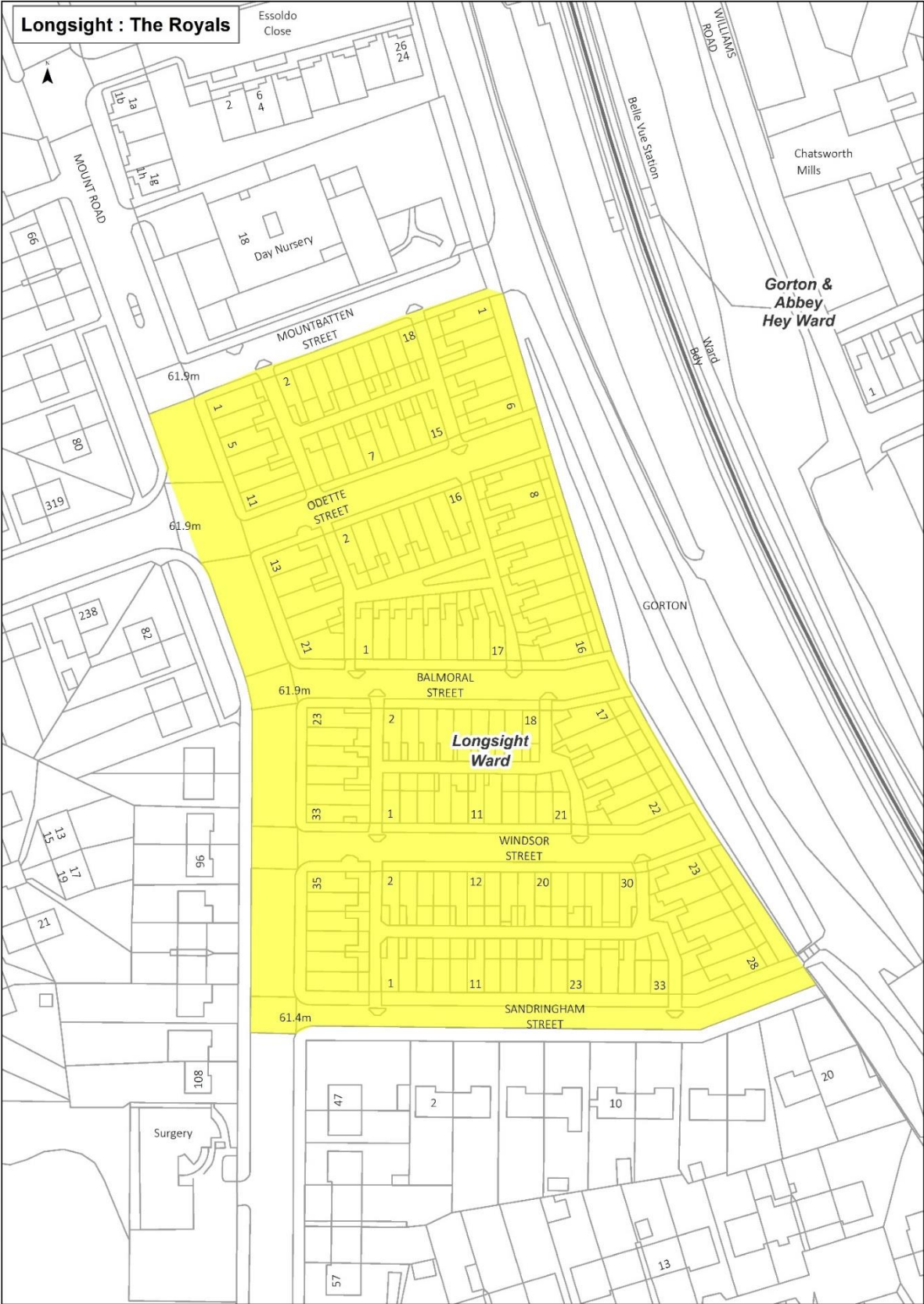


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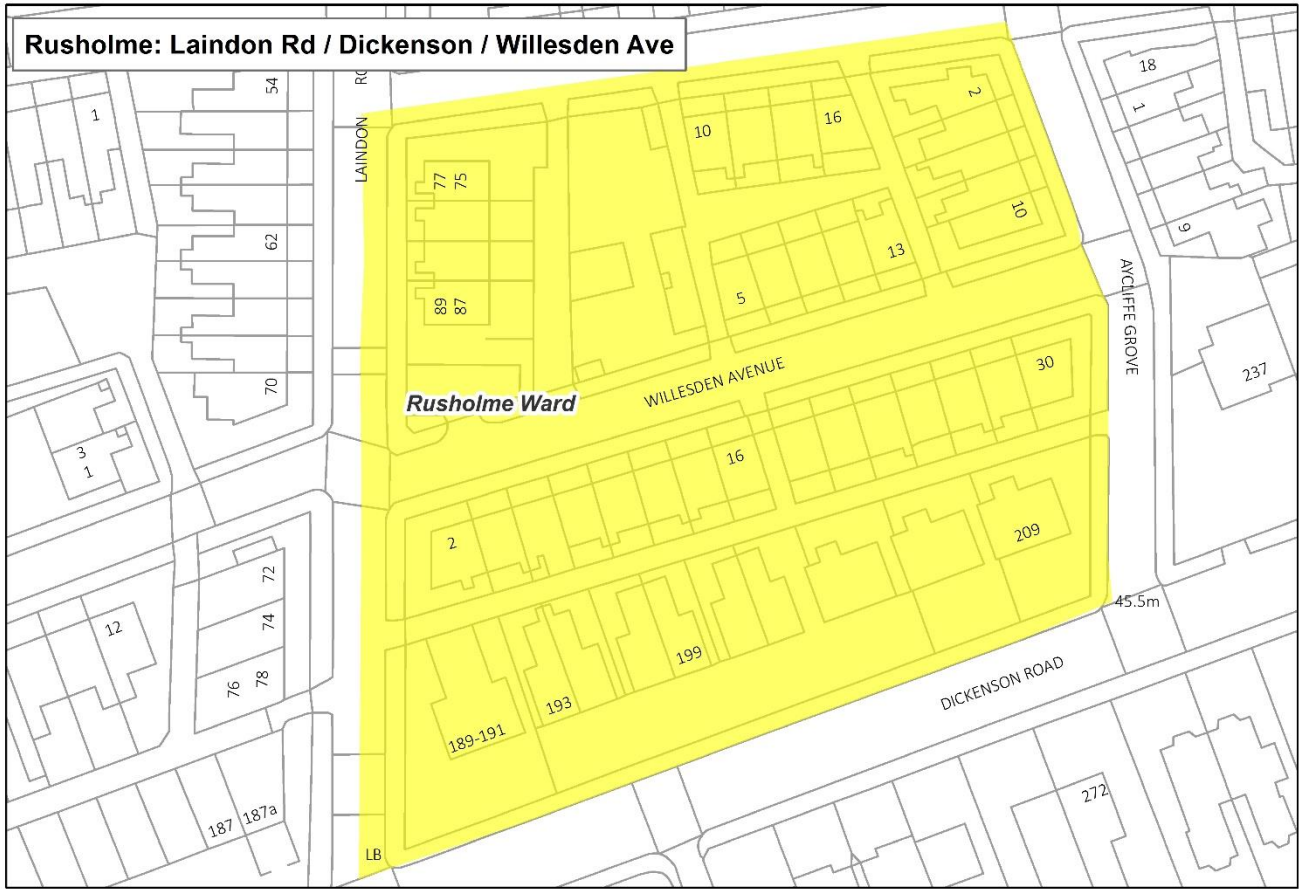


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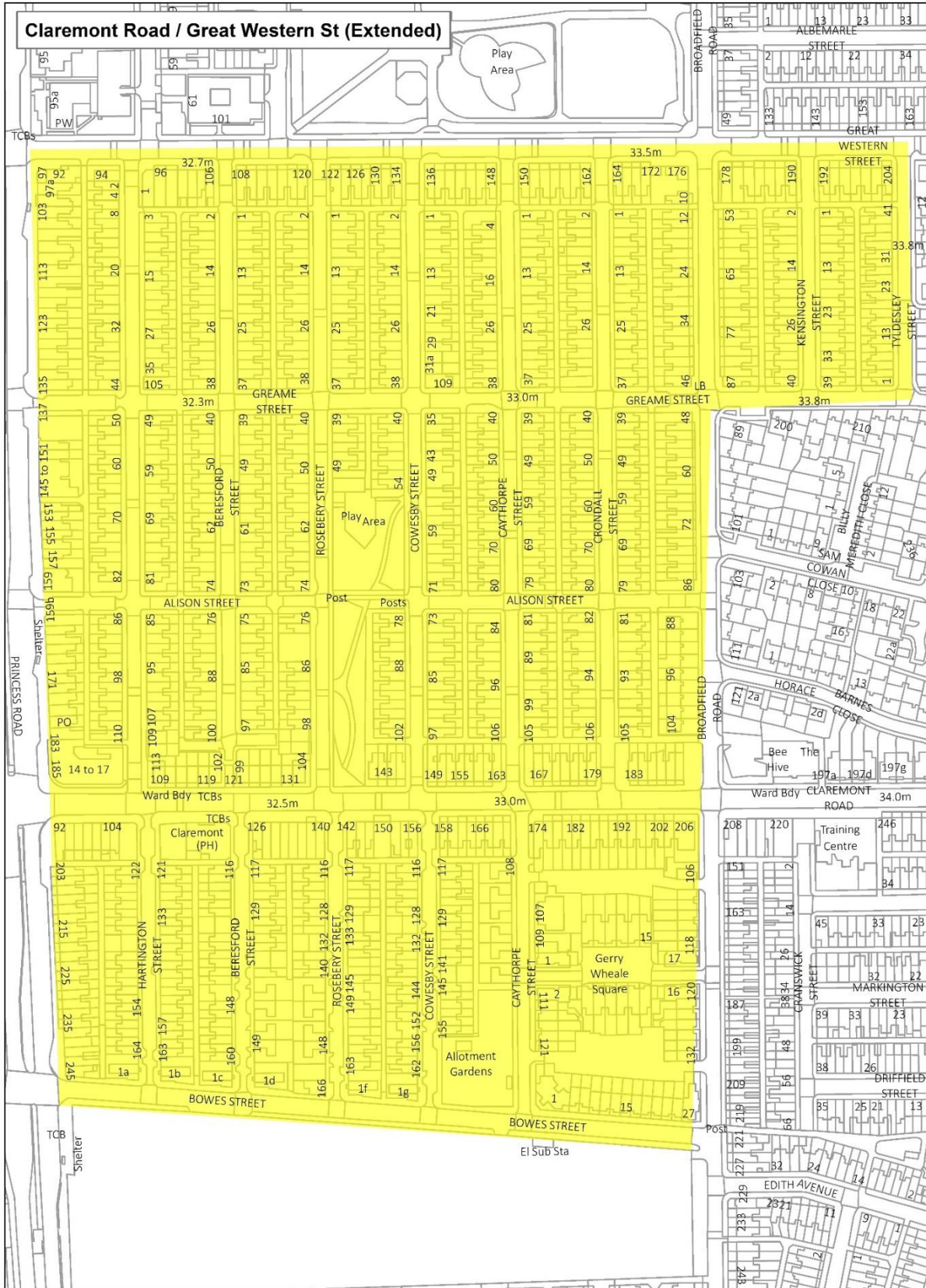




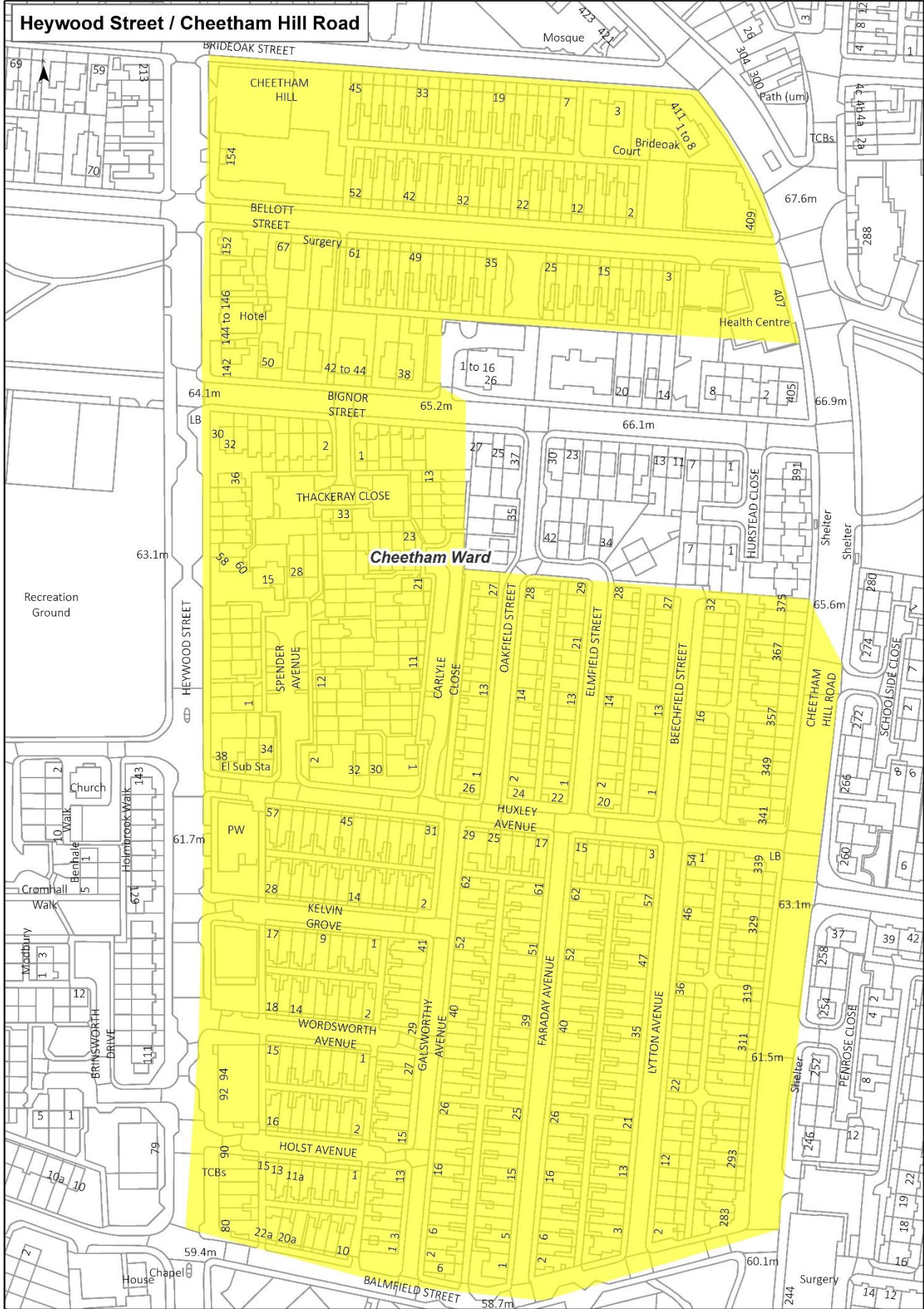
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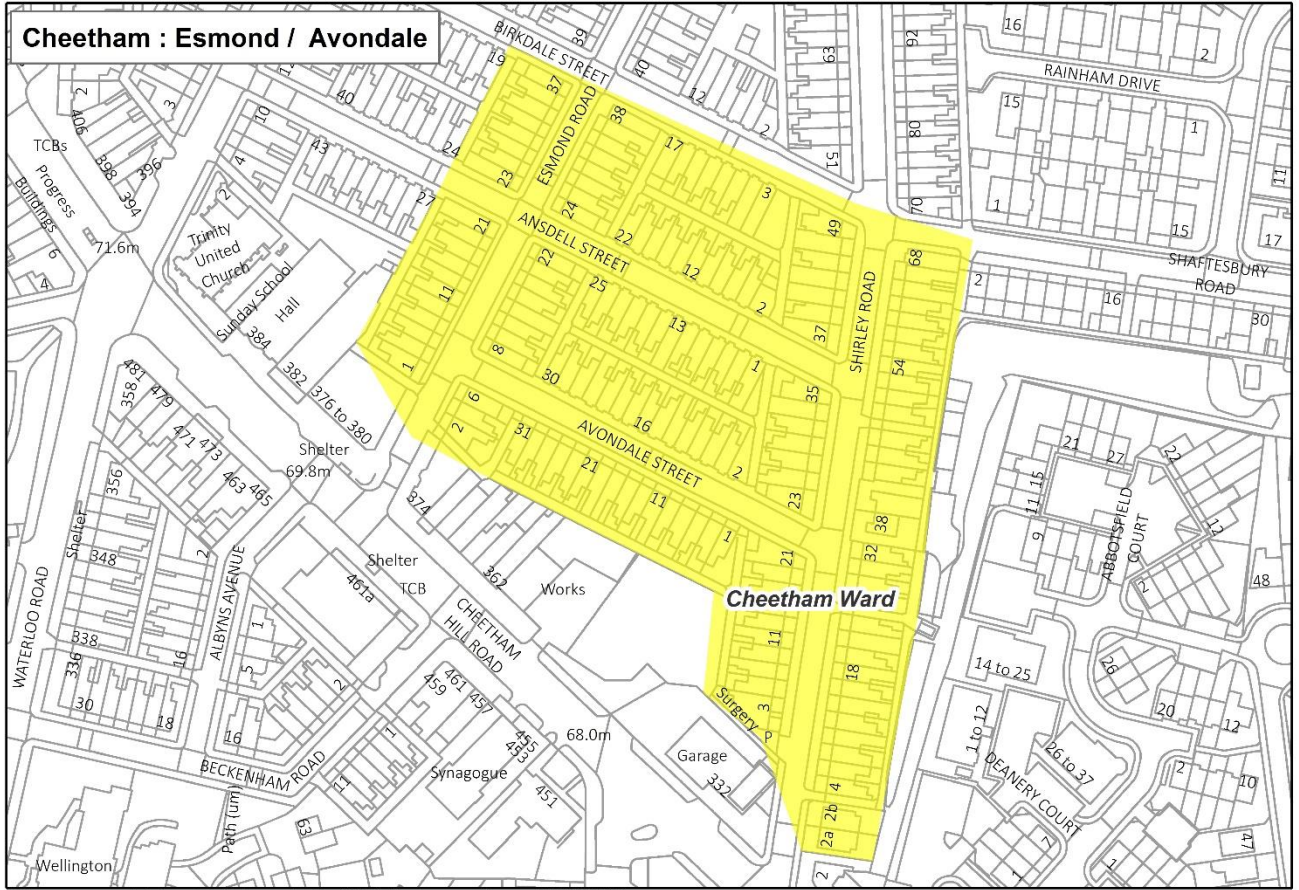
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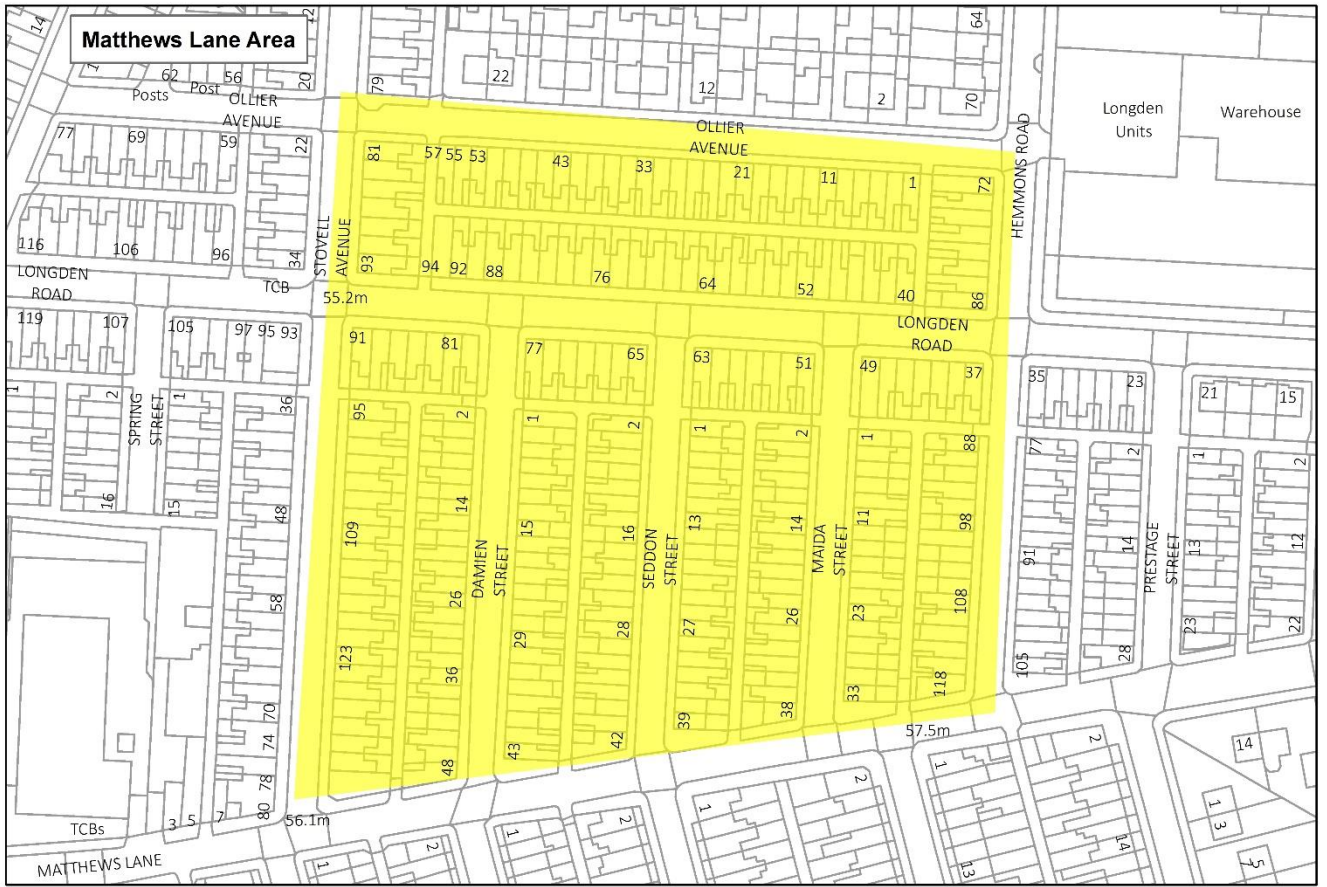
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Selective Licensing - Additional Proposed areas for Phase 2

| Measure: | Ben Street | Harpurhey Trinity | Gorton: Ladders / Vine / Constable | Flats Over Shops: Hyde Road | Longsight: The Royals | Rusholme: Laindon Rd Dickenson |
|---|------------|-------------------|------------------------------------|-----------------------------|-----------------------|--------------------------------|
| Dwelling Stock (July 2020) | 252 | 730 | 1458 | 164 | 138 | 83 |
| Empty Homes | 14 | 30 | 57 | 8 | 11 | 5 |
| Long Term Empty | 3 | 1 | 8 | 0 | 3 | 0 |
| Occupied Homes | 238 | 700 | 1401 | 156 | 127 | 78 |
| Tenure Estimates | | | | | | |
| MCC Private Rented Estimates (2019) | 44% | 61% | 52% | 60% | 51% | 47% |
| MCC Private Rent Estimate (Households) 2019 | 105 | 430 | 733 | 94 | 64 | 37 |
| % of Households which are Private Rented in receipt of Universal Credit or Housing Benefit toward housing costs 1 | 14.8% | 25.3% | 25.4% | 19.5% | 28.3% | 23.6% |
| <i>Estimated Number of Private Rented Households on HB/UC</i> | 37 | 198 | 382 | 32 | 39 | 19 |
| <i>% of City's Private Rented Sector within the licensing area 2</i> | 0.12% | 0.50% | 0.85% | 0.11% | 0.07% | 0.04% |
| <i>% of City's geographic area within the licensing area 2</i> | 0.025% | 0.10% | 0.20% | 0.05% | 0.01% | 0.01% |
| Deprivation, Crime, ASB and Service Demand | | | | | | |
| Weighted IMD Score 2019 (High Score = More Deprived) | 61.53 | 45.23 | 47.50 | 51.35 | 54.27 | 42.84 |
| Number of ASB Incidents per 100 households (most recent 12 months) 3 | 10.0 | 7.6 | 5.9 | 29.5 | 28.3 | 5.1 |
| Number of Victim Based Crimes Per 100 households (most recent 12 months) 4 | 24.1 | 21.3 | 22.9 | 124.4 | 46.5 | 23.1 |
| Requests for Service per 100 households: Housing Related 4 | 3.2 | 5.6 | 3.8 | 1.2 | 5.8 | 4.8 |
| Requests for Service per 100 households: Fly Tipping 4 | 33.3 | 56.7 | 28.7 | 29.9 | 14.5 | 34.9 |
| Requests for Service per 100 households: Street Cleaning/Other 4 | 4.0 | 11.1 | 4.8 | 5.5 | 5.1 | 8.4 |

1 Based on % claimants in the best fit Output Areas - Nov 2019

2 Where area comprises more than 20% of the geographic area, or 20% of the total PRS, Secretary of state approval would be required

3 Most recent data on ASB and VBC is June 2019 due to the transition to new ICT system - incidents within 100 m radius of proposed area

4 Requests for Service may include repeat calls

| Measure: | Claremont GWR Extended | Cheetham: Heywood St CHR | Rusholme : Birch Lane | Cheetham - Esmond Avondale | Flats Over Shops: Cheetham Hill Rd | Matthews Lane Great Places |
|---|------------------------------|--------------------------------|--------------------------|----------------------------------|---|----------------------------------|
| Dwelling Stock (July 2020) | 1176 | 628 | 130 | 161 | 116 | 262 |
| Empty Homes | 38 | 16 | 10 | 5 | 15 | 8 |
| Long Term Empty | 4 | 4 | 1 | 1 | 2 | 0 |
| Occupied Homes | 1138 | 612 | 120 | 156 | 101 | 254 |
| Tenure Estimates | | | | | | |
| MCC Private Rented Estimates (2019) | 28% | 41% | 57% | 48% | 59% | 63% |
| MCC Private Rent Estimate (Households) 2019 | 318 | 248 | 69 | 76 | 60 | 159 |
| % of Households which are Private Rented in receipt of Universal Credit or Housing Benefit toward housing costs 1 | 17.9% | 13.9% | 24.1% | 20.6% | 18.2% | 29.9% |
| <i>Estimated Number of Private Rented Households on HB/UC</i> | 210 | 94 | 35 | 41 | 22 | 79 |
| <i>% of City's Private Rented Sector within the licensing area 2</i> | 0.37% | 0.29% | 0.08% | 0.09% | 0.07% | 0.18% |
| <i>% of City's geographic area within the licensing area 2</i> | 0.15% | 0.09% | 0.02% | 0.02% | 0.04% | 0.02% |
| Deprivation, Crime, ASB and Service Demand | | | | | | |
| Weighted IMD Score 2019 (High Score = More Deprived) | 55.27 | 45.18 | 42.84 | 33.17 | 47.11 | 46.40 |
| Number of ASB Incidents per 100 households (most recent 12 months) 3 | 19.0 | 4.9 | 10.8 | 5.8 | 42.6 | 8.1 |
| Number of Victim Based Crimes Per 100 households (most recent 12 months) 4 | 18.7 | 11.9 | 25.8 | 19.2 | 195.0 | 8.1 |
| Requests for Service per 100 households: Housing Related 4 | 2.4 | 2.4 | 4.6 | 1.2 | 0.9 | 3.8 |
| Requests for Service per 100 households: Fly Tipping 4 | 18.4 | 15.3 | 43.8 | 49.7 | 39.7 | 19.1 |
| Requests for Service per 100 households: Street Cleaning/Other 4 | 3.2 | 6.2 | 10.8 | 16.1 | 34.5 | 12.6 |

1 Based on % claimants in the best fit Output Areas - Nov 2019

2 Where area comprises more than 20% of the geographic area, or 20% of the total PRS, Secretary of state approval would be required

3 Most recent data on ASB and VBC is June 2019 due to the transition to new ICT system - incidents within 100 m radius of proposed area

4 Requests for Service may include repeat calls

**Manchester City Council
Report for Information**

Report to: Neighbourhoods and Environment Scrutiny Committee - 2
September 2020

Subject: Housing Compliance and Enforcement - Performance in 2019/20

Report of: Strategic Director, Neighbourhoods

Summary

To provide Members with an update on demand for and performance of the Housing Compliance and Enforcement Team during 2019/20.

Recommendations

That Members note and comment on the report.

Wards Affected: All

Alignment to the Our Manchester Strategy Outcomes (if applicable):

| Manchester Strategy outcomes | Summary of how this report aligns to the OMS |
|--|--|
| A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities | Good quality and well managed private rented homes will contribute to the sustainability of neighbourhoods, ensuring residents have a settled and stable platform to contribute and thrive. |
| A highly skilled city: world class and home grown talent sustaining the city's economic success | Improving the private rented housing offer helps to attract and retain talent. |
| Working with both residents and businesses to support them in improving the neighbourhoods in which they live and work and socialise | Increasing the supply of good quality affordable homes for private rent provides access to quality accommodation in neighbourhoods where people are happier to settle for a longer period of time. |
| A liveable and low carbon city: a destination of choice to live, visit, work | The right mix of quality energy efficient housing is needed to support growth and ensure that our growing population can live and work in the city and enjoy a good quality of life. |
| A connected city: world class infrastructure and connectivity to drive growth | This approach recognises the importance a balanced housing offer plays within a well connected city and the neighbourhoods within it. It |

| | |
|--|--|
| | seeks to create neighbourhoods where residents will choose to live and their housing needs and aspirations are met |
|--|--|

Contact Officers:

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Background Documents: Not applicable

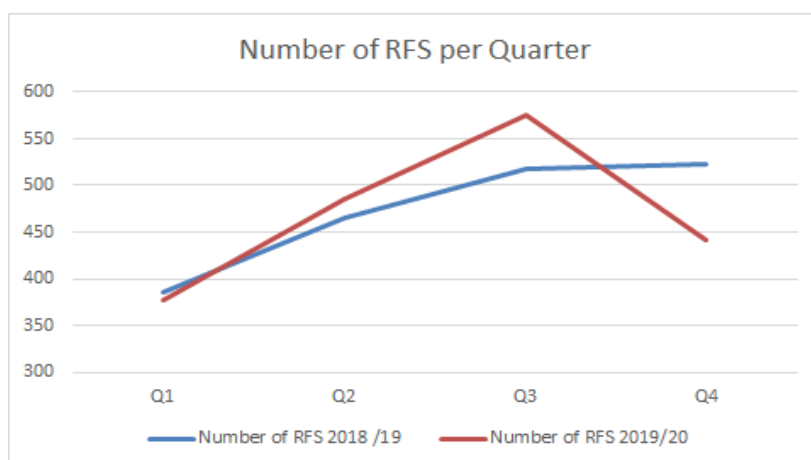
1.0 Introduction

- 1.1 The Housing Compliance & Enforcement Team sits within the wider Community Safety, Compliance and Enforcement Service and is responsible for ensuring that privately rented properties meet acceptable safety and management standards. The team manage the licensing of HMOs and Selective Licensing schemes, deal with complaints about disrepair in private rented housing and investigate allegations of unlawful eviction and landlord harassment.
- 1.2 This report sets out the key areas of demand and how the team performed in 2019/20. This report also sets out the changes in demand in April, May and June 2020 during the Covid-19 pandemic.
- 1.3 The workload of the team includes a combination of planned regulatory work such as licensing inspection programmes; reactive work such as investigating complaints from tenants and proactive project work dealing with Rogue Landlords.
- 1.4 The Team, as with the Service, takes an Our Manchester approach to achieving compliance, working on the principle that the vast majority of Landlords in Manchester want to do the right thing and our approach to achieving compliance includes working with Landlords and giving them the chance to get it right.

2.0 Reactive Demand

- 2.1 In 2019/20 the service received 1,880 requests for service (RFS). This is compared to 1,892 in 2018/19. The number of requests for services remains fairly consistent year on year.

2.2 Figure 1: RFS Volume comparison



There was a small reduction in service requests in quarter 4, probably due to less activity just before lockdown in March. The increase in quarter 3 is less easy to explain and trends will continue to be monitored.

The case studies below illustrate the type of reactive work undertaken by the team.

Case Study 1: A case was referred by Adult Social Care about the poor conditions of a privately rented property in North Manchester. On inspection of the property, it was kept in an unhygienic condition due to the hoarding of their belongings and there was an issue in the bathroom with the toilet leaking. The Housing Compliance and Enforcement officer served a legal notice on the landlord to fix the toilet, which she complied with, however the team was unable to take any action in the case of the hoarding. The officer then worked with the social services crisis clean team to help clean the property to improve the living conditions for the elderly residents until alternative and more suitable accommodation was found with a local social landlord the following month. In partnership the two teams worked together with the landlord, to improve the conditions in the property.

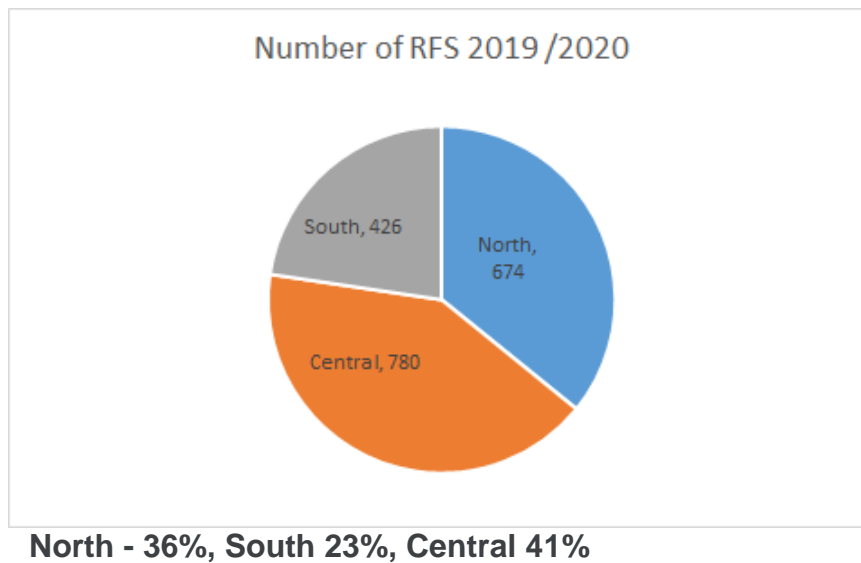
Case Study 2: The council received a complaint about a water leak next to the lighting pendant in a flat. It was unknown where the leak was coming from and who was responsible. The Housing Compliance and Enforcement Officer liaised with the landlord to ensure that the lighting pendant was switched off that day to prevent any shocks and then proceeded to work with the landlord and her managing agents, the owner of the flat above and the manager of the block of flats. After extensive exploratory work to establish the source of the leak, it was eventually found to be a loose waste water pipe in the kitchen to the flat above. By liaising with the owner, this pipe was fixed and the leak stopped. Once the ceiling had dried in the customer's flat, the officer arranged with the landlord to reinstate the lighting pendant and any damage caused by the investigation to be repaired. With the officer liaising and consulting with all interested parties and by working together the issue was resolved in a speedy manner without the need for formal notices to be served.

Case Study 3: The council received a complaint about the lack of internal lighting to an address in Rusholme. The lighting circuit had been disconnected from the electricity supply by an electrician due to it being unsafe and the landlord had not taken any action to reinstate the lighting when the complaint was made. An inspection of the property was carried out by a Housing Compliance and Enforcement Officer and Emergency Remedial Notice was served at the inspection for the lighting circuit to be reinstated. The notice was referred to the Council's Environmental Crimes Team for them to action the notice and reinstate the lighting to the property. The Council reinstated the lighting following on from the service of the legal notice and has started to recover the costs of the works from the landlord.

3.0 Service Requests (Areas and Categories of complaint)

- 3.1 The Council received 1,880 requests for the financial year 2019 / 2020, with most of the complaints being in the central wards (780 requests for service).

3.2 Figure 2: The number of complaints split between areas

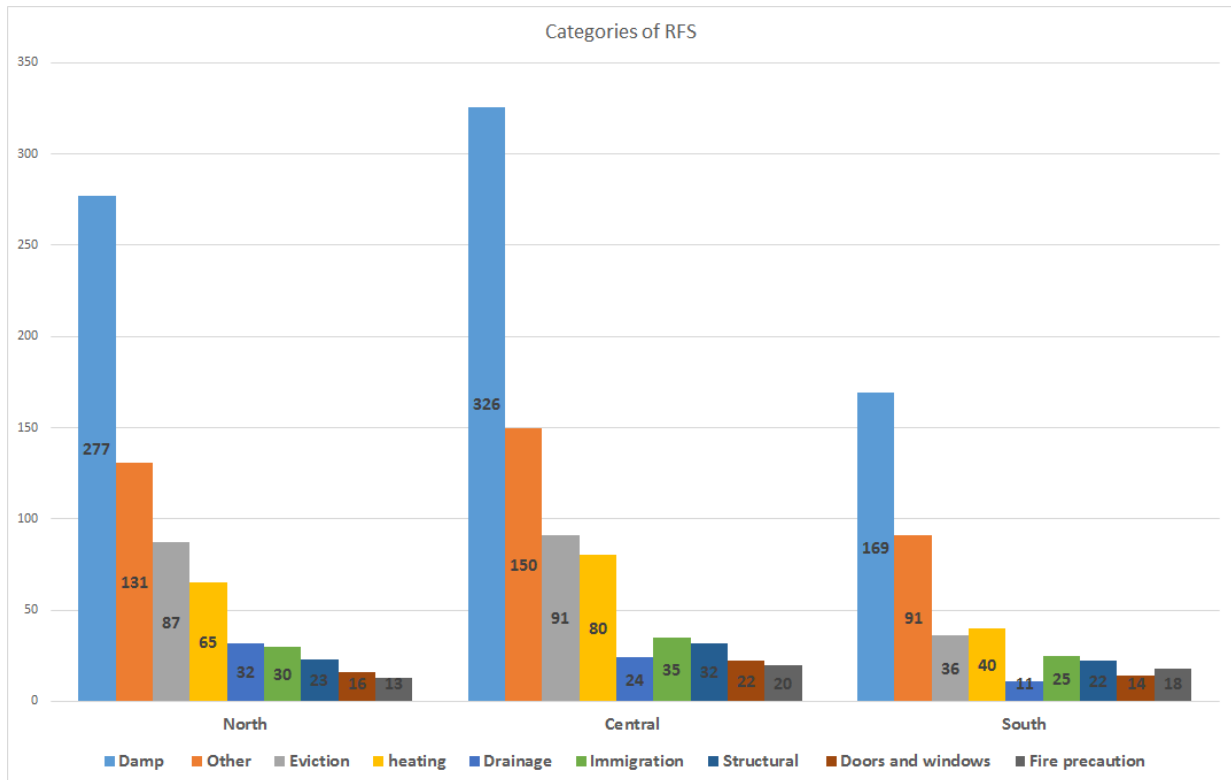


3.3 The Housing Compliance and Enforcement Team has several complaint categories that cover both disrepair and landlord harassment. The three main categories of complaints received are:

- dampness and leaks (772 requests, 41%)
- heating and hot water (185 requests, 10%)
- unlawful eviction (214 requests, 11%)

3.4 The housing compliance and enforcement team offers a chargeable service for people who are sponsoring people coming into the country to ensure the condition and suitability of the property to accommodate more people. The sponsor uses this information as part of their home office application. The team carried out 90 of these inspections.

Figure3: Shows number of RFS received by area



4.0 Proactive Activity - Rogue Landlords Team

4.1 The Rogue Landlord Team of three officers was established as a result of Home Office funding. The Team has inspected 242 properties between 01 April 2019 and 31 March 2020, this has resulted in the following interventions:

57 Improvement Notices Served.

16 Prohibition Orders.

31 Other formal notices served including EPA and Building Control.

3 Final Civil Penalties issued totalling £55,000.

The case studies below illustrate the type of work undertaken by the rogue landlords' team.

Case Study 4 : North

A flat above a shop in Cheetham Hill was visited with the Greater Manchester Fire and Rescue Service (GMFRS). A male was found sleeping at the property. The only access to the residential property was via the takeaway with shutters at the front. The only means of escape was via a back door accessed through the high risk commercial kitchen. There was no fire detection at the property. The risks to a resident sleeping in the upstairs was imminent, with no way of vacating in the event of a fire without going through the commercial kitchen. Without any fire detection there was little chance of any residents being alerted to a fire early enough to escape before the risks became serious. Officers worked alongside GMFRS to prohibit the use of upstairs for sleeping accommodation. The male at the property was supported via colleagues in Housing Solutions to find alternative accommodation. An enforcement notice was served on the landlord of the property

to ensure adequate means of escape and appropriate fire detection was installed. Officers from food safety followed up with the takeaway business concerning hygiene issues.

Case Study 5: Central

A building on Hyde Road, Gorton consisting of six flats with poor fire separation and a substantial amount of disrepair including dangerous electrics posing a considerable risk to the residents of the flats was identified by the rogue landlord team as part a proactive day of action in September 2019. Officers worked with the landlord to improve standards which included installation of an adequate fire alarm system that would alert the occupiers in case of a fire, as well as making the electrical installation safe. In August 2020 there was a fire in one of the flats caused by a faulty appliance purchased by the tenant. The new fire system provided an early warning for the occupiers and enabled a safe evacuation. The GMFRS officer commented after the incident that the fire could have turned out to be much more serious and caused fatalities if the Council did not intervene in September 2019.

Case Study 6: South

Following a referral from Greater Manchester Police (GMP) regarding overcrowding and poor living conditions at flats above commercial properties in Wythenshawe, a full housing inspection was carried out at all properties. Both substantial and minor disrepair items were identified in the properties including; no working toilet, a broken front door being held together by padlocks, no working kitchen, a lack of hot water, broken windows and electrical hazards, amongst others. Enforcement Notices were served on all relevant properties to ensure appropriate improvements were made.

Working proactively to promote the rogue landlord team, officers have made links with officers from different service areas such as GMP, GMFRS and Immigration enforcement. Creating these links has helped other services understand what we can do to improve living conditions and where to refer properties they are concerned about, as well as improved joint working to tackle issues with another agency.

5.0 Formal Enforcement Action

- 5.1 Officers serve a range of enforcement notices to tackle housing disrepair where landlords have failed to engage with initial informal requests from both the tenant and the council. Failure to comply with an enforcement notice can result in the council carrying out required repairs in default with works and an establishment charged invoiced to the landlord and assigned as debt against the property where landlords fail to pay. Notices served under the Housing Act 2004 are accompanied by a demand notice for the officers time. These are charged at £300 per notice. 290 enforcement notices were served in 2019/20 with 137 demand notices resulting in £41,100 in fines.
- 5.2 For the most serious offences or where landlords continue to fail in their duties cases are progressed to prosecution or civil penalty as an alternative to prosecution.

In Manchester we have successfully prosecuted a number of landlords and agents for Housing Act offences. Prosecutions are generally resource intensive and can often be a lengthy process. In some cases the low level of fine was not a strong enough deterrent. The Housing and Planning Act 2016 introduced Civil Penalties of up to £30,000 from 6th April 2017 as an alternative to prosecution for certain offences under the Housing Act 2004.

5.3 Figure 4: Number of Civil Penalties issued in 2019/20

| Civil Penalty types 2019/2020 | Total No. | Total fines /charges /outcomes |
|--|-----------|--|
| Breach of HMO Management Regulations | 4 | Civil penalties. Total fines £65,000 |
| Non-compliance with Improvement Notice | 4 | Civil penalties. Total fines £47,350 |
| Breach of HMO licensing | 4 | Civil penalties. Total fines £45,500 |
| Operating a HMO without a licence | 8 | Civil penalties. Total fines £61,850 |
| Failure to obtain selective licence | 6 | Civil penalties. Total fines £22,500 |
| Grand Total | 26 | All Civil Penalties. Total fines £242,200 |

5.4 The level of fine is determined in line with the Council's civil penalty policy looking at the culpability of the offender and the harm caused. As some of the fines are substantial, it is having a real impact and making landlords/agents take note of what their legal obligations are to prevent any further breaches.

5.5 There are a number of appeals against the civil penalties currently pending with the First Tier Tribunal, which may impact on the overall fine figure above. Whilst some landlords have paid their fines or agreed payment plans, there are a number of cases currently with legal debt recovery to pursue the fines.

6.0 Selective Licensing

6.1 The Selective Licensing Pilot areas have now been in operation for three years in Crumpsall, over two years in Moss Side and almost two years in Moston and Old Moat.

6.2 Selective licensing is intended to respond to problems of poor property management, crime and anti-social behaviour (ASB) within a defined geographical area. All privately rented properties within a designated area require a licence, with some exemptions for example property rented to family members, Registered Provider and Council run housing.

- 6.3 Manchester's selective licensing areas encompass approximately 2,000 private rented properties. Each Selective Licensing scheme is designated for 5 years. The pilot areas and duration of each scheme are as follows:

| | |
|-----------|-------------------------------|
| Crumpsall | 13 March 2017 - 12 March 2022 |
| Moss Side | 8 Jan 2018 - 7 Jan 2023 |
| Moston | 23 Apr 2018 - 22 Apr 2023 |
| Old Moat | 23 Apr 2018 - 22 Apr 2023 |

At the end of a designation, the scheme will cease to have effect, unless it is renewed.

- 6.4 The following table provides information on the number of selective licence applications received, the number of licences issued and the number of compliance inspections carried out to date.

| Pilot Area | Applications Received | Licences Granted | Compliance Inspections Completed |
|--------------|-----------------------|------------------|----------------------------------|
| Crumpsall | 352 | 351 | 99 |
| Moston | 306 | 287 | 60 |
| Moss Side | 1022* | 923 | 116 |
| Old Moat | 257* | 180 | 6 |
| TOTAL | 1,937 | 1741 | 281 |

* There were approximately 110 applications which were initially received for selective licensing in the Old Moat and Moss Side areas which were passported over to HMO licensing when the extension to HMO licensing came into effect in 2018.

- 6.5 During compliance inspections officers assess property conditions under the Housing Health and Safety Rating System (HHSRS) as well as assessing compliance against licence conditions. The HHSRS is a risk-based evaluation tool used by officers as an evaluation of the potential risks to health and safety from any deficiency identified in domestic dwellings, in order to take action to reduce/remove threat of harm to occupants.

- 6.6 The following table sets out findings following compliance inspections.

| Pilot Area | Fully Compliant | Broadly Compliant | Non-Compliant |
|------------|-----------------|-------------------|---------------|
| Crumpsall | 14 | 61 | 23 |
| Moston | 12 | 45 | 4 |

| | | | |
|-----------|----|----|---|
| Moss Side | 21 | 71 | 6 |
| Old Moat | 1 | 3 | 1 |

* A number of inspections are ongoing and therefore a number of outcomes are yet to be determined.

6.7 Case Studies

Case Study 7: Compliance Inspection in Moston (Winnie Street) – NORTH

A compliance inspection was carried out to an end terrace property at Winnie Street in Moston to check whether the landlord was compliant with the licence conditions and check the property was in a good condition.

The property had been selected for a routine compliance inspection. On inspection a number of disrepair matters were found, including minor rot to some of the single glazed window frames, no fire detection in the property, no lock to rear external entrance door, all internal doors on the ground floor had non-safety glass and door handles missing from internal doors.

A hazard warning letter was sent to the managing agents highlighting the defects and requiring them to carry out repair work to the hazards found in the property. The property was re-inspected within 2 months of the selective licensing team's intervention.

All windows were replaced with new double glazed units, fire detection fitted to both floors, all non-safety glass removed from internal ground floor doors, new handles fitted to internal doors where required and a new lock was fitted to the rear external entrance door.

The tenants who initially wanted to leave the house decided to stay as it was much warmer in the property since the replacement of the windows. They also felt safer as the landlord was required to install fire detectors and a new lock to the rear door.

Case study 8: Investigation of unlicensed premises in Moss Side- CENTRAL

An unlicensed property was identified on Lindum Street in Moss Site and investigated by the Housing Compliance & Enforcement team. Despite several letters informing the landlord that the property needed a selective licence, the landlord failed to apply for a licence.

The visit to the property confirmed the house was rented out and it had been rented from the start of the designation back in January 2018. Further investigation revealed that the property also had a managing agent. Both the landlord and the manager were interviewed under caution. The landlord admitted during the interview that he had failed to apply for a licence. The manager admitted negligence in ensuring the property he was managing was licensed under the selective licensing regime.

The landlord submitted an application following the interview, however as evidence of an offence had been obtained, the landlord was issued with a financial penalty of £5,000 for failing to apply for a licence and the manager was fined £1,500 for failing to ensure that the property he was managing was licensed.

7.0 HMO Licensing

- 7.1 There are currently 2,103 Mandatory Licensed HMO premises in Manchester. All new applications for a Mandatory HMO Licence receive a pre-licensing inspection prior to a licence being issued, whereas existing licensed premises receive a compliance inspection within the licence period prior to a renewal licence being issued.
- 7.2 At the time of lockdown 73 pre-licensing inspections were outstanding and the team are prioritising these over summer where many student properties are expected to be empty. The use of virtual inspections is being piloted, in particular for those properties that have already been inspected and officers are checking completion of works. Initial feedback has been positive.

Case Study 9: Compliance Inspection - North

A HMO licensing compliance inspection was undertaken at a large B&B located on Collyhurst Street. The purpose of the inspection was to check the conditions of the licence were being adhered to and identify any housing related hazards.

Upon completing the inspection of the habitable areas the licence holder was to provide access to the cellar, which seemed to cause some concern and reluctance. While inspecting the cellar a male was found to be living in a windowless room in an area impossible to escape safely in the event of a fire. An Emergency Prohibition Order was issued to prevent the room from being used as a bedroom and the male was able to find alternative accommodation. The licence holder was issued with a Civil Penalty for £15,500 for placing the occupier in danger and breaching conditions of the licence, by allowing more persons than permitted on the licence.

Without the compliance inspection we would not have been made aware of the occupier living in the cellar and have potentially prevented a dangerous situation. All HMO licensed properties are inspected during the period of the licence to ensure compliance with licensing conditions, HMO and safety standards.

Case Study 10: Investigation into unlicensed HMO Longsight- CENTRAL

Following notification by Greater Manchester Fire and Rescue Service (GMFRS), that there had been a small fire at a property on Meller Road in Longsight, Officers from the Housing Compliance and Enforcement Team visited the property.

During the visit it was discovered that the property was a HMO occupied by 6 people including a family with 2 adults and 1 child living in one bedroom in the attic for which

they paid £370 per month, the other occupiers each paid £320 per month meaning that the landlord had a potential income of £1330 per month.

As the property was occupied by 5 or more persons it should have been licensed under part 2 of the Housing Act 2004.

The visit highlighted concerns regarding the safety of the occupiers due to damaged/ill fitting fire doors, inner rooms, electrical hazards, missing handrails to staircases and a total lack of communal dining space which meant that the tenants would have to eat their meals in their bedrooms. The landlord was also unable to provide satisfactory safety certificates.

An Improvement Notice was served on the landlord instructing that he must remove the category 1 hazard and reduce or remove the category 2 hazards.

The visit also identified breaches under the Management of Houses in Multiple Occupation (England) Regulations 2006.

The result of the intervention meant that the family living in the attic were able to find alternative suitable accommodation, the landlord was issued with a Civil Penalty of £7,500 and the occupation of the property was limited to a maximum of 4 persons as it was not suitable to be occupied by 6 persons.

Case Study 11: Inspections during lockdown - SOUTH

Pre-licensing inspections were carried out at 3 HMO's owned by the same landlord in March 2020 just prior to lockdown. The properties were found to be broadly compliant with the requirements, but some minor hazards were found and remedial works identified.

The officer kept in contact with the owner during lockdown and once the restrictions started to ease, she was able to get the required improvements carried out.

Once we had been notified that all the work was complete, it was agreed that as the properties were low risk, the revisits could be carried out by way of virtual inspections. This meant the agent being present in the properties and making a video call so that the officer could ask the agent to direct the camera at the matters the officer wanted to check, rather than physically attending the properties.

Some difficulties were encountered, such as loss of signal and poor video quality, but these were easily overcome by discussions with the agent who then took photos and videos which were sent later by email. Ultimately the officer was able to be satisfied that all the matters had been addressed without physically attending the property, thereby reducing the risk of potential Coronavirus transmission for both the officer and the agent.

7.2 Review of Policy and HMO Standards: The Private Rented Sector (PRS) Licensing Policy has recently been reviewed and updated to give more clarity

between HMO and Selective Licensing, and to reflect legislative changes (notably the Housing and Planning Act 2016) and good practice.

- 7.3 The HMO standards are based on a variety of legislation/good practice and are intended to provide landlords and tenants with guidance on the Council's expectations and its interpretation of relevant legislation. These documents were reviewed against other local authorities in particular Core Cities and GMCA.
- 7.4 A public consultation is ongoing and closes 25 September 2020; following this the policy and standards will be submitted to the Executive for consideration.

8.0 Illegal Evictions and Landlord Harassment

- 8.1 259 complaints were received in 2019/2020 in relation to illegal eviction and landlord harassment, compared to 224 in 2018/19. 214 of the complaints related to tenants who had been asked to leave their property by the landlord.
- 8.2 In the majority of cases, residents remained in their home and were not evicted from the property, following the Housing Compliance and Enforcement Team making the landlord aware of the due legal process for eviction and the potential enforcement action that could be taken should they not follow this.
- 8.3 To ensure that tenants get the correct advice and support to help them remain in their home or to help with looking for alternative accommodation, the Housing Compliance and Enforcement Team works in partnership with the Councils Housing Solution Team.
- 8.4 In light of the impacts of coronavirus it is anticipated that the council will see an increase in both legal and illegal evictions. The Housing team has reviewed working practices across GM and with other core cities to ensure that it has a robust process for taking forward any potential illegal eviction cases for prosecution, and has strengthened its joint working with Housing Solution colleagues to ensure that every customer is helped the correct way and to prevent duplication across different departments within the Council.

9.0 Electrical Safety Checks

- 9.1 The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020 came into force on 1st June 2020. Following public consultation the government clearly set out that these regulations are designed to strengthen existing requirements, make electrical safety consistent across tenures, and make electrical safety more transparent to tenants.
- 9.2 The duties imposed on landlords (Part 2, Regulation 3) are as follows:
- ensuring electrical safety standards are met,
 - ensuring every electrical installation is tested by a qualified person no less than 5 yearly and a report obtained,

- providing copies of such reports to all tenants following the inspection,
- retaining copies of reports until the next inspection is due and providing copies to the next inspector,
- supplying a copy of the most recent report to any new tenant or prospective tenant,
- ensuring where a report requires further investigative or remedial work that this is carried out within 28 days or less, and providing further copies of such reports to tenants until the matter is resolved,
- providing any such report to the Council within 7 days upon request.

These requirements apply to new tenancies from 1st July 2020 and to all existing tenancies from 1st April 2021.

- 9.3 Electrical installation reports were already a requirement for HMO properties and obtained as part of the HMO licence application process, reports were also requested but not a mandatory part of the selective licensing process. This legislation now formalises the requirement for all PRS properties and will not only become a requirement of the selective licencing application, but also requested as part of every reactive case the team deals with.
- 9.4 The Housing and Planning Act 2016 is the enabling legislation for the regulations. The powers conferred on local authorities include;
- Requesting a copy of electrical safety reports in writing and receive a copy within 7 days,
 - Serving a Remedial Notice requiring landlord to carry out certain works within 28 days (current Improvement Notice under the Housing act 2004 doesn't become operative until AFTER 28 days appeal period has expired)
 - The LA can carry out the remedial works quickly with consent of the tenants,
 - Serve demand notices to recoup costs of works in default.
 - Serving a financial penalties of up to £30,000 for breaches of the regulations and to use this money towards its costs/expenses in carrying out any of its enforcement in relation to the PRS.
- 9.5 Electrical Safety complaints represent 3.5% of the categories of requests for service into the housing team, but more often feature as an additional factor where complaints are received regarding multiple issues. These powers should provide substantial support to resolving these issues with monies recovered from financial penalties being used to further assist the Housing Compliance and enforcement team to carry out more targeted enforcement work.
- 9.6 Next Steps:
- An education and awareness campaign will be undertaken by updating the Council web pages with new requirements, as well as emailing out to all licensed landlords/ mailing lists outlining new requirements.
 - Reviewing data to check for licensed landlords where electrical reports have not been provided.

- Request copies of electrical reports for any domestic private rented properties where concerns have been raised – proactive and/or request for service

10.0 EPC Certificates and Carbon Reduction

- 10.1 An Energy Performance Certificate (EPC) is required, whenever a property is built, sold or rented. The certificate contains information about the property's energy use, typical energy costs and provides recommendations about how to reduce energy use and save money. The energy performance of a building is rated on a scale of A to G, A being highly efficient, G being low efficiency.
- 10.2 The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015 (as amended) set the minimum energy efficiency rating for all private rented properties and make it unlawful for properties with an energy performance rating of F or G to be let. Essentially a landlord who rents a property with an EPC rating below E is required to undertake work to improve its energy performance.

From 1st April 2020, a landlord of a domestic private rented property with an EPC rating of F or G must not continue to let the property until works have been carried out to improve the energy efficiency rating to an E or above. There are certain exemptions to work being required including where cost implications exceed savings expected over 25 years.

- 10.3 Landlords that rent out a property with an EPC rating below an E could be fined up to £5,000.
- 10.4 Next Steps:
- Work has commenced to initially review all licensed PRS properties in Manchester against these requirements, using information from the National EPC register. Any rented addresses with a rating below E will then be contacted on a programmed basis. Officers have also begun to request EPC certificates during all reactive, programmed and proactive inspections.
 - HMOs: As part of the mandatory HMO licence application process we ask whether landlords have a valid EPC in place and if so what the rating is. There is a current licence condition requiring landlords to keep on file the original and provide upon request to the council. This process will be formalised to ensure officers obtain EPC information and take appropriate action where it is either not in place or has a rating below E.
 - Selective: As part of the application process we ask whether landlords have a valid EPC in place and if so what the rating is. There is no selective licence condition pertaining to EPC's, this could be considered for future designations.
 - Inspections: the regulations can be enforced alongside issues identified following an inspection carried out under Housing Health and Safety Rating System (HHSRS), either when responding to requests for service,

(in particular when investigating excess cold and damp and mould complaints), proactively, or at licensed property inspections.

11.0 Impact of Pandemic

- 11.1 Service requests in relation to disrepair in the private rented sector are now starting to increase following a reduction through lockdown. Resource in the reactive team has been bolstered to deal with any backlog in issues by keeping proactive rogue landlord work on hold for the time being. Visits are being carried out in line with health and safety risk assessments to properties where there is an imminent risk to health or properties where disrepair has been ongoing for a long period without resolution.
- 11.2 Pre licensing and compliance inspections are now starting to resume across HMO and Selective Licensing. The Team are exploring new ways of working to ensure properties are compliant which will involve trialling virtual inspections. Any property considered to be high risk will receive a physical inspection. Landlords will also be provided with a property checklist prior to the inspection to ensure they can carry out their own checks and address any hazards beforehand. A landlord guide has been produced and is available as Appendix 1. During lockdown landlord licensing applications had reduced significantly however work to resume progress on applications and to investigate suspect properties should see applications start to increase again.
- 11.3 The team (along with colleagues in homelessness) are monitoring reports of illegal evictions and landlord harassment and have so far seen a small increase in cases in this area. The National Residential Landlords Association has worked with support from GMCA to produce a guide for landlords on managing debt. This is being shared widely with landlords.

<https://news.rla.org.uk/wp-content/uploads/2020/07/rent-arrears-management-guidance.pdf>

12.0 Conclusion

- 12.1 This report outlines the work undertaken by the Housing compliance and Enforcement Team in 2019/ 20 and sets out the impact so far in relation to the Coronavirus pandemic.
- 12.2 The case studies provided illustrate the meaningful impact the work of the team has on improving property standards and ensuring Manchester residents in the private rented sector have a safe place to live.
- 12.3 Much more work needs to be done however, and the importance of retaining resource and a proactive approach within the team cannot be underestimated. The Team are linked closely to the Private Rented Sector Strategy and will continue to work with colleagues in Strategic Housing and Homelessness to deliver this strategy once approved.

Manchester City Council Report for Resolution

Report to: Neighbourhoods and Environment Scrutiny Committee - 2 September 2020
Executive - 9 September 2020

Subject: Fire safety in high rise residential buildings

Report of: Strategic Director (Growth and Development)

Summary

This report provides the Neighbourhoods and Environment Scrutiny Committee and Executive with;

1. The latest information on the removal of unsafe Aluminium Composite Material (ACM) cladding;
2. An update on the collection of data on all External Wall Systems;
3. Information on other fire safety issues in High Rise Residential Buildings;
4. An update on work undertaken on council-owned High Rise Residential Buildings;
5. A description of the Council's interdepartmental Fire Safety Group;
6. An update on the Council's work with residents and, in particular, the Cladiators;
7. A description of the Council's role as an Early Adopter of the Dame Judith Hackitt recommendations; and
8. An introduction to the Building Safety Bill and Fire Safety Bill and the implications for Manchester.

Recommendations

The Neighbourhoods and Environment Scrutiny Committee is asked to note and comment on the contents of the report.

The Executive is recommended to:

1. Note this report
 2. Delegate to the Strategic Director (Growth and Development) in consultation with the Executive Member for Housing and Regeneration responsibility to develop a process for Mandatory Occurrence Reporting as detailed in section 9.10
 3. Agree that the Accountable Person for buildings in scope is the Council of the City of Manchester as described in section 9.16.
-

Wards Affected: All

| Manchester Strategy outcomes | Summary of the contribution to the strategy |
|---|--|
| A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities | The Council has continued to work with partners to drive forward major development schemes that provide safe accommodation, stimulate economic growth and job creation. |
| A highly skilled city: world class and home grown talent sustaining the city's economic success | The City aims to provide safe accommodation which encourages people worldwide to visit, keeping those with the skills the City needs, keeping our home grown professionals. |
| A progressive and equitable city: making a positive contribution by unlocking the potential of our communities | Everyone will have the same opportunities and life chances no matter where they're born or live in safe accommodation. Voluntary and community groups will find new ways to reach those as yet untouched by Manchester's success to create resilient and vibrant communities. |
| A liveable and low carbon city: a destination of choice to live, visit, work | The right mix of quality safe accommodation is needed to support growth and ensure that our growing population can live and work in the city and enjoy a good quality of life. |
| A connected city: world class infrastructure and connectivity to drive growth | The City's transport system has an enormous influence on the lives and prospects of Manchester's residents. To enable people to access jobs we are creating efficient transport systems that link residential communities to employment centres. |

Full details are in the body of the report, along with any implications for

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

The Council owns 36 high rise buildings. The new Building Safety regime requires owners to employ Building Safety Managers to ensure all relevant buildings are managed safely and residents are kept fully engaged.

At this stage the number of managers required and the cost of employing Building Safety Managers has not been established.

Financial Consequences – Capital

There are no specific capital requirements as a result of this report

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

Reports to Executive

28 June 2017 - Grenfell Tower – The Implications for Manchester
13 September 2017 - Grenfell Tower - Update on the Implications for Manchester
13 December 2017 - Grenfell Tower - Update on the Implications for Manchester
14 November 2018 - Sprinkler and fire safety works update

1.0 Introduction

- 1.1 The Grenfell Tower fire happened over 3 years ago on the evening of 14 June 2017 resulting in 72 deaths. Following this tragic event owners of high rise residential buildings (over 18m) have been required to identify the cladding materials on those buildings and to remove any which do not meet the current fire safety standards.
- 1.2 In Manchester, the Council and Greater Manchester Fire and Rescue Service (GMFRS) identified over 200 private high rise buildings and 12 which had material which had to be removed. Where such material existed GMFRS, in almost all cases, required the owner to undertake Interim Measures (usually a waking watch) until the material was removed
- 1.3 14 high rise buildings owned by Registered Providers (Housing Associations) were also identified as having similar cladding to that on Grenfell Tower.

2.0 Progress

- 2.1 At the end of August 2020 all of the dangerous ACM cladding has been removed from the blocks owned by Registered Providers.
- 2.2 Work has been completed at 2 of the 12 privately-owned high rise buildings (Cypress Place and Vallea Court).
- 2.3 Work to 4 buildings is ongoing although it has been delayed as a result of the Covid-19 pandemic.
- 2.4 It is unclear when work will begin at the other 6 buildings.
- 2.5 The table below shows the 10 buildings where the cladding still needs to be replaced and the current works status:

| Building name | Address | Work started? |
|---------------------------------------|--------------------------|---------------|
| One Smithfield Square | 122 High Street | Yes |
| Pall Mall House | 18 Church Street | Yes |
| Vita Student – First Street | 13 Jack Rosenthal Street | Yes |
| Wilmslow Park | Hathersage Road | Yes |
| Citygate 1 | 1 Blantyre Street | No |
| Citygate 2 | 3 Blantyre Street | No |
| Citygate 3 | 5 Blantyre Street | No |
| The Quadrangle | 1 Lower Ormond Street | No |
| X1 Eastbank Tower | Advent Way | No |
| Travelodge – Manchester Central Arena | Great Ducie Street | No |

- 2.6 Information obtained by the Council's Building Control section suggests that plans are in place to submit Building Regulations applications for 5 of the 6 in the next 2 months, with the intention to begin work as soon as possible thereafter. Though much will depend on the ability to access the government remediation fund.
- 2.7 The owners of the Travelodge have not responded.

3.0 Other External Wall Systems

- 3.1 Last year the government asked local authorities to contact all private high rise building owners again and to ask them to identify all of the external wall systems on each building they owned. Owners were asked to identify the type and amount (percentage) of insulation and cladding on each elevation and the material on any balconies on the building.
- 3.2 Officers contacted the owners or managers of just over 200 high rise buildings and, to date, have received detailed information from all except 5.
- 3.3 There is only one high rise residential building where the information has not yet been provided. However, the agents responsible for the building have commissioned surveys and we expect the information in the next few weeks.
- 3.4 Whilst most owners and manager provided the information when requested, some have been much less responsive and the Council has had to inform them that it would publish the addresses of the buildings and the agent responsible if they failed to respond.
- 3.5 Referrals were made to the Housing Enforcement and Compliance Team in Neighbourhood Services who began the initial stages of the enforcement process using section 235 of the Housing Act 2004, which requires the provision of documents reasonably required by the authority.

It is an offence to fail to do anything required by notice served under section 235 of the Housing Act 2004. Such offence is liable, on summary conviction, to a fine not exceeding £5000.

It appears that this course of action will not now be necessary, as long as the information is provided soon on the 3 remaining buildings.

- 3.6 In February 2020 the government included student accommodation and hotels in the list of buildings required to provide external wall system information

The response from owners and managers has been positive and to date they have provided the relevant information on 64 of the 71 buildings in scope.

There are 26 student blocks in scope and we have information for all of them
There are 43 hotels and we have information on 39

The owners of 3 of the 4 remaining hotels have committed to provide the information as soon as possible and have engaged surveyors to assist them.

There is only one building - The Works Aparthotel, 33 Withy Grove, M4 – where we have not been able to contact the owner and they have not responded to any correspondence.

The Housing Enforcement and Compliance Team do not have power to take any action as this is not classed as a residential building. The Council will, therefore, work with GMFRS to try to get the owner to engage.

The government has extended the deadline for providing information to 30 October 2020 so there is some time left for the owner to respond.

4.0 Other Fire Safety concerns

4.1 Many other high rise buildings were found to have fire safety issues when they were inspected by GMFRS following the Grenfell fire. All were instructed to adopt interim safety measures, which most often included employment of 24-hour waking watches. 49 high rise residential buildings are still subject to Interim Measures over 3 years after the Grenfell fire.

4.2 During 2020 the Government announced that High Pressure Laminate (HPL) cladding should also be removed and identified a further fund which owners could apply to for assistance. However, it excluded those buildings where remedial work was underway, penalising those owners and leaseholders who had been more active in getting their problems resolved. In Manchester residents in Skyline Central had agreed to take out a loan, from their building owner, to cover the cost of cladding replacement. Because they had signed up to this before the fund was announced the owners are unable to qualify for any government support. Legal action is being taken by the leaseholders to attempt to overturn this decision.

4.3 It should be noted that there are other multi-occupied buildings in Manchester, which are below the 18m height threshold, which also have Interim Measures. Unfortunately there isn't an accessible database of buildings so the total number is unknown. GMFRS simply know about the buildings that they have actually visited and inspected but there has been no requirement to inspect buildings below 18m to date.

4.4 EWS1 forms

People living in high rise buildings have had significant problems when trying to sell flats since the Grenfell disaster. In order to try to stimulate the market the Royal Institute of Chartered Surveyors (RICS) designed a form for completion by a competent person confirming details of the External Wall System on a building. This form, EWS1, is intended for recording, in a consistent manner, what assessment has been carried out for the external wall construction of residential

apartment buildings where the highest floor is 18m or more above ground level or where specific concerns exist.

- 4.5 The form is in use now but there has been some criticism about the length of time taken to complete a form, the cost of producing it and the lack of suitably qualified fire engineers, or others, with sufficient liability insurance to undertake the work.
- 4.6 The Council is not required to produce an EWS1 form for all of the blocks it owns but it is recommended by RICS to help people who want to buy or sell an apartment in a relevant building.
- 4.7 Northwards Housing have commissioned a contractor to identify the external wall insulation on one of the tower blocks that they manage and to complete an EWS1 form to understand the likely time and cost involved. Once this is completed they will develop a programme of work in order to produce an EWS1 form for all of the relevant blocks, which will assist leaseholders to market their property.

5.0 Work to Council-owned buildings

- 5.1 Following inspections after the Grenfell fire, none of the high rise residential buildings owned by the Council had ACM cladding on them. However, the detailed fire risk assessments did identify a number of other issues which needed to be resolved.
- 5.2 Brunswick PFI
- 5.3 In Brunswick a more detailed inspection, by the Council's Building Control service, of an empty flat which had been damaged by a previous fire, identified a potential breach of the compartmentation in 3 of the 4 tower blocks. Building Control informed the PFI contractor and Greater Manchester Fire and Rescue Service (GMFRS) and it was agreed that fire marshals (waking watch) should be deployed in each of the 4 tower blocks 24 hours per day and, for the 3 tower blocks affected, the Stay Put policy was amended to an Evacuate policy.
- 5.4 The contractor has now satisfactorily completed all of the work to remedy this defect.
- 5.5 Miles Platting PFI
- 5.6 There are 7 tower blocks in Miles Platting which have had external wall insulation applied between 2008 and 2011. The Council's Building Control section assessed the plans and specification for Building Regulations and are satisfied that it is not the same type as that used on Grenfell Tower and that the system that was specified meets the current Building Regulations with regard to fire safety.

- 5.7 Further detailed fire risk assessments identified that the front door to each flat was of the same, or similar, type as that used on Grenfell Tower. Whilst the door met the Building Regulations at the time it was installed, the contractor has decided to replace all of them ahead of the scheduled replacement date in the PFI contract. Work started in August 2020 as contractors mobilised again following the Covid 19 lockdown.
- 5.8 Plymouth Grove PFI
- 5.9 There are no buildings in scope on this estate.
- 5.10 West Gorton
- 5.11 Five 4-storey apartment blocks were built for the Council in 2010 and all have some external render and cladding. Whilst these buildings are not within the scope of the Hackitt proposals (much lower than 18m) the Council is working to identify the type of cladding to determine whether any action is required.
- 5.12 Northwards Housing
- 5.13 Northwards Housing commissioned Type 4 fire risk assessments at each of the high rise building it manages for the Council following Grenfell. Whilst none of the buildings featured cladding similar to that on Grenfell Tower, it was discovered that there were high pressure laminate (HPL) panels on Whitebeck Court. Whilst the panels were suitable under the Building Regulations in force at the time the work was undertaken, the main contractor, Wates (a Hackitt Early Adopter – see section 8.0) decided to replace the cladding and insulation at their own expense.
- 5.14 Sprinklers
- 5.15 Work began before lockdown on installing sprinklers in tower blocks managed by Northwards Housing. The Executive will be aware that the installation was offered free of charge to leaseholders but also it was an option for tenants to have sprinklers installed. In the four tower blocks in Collyhurst a significant number of tenants have refused to have sprinklers installed. This has not been repeated in other blocks where Northwards have started work. Sprinklers will be fitted whenever a property becomes empty.
- 5.16 Now that the Council has some experience of the issues in fitting sprinkler systems we are discussing the installation with the PFI contractors in Miles Platting (7 blocks) and Brunswick (4 blocks). Sprinklers will also be installed in Woodward Court as part of a wider programme of work.

6.0 Fire safety group

- 6.1 In the days immediately following the Grenfell Tower fire the Director of Housing and Executive Member for Housing and Regeneration established a group of key people to enable the Council to respond appropriately.
- 6.2 The group included representatives from Housing, Building Control, Neighbourhood Services, Legal and GMFRS
- 6.3 This group has met regularly during the past 3 years to monitor progress on remediation and to respond to the Hackitt report and the Grenfell Tower public inquiry.
- 6.4 Following our decision to become an Early Adopter it has been agreed that this group is reviewed and other key personnel have joined including senior officers from the Capital Programmes team and Procurement.
- 6.5 The resource requirement to undertake our role as an Early Adopter should not be underestimated. There are likely to be serious demands on colleagues within Housing, Planning and Building Control and elsewhere in the Council and officers are currently attempting to quantify this.
- 6.6 The Council is also a member of the Greater Manchester High Rise Task Force led by Paul Dennett, City Mayor, Salford City Council (and portfolio holder for Housing, homelessness and infrastructure at the Combined Authority).

7.0 Work with residents, including the Cladiators

- 7.1 Residents in a number of high rise residential buildings in Manchester have been working together and with the Council to lobby the government for either extra resources to resolve fire safety issues or to make the owners of buildings pay for the works rather than passing this burden onto leaseholders. One group, representing a number of mainly city centre blocks, has created a campaigning body known, nationally, as the Cladiators.
- 7.2 The Executive Member for Housing and Regeneration, along with colleagues from Strategic Housing and Neighbourhoods, meets the Cladiators regularly to offer advice and support.
- 7.3 The Cladiators, along with the Council, have been successful in ensuring that the government identify funding for the removal of the type of panels (ACM) used on Grenfell Tower and other dangerous types of external wall coverings. However, the funding provided is clearly insufficient to deal with the known problems and excludes remedial work to deal with other fire safety issues which are not related to the external walls. The Council and the Cladiators, along with the GM High Rise Task Force and others across the country, have made it clear to the

government that there is insufficient funding to remedy the defects but, to date, they have refused to offer any more.

- 7.4 The Council will continue to support residents and work with them to lobby the government for more resources to deal with all fire safety issues in multi-occupied buildings. The Council will continue to argue that leaseholders should not be made to pay to remedy problems in poorly constructed buildings. The Council will also support Greater Manchester Fire and Rescue Service and residents in lobbying the government to provide funding to remedy all fire safety issues in multi-occupied buildings irrespective of the arbitrary 18m height definition.

8.0 Early Adopters

- 8.1 In December last year the Council joined a government-led group (Early Adopters) looking at how to practically implement the recommendations from Dame Judith Hackitt's review of the Grenfell Tower tragedy.

- 8.2 The eight industry organisations who are the Early Adopters are:

Barratt Developments, Kier, Wates, Willmott Dixon, United Living (Developers)

L&Q, Peabody, Salix Homes, (Registered Providers).

The Local Authority Early Adopters are:

Birmingham City Council,
London Borough of Camden,
Manchester City Council
London Borough of Richmond
London Borough of Wandsworth.

- 8.3 The purpose of the **Early Adopters Scheme** is to lead industry change and ensure buildings are safe for residents.

The government is keen for industry to take advantage of opportunities identified in the Hackitt Report, *Building a Safer Future – Independent Review of Building Regulations and Fire Safety*, to drive action on building safety to improve practice and behaviour in the industry in advance of legislation.

- 8.4 The aims of the scheme are for Early Adopters to:

- Lead and drive forward Hackitt recommendations to champion building safety and share best practice to encourage culture change across industry.
- Implement changes across their organisations to ensure that building safety is considered upfront so that buildings they are working on are safer for residents, prior to changes in regulations and legislation.

- Support the government and play an active role in the development of building safety policy.

8.5 The government has developed, alongside the Early Adopters, a Building Safety Charter. The Charter is intended to support and align with the new Building Safety Regulator and focuses on putting safety first through independent verification and benchmarking. The Council, along with the other Early Adopters and the Combined Authority, has signed this Charter.

8.6 The Building Safety Charter sets out five commitments:

1. Collaborate to spearhead culture change and be a voice of building safety across our sector.
2. Be transparent in the interests of safety, sharing key information with residents, clients, contractors, and statutory bodies in a useful and accessible manner in the design, construction and occupation phases of the process.
3. Make safety a key factor of choice in who we work with, ensuring that building safety is placed at the centre of selection decisions without compromising quality or value for money.
4. Ensuring the voices and safety of residents, visitors, staff and employees are central in our decision-making process.
5. Set out and communicate clear responsibilities within our organisation and with our partners, ensuring everyone with a stake in the building during design, construction and occupation understands their role and has the time and resources they need to achieve and maintain building safety.

9.0 Building Safety Bill and Fire Safety Bill

9.1 Introduction

The Government has accepted all 53 of the Hackitt recommendations contained in the “Building a Safer Future” report and, in some instances, intends to go even further than the report set out. The Government will legislate for these reforms in new primary legislation through the Building Safety Bill and further secondary legislation where necessary. .

Together, measures in the draft Building Safety Bill, Fire Safety Bill, and Fire Safety Order Consultation are aimed at improving safety standards for residents of all blocks of flats of all heights, with even more stringent approaches and oversight for buildings in scope.

Main elements of the Fire Safety Bill include a clarification that the scope of the Regulatory Reform (Fire Safety) Order 2005 (‘RRFSO’) ‘includes the external

walls of the building, including cladding’ as well as ‘fire doors for domestic premises of multiple occupancy’. This places a legal requirement on building owners to inspect cladding, balconies, windows and fire doors in blocks of flats. All residential buildings over six storeys will be covered by this new fire safety regime, while sprinklers will be required on all buildings above 11 metres.

9.2 Buildings in scope of the new regulatory system

Buildings in scope will initially be all multi-occupied residential buildings of 18 metres or more in height, or more than six storeys, but this will be extended to include other premises. Factors such as numbers of residents and vulnerability of occupants will be considered, alongside height, with the type and use of buildings in scope being extended further. There will be a staged transition period for existing buildings in scope. The Building Safety Regulator will take into account the information available to the Accountable Person (defined in paragraph 9.5) at the time of the application. Before the end of each transitional stage (design, construction, occupation and refurbishment), it will be the responsibility of the Accountable Person to register the building with the Building Safety Regulator and to produce a Building Safety Case report for assessment. Failure to do so will be considered an offence by the Accountable Person. The transition period will be staged in a planned and phased way, the details of which will be set out later this year.

9.3 New Regulator

Government will establish a new, national Building Safety Regulator. The new Building Safety Regulator will be responsible for all major regulatory decisions made at key points during the design, construction, occupation and refurbishment of buildings in scope. The Building Safety Regulator will be established in the Health and Safety Executive (HSE) and report to the Secretary of State for Housing, who will retain overall responsibility for the regulatory system. As a priority, the Building Safety Regulator will appoint a Chief Inspector of Buildings to prepare the necessary infrastructure within the HSE. The Building Safety Regulator will establish a national register of buildings in scope. The Building Safety Regulator will ensure that resident complaints about safety issues that have been escalated to the regulator are investigated and dealt with in a timely and effective manner. The Building Safety Regulator will oversee and publish reports on the performance of Building Control, with sanctions available where Building Control services are failing.

Dame Judith Hackitt will provide independent advice to the government on how best to establish the Building Safety Regulator.

9.4 The Duty Holder/Accountable Person

When buildings are designed, constructed or refurbished duty holders (including duty holders in existing Construction, Design and Management regulations) will

have responsibilities for formal compliance with Building Regulations. A duty holder will typically be an organisation and legal entity but could be a single, named individual. In all cases a named individual, with responsibility for building safety should be identified.

9.5 The Accountable Person - Occupied Buildings

The Accountable Person is the duty holder for occupation and will be responsible for applying for, and meeting, the conditions of the Building Registration Certificate. The Accountable Person will be the individual, partnership or corporate body with the legal right to receive funds through service charges or rent from leaseholders and tenants in the building. The Accountable Person will also be identifiable by their legal responsibility for the upkeep and maintenance of the structure and outside of the building, and the plant room and common parts within. The Accountable Person will, therefore, in most cases, be the freeholder or head lessee, including overall landlord or a management company, such as those with responsibility under the lease for collecting and discharging service charges or a right to manage company. The Government will produce comprehensive guidance to help identify and support the Accountable Person where there is a complex ownership structure, such as buildings with residential and commercial occupants.

9.6 Building Registration Certificate

To register a building, the Accountable Person will be required to provide specified information such as the core details identifying the building, the details of the Accountable Person and the details of the Building Safety Manager to the Building Safety Regulator. The Accountable Person will be obliged to comply with any specific conditions attached to their Building Registration Certificate, or face penalties including possible criminal sanction. Without a valid Building Registration Certificate, a building in scope cannot legally be occupied.

9.7 Building Safety Manager

The Building Safety Manager will be appointed by the Accountable Person and can either be a legal entity or a person. In both scenarios, the Accountable Person will be obliged to make adequate resources available (including time and funding) to allow the Building Safety Manager to comply with a number of functions. The Building Safety Manager will maintain the building's safety case and ensure the conditions in the Building Registration Certificate are complied with to the satisfaction of the Accountable Person and the Building Safety Regulator. The Building Safety Manager will ensure those employed in the maintenance and management of the building's fire and structural safety have the necessary competence requirements to carry out the role they are undertaking. The Building Safety Manager will engage with residents in the safe management of their building, through producing and implementing a Resident Engagement Strategy. The Building Safety Manager will undertake several functions on behalf

of the Accountable Person, with whom the legal responsibility remains. It is, therefore, essential that the Building Safety Manager has the necessary skills, knowledge, experience, time and resources to carry out these functions.

9.8 Safety case

Submitting a safety case report to the Building Safety Regulator will be a mandatory requirement. The Building Safety Manager will be required to keep the safety case up to date as a way of providing themselves, and their residents, with the assurance that they understand the fire and structural risks in their buildings. The safety case should refer to the totality of the building safety information and include all supporting evidence identifying how fire and structural risks are being managed. This is consistent with the approach undertaken for fire risk assessments under the Fire Safety Order. The Government will issue a template demonstrating how to compile and complete a safety case report.

9.9 Golden thread

Duty holders will be responsible for creating and maintaining the golden thread of building information related to fire and structural safety. The golden thread will be held digitally to ensure that the original design, intent and any subsequent changes to the building are captured. The Government will publish guidance and standards setting out what digital requirements the golden thread of information would have to meet, including specifications regarding the sharing of and access to information.

9.10 Mandatory occurrence reporting

The Building Safety Regulator will establish a system of mandatory occurrence reporting for duty holders. In the occupation phase, it will be a statutory function of the Building Safety Manager to set up a framework to report occurrences. The Building Safety Regulator will be made a prescribed person under the Public Interest Disclosure Act 1998. This will afford workers protection from detrimental treatment or victimisation from their employer when making disclosures in the public interest; more commonly known as whistleblowing protection. The Duty holder and Accountable Person will also be encouraged to report structural and fire safety occurrences, which are not classified as mandatory occurrences under this new reporting regime, to a voluntary reporting scheme.

As a member of the Early Adopters group, and in support of our pledge to make our buildings safe to live in, work in and visit, we have looked at this task and recommend that the Council goes further than the Hackitt recommendations and introduce a system of building safety occurrence reporting for all of our buildings, regardless of their use.

Attached, at Appendix 1, is a copy of a draft on-line reporting form that will inform the Council about any serious safety related incidents and concerns and is

intended to be used by the managers of Council-owned buildings. However, its use is not restricted to managers alone and residents and occupants of our buildings can also use this form, particularly where attempts to raise concerns with a building manager has not resulted in a satisfactory outcome.

The type and nature of the building and the safety concern reported will dictate who will investigate the matter. However, the system we are proposing to introduce will, eventually, be used to report safety concerns to the Building Safety Regulator for those buildings that will come under the regulator's control.

The Council expects that the reporting of safety concerns by those responsible for managing our buildings becomes a culture to be embraced and not to be stigmatised by fear of reprisal or retribution. As such, reporters of serious safety concerns should feel safe in the knowledge that they will not be treated unfairly by making such reports. Conversely, as Hackitt recommends, not reporting serious safety concerns, when these are known, by those responsible for managing buildings, will be treated as a breach of a manager's duty and may result in sanctions being imposed for not reporting a serious safety concern to either the Council or, in the future, the regulator.

The government's expectation is that building safety occurrence reports will be made available to the residents and occupants of our buildings.

9.11 Building refurbishment

Before a building in scope undergoes any defined refurbishment, the Building Safety Manager will need to engage with residents on their proposals and update the safety case on any changes that might affect the fire and/or structural safety of the building. If the refurbishment is subject to the building regulations and being commissioned or undertaken by the Accountable Person or the Building Safety Manager, then the Building Safety Manager or the Accountable Person will be required to submit an application for the building work to the Building Safety Regulator. Work cannot start before Building Safety Regulator approval. Depending on the scale of the refurbishment, the Building Safety Regulator will have the power to request any other relevant information. Residents proposing a refurbishment to their own property will be required to notify the Building Safety Manager. If required, the Building Safety Manager will need to update the safety case and confirm to the resident whether or not the refurbishment can be undertaken (having regard to the safety case). If the changes might affect the fire or structural safety of the building, or are subject to building regulations, the resident, or contractor undertaking the refurbishment on behalf of the resident, will be required to notify the Building Safety Regulator prior to, and on completion of the work. Any application for, or notification of, building work must be accompanied by an updated safety case (or part, or parts thereof) or a declaration from the Building Safety Manager that the proposed work has no foreseeable impact on fire and/or structural risk.

9.12 Resident engagement

The Building Safety Manager will be required to produce and implement a Resident Engagement Strategy, setting out how they will inform and engage residents and involve them in decision making. This will be reviewed alongside the safety case by the Building Safety Regulator to ensure that it is robust, and the Building Safety Manager will be held to account for poor performance. Residents will have a transparent process to complain to their Building Safety Manager about fire or structural safety issues.

9.13 Residents' responsibilities

The Government will introduce a new statutory duty requiring residents to cooperate with the Building Safety Manager in the fulfilment of their functions. This general duty to cooperate will be supported by a set of specific duties, which will mean that residents have legal responsibilities to avoid actions that could pose a risk to the fire and structural safety of the building. The Building Safety Manager will have a route to enforce resident responsibilities that balances individual residents' rights with the need for effective, timely enforcement where there is a risk to the safety of other residents. The Building Safety Manager will have the ability to enforce the statutory duty through the courts.

9.14 Industry Safety Steering Group

The Industry Safety Steering Group (ISSG) was formed in September 2018 to report on the progress of the construction industry in delivering culture change and to challenge, and hold industry to account, on behalf of the Secretary of State for the Ministry of Housing, Communities and Local Government. It is chaired by Dame Judith Hackitt.

Their second report provides an update on the work of the ISSG from July 2019 to June 2020. During this time the group have heard from 40 organisations and have explored the following issues and themes:

- Building Ownership and Building Management
- Competence
- Building Control
- Mortgage Lending
- Professional Indemnity Insurance
- Commissioning and Procurement
- Standard Forms of Contracts
- Culture Change and Collaboration

The report highlights many areas of good practice but finds that there is a need for further change and progress by industry now, ahead of the legislation.

The government has welcomed the ISSG's report, in particular the progress it demonstrates in some parts of industry to deliver culture change. The government also recognises that more work needs to be done and that the ISSG has a continuing and vital role in ensuring that change is made to support better building safety.

Below is the Foreword from the report by Dame Judith Hackitt along with a link to the full report:

As Chair of the Industry Safety Steering Group I am pleased to present our second annual report. Over the last year our work has continued to encourage the whole industry to make progress with change ahead of legislation and we have also extended our work to look at how other associated sectors such as insurance, finance and contractual arrangements impact upon the behaviours of the sector.

I want to thank all of the members of ISSG for their ongoing commitment to this challenging work. Our bi-monthly meetings are always very well attended, every single member makes a significant contribution to the debate and to challenging those who we invite to attend our meetings and when they have been asked to commit more time to the work of the group they have all done so willingly because they care about delivering the outcome we were tasked with – driving culture change and identifying ways to overcome blockages to progress in delivering safer buildings.

In the last year it has become clear that some parts of the industry are making real progress but it has been equally frustrating for me and my colleagues on ISSG to keep hearing that others are waiting to see what the new regulatory regime looks like before they take action.

Given the clear evidence that continues to emerge of concerns about high rise building safety which go beyond ACM cladding, we believe that there is a moral obligation on the industry to step up to a different approach. In the last few months my thoughts have often turned to those who are locked down in buildings where they know there is rectification work that needs to be done and my heart has gone out to them. We are determined to continue our work to deliver change.

Such is the commitment of the members of the ISSG that this year they have taken the decision to continue to meet beyond the originally envisaged two year time frame and to push even harder to drive change. The group will continue to operate until such time as we feel we can hand over our role to the new Building Safety Regulator. In my capacity as Chair of the Transition Board to establish the new regulator I am able to ensure that our work is fed into the new regulator and I am pleased that the Director of Building Safety and Construction of the new regulator has joined the ISSG so that we can share our knowledge and intelligence of the industry.

In the next year one important task which we will undertake is to look for ways to recognise and accredit those who are leading the industry in the right direction. We believe that consumers deserve to know who they can trust and those who are showing the right commitment should be recognised.

We all acknowledge that the coming year is going to be challenging for our economy as a whole and that will include the built environment. There remains a pressing need for new homes and for dwellings that are compatible with achieving Net Zero but there can be no question of trade-offs – ensuring that residents feel safe and are safe in their homes remains constant.

Dame Judith Hackitt DBE FREng 20 July 2020

The full report can be found at the link below:

<https://www.gov.uk/government/publications/building-safety-industry-safety-steering-group-second-report-on-culture-change-in-the-construction-sector>

9.15 Enforcement and sanctions

The Building Safety Regulator will have a range of tools available, applicable to any duty holder or Accountable Person, including reviewing the Building Registration Certificate, which could ultimately lead to revocation and, where appropriate, the ability to prosecute the duty holder and/or the Accountable Person as appropriate, potentially leading to an unlimited fine. The new regulatory regime will sit alongside the enforcement powers local authorities have under this legislation. The Accountable Person may be the responsible person under the Fire Safety Order, but it will be on the relevant duty holder to demonstrate that their actions have met both the requirements of the new regime and the existing Fire Safety Order requirements. Where a building is mixed-used, the Government will introduce duties of cooperation between the responsible person(s) under the Fire Safety Order and the Accountable Person(s) under the new regime in order to ensure that the building as a whole is effectively managed.

9.16 Roles and responsibilities in Manchester

There are differing views on the identity of the Accountable Person but it can be a corporate entity rather than an individual.

It is recommended, therefore, that for Council-owned High Rise Residential Buildings the Accountable Person is the Council of the City of Manchester.

The Council owns 36 high rise buildings which are currently in scope.

20 are managed by Northwards Housing

4 are managed by Avro Hollows Tenant Management Organisation

7 are managed by Renaissance Miles Platting Limited (Jigsaw Homes is the housing management contractor)

4 are managed by Solutions 4 Brunswick (Onward Homes are the housing management contractor)

1 is managed by Corporate Estates

Each building will require a Building Safety Manager

Officers are working closely with Northwards Housing and the PFI contractors to determine how many buildings one Building Safety Manager could manage effectively.

In some cases, local authorities and other high rise building owners are considering employing Building Safety Managers directly. In others, the owners are intending to employ consultants who will be able to access a range of support from specialists within their organisations (such as fire engineers) and who will carry professional liability insurance.

9.17 New versus existing buildings

Once the Bill is enacted the regulations will come into force immediately for buildings under construction. In fact, as referred to above, Dame Judith Hackitt is expecting the construction industry to adopt her recommendations voluntarily before the Bill becomes law.

There is an acknowledgment, by the government, however, that the new regime cannot be imposed on all existing High Rise Residential Building owners immediately and that there will have to be a phased implementation for these buildings. To date there are no details, however, on how long this phase might last.

10.0 Contributing to the Manchester Strategy

(a) A thriving and sustainable city

The delivery of providing safe accommodation could provide the opportunity for an increase in employment across the various schemes.

(b) A highly skilled city

The provision of safe accommodation will encourage young people and graduates, to be attracted to apprenticeships and work placements

(c) A progressive and equitable city

The planning process of the schemes will encourage residents to get involved and influence decision making for providing safe accommodation.

(d) A liveable and low carbon city

The right mix of quality safe accommodation is needed to support growth and ensure that our growing population can live and work in the city and enjoy a good quality of life.

(e) A connected city

Implementation of safe accommodation across the City. The work will reinforce the City's role as the centre of providing safe accommodation.

11.0 Key Policies and Considerations

(a) Equal Opportunities

Adopting the recommendations made following the Grenfell fire should ensure that all residents in relevant buildings are as safe as possible.

(b) Risk Management

Implementing the recommendations made following the Grenfell fire is intended to manage the risks in High Rise Residential Buildings.

The City Council's Short Term Financial Strategy includes an assessment of budget risk for implementing fire safety measures.

(c) Legal Considerations

As this work develops we may need to work with legal colleagues to ensure that contractors can gain access to undertake any necessary inspections and fire safety works that may be required.

**Manchester City Council
Report for Information**

Report to: Neighbourhoods and Environment Scrutiny Committee
– 2 September 2020

Subject: Overview Report

Report of: Governance and Scrutiny Support Unit

Summary

This report provides the following information:

- Recommendations Monitor
- A summary of key decisions relating to the Committee's remit
- Items for Information
- Work Programme

Recommendation

The Committee is invited to discuss the information provided and agree any changes to the work programme that are necessary.

Contact Officers:

Name: Lee Walker
Position: Scrutiny Support Officer
Telephone: 0161 234 3376
Email: l.walker@manchester.gov.uk

Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

None

1. Monitoring Previous Recommendations

This section of the report lists recommendations made by the Neighbourhoods and Environment Scrutiny Committee. Where applicable, responses to each will indicate whether the recommendation will be implemented, and if it will be, how this will be done.

| Date | Item | Recommendation | Response | Contact Officer |
|-----------------|--|---|--|----------------------------|
| 9 October 2019 | NESC/19/39 Waste, Recycling and Street Cleansing Update | Recommend that the Executive Member for Neighbourhoods reviews the Biffa contract to ensure that it stipulates that Biffa operatives to replace emptied bins in a safe and appropriate manner so as not to cause a hazard or obstruction to other users of the highway and pavement. | A response to this recommendation has been requested and will be circulated once received. | Cllr Akbar |
| 5 February 2020 | NESC/20/13 Planning Conditions and Enforcement | The Committee recommend that the Executive Member for Neighbourhoods and the Executive Member for Environment, Planning and Transport work together to ensure that appropriate measures are in place to mitigate the disruption to residents and services delivered in neighbourhoods that result from building construction. | A response to this recommendation has been requested and will be circulated once received. | Cllr Akbar and Cllr Stogia |

2. Key Decisions

The Council is required to publish details of key decisions that will be taken at least 28 days before the decision is due to be taken. Details of key decisions that are due to be taken are published on a monthly basis in the Register of Key Decisions.

A key decision, as defined in the Council's Constitution is an executive decision, which is likely:

- To result in the Council incurring expenditure which is, or the making of savings which are, significant having regard to the Council's budget for the service or function to which the decision relates, or
- To be significant in terms of its effects on communities living or working in an area comprising two or more wards in the area of the city.

The Council Constitution defines 'significant' as being expenditure or savings (including the loss of income or capital receipts) in excess of £500k, providing that is not more than 10% of the gross operating expenditure for any budget heading in the in the Council's Revenue Budget Book, and subject to other defined exceptions.

An extract of the most recent Register of Key Decisions, published on **20 August 2020**, containing details of the decisions under the Committee's remit is included overleaf. This is to keep members informed of what decisions are being taken and to agree, whether to include in the work programme of the Committee.

Decisions that were taken before the publication of this report are marked *

| Decision title / Subject | Decision maker | Planned date of decision | Documents to be considered | Contact officer details |
|--|----------------|--------------------------|--|---|
| Manchester City Council Private Rented Sector Licensing Policy and HMO Standards (2020/03/13A) To approve the updated policy and standards | Executive | 3 Jun 2020 | MCC Private Rented Sector Licensing Policy and HMO Standards | Emma Broadbent e.broadbent@manchester.gov.uk, Kate Andrews kate.andrews@manchester.gov.uk |
| Private Rented Sector | Executive | 29 Jul 2020 | Executive report, | Kevin Lowry, Interim Director for Housing |

| Decision title / Subject | Decision maker | Planned date of decision | Documents to be considered | Contact officer details |
|--|----------------|--------------------------|--|---|
| <p>Strategy 2020-25 and delivery plan (2020/06/22A) To approve the Private Rented Sector Strategy 2020-25 and delivery plan.</p> | | | Private Rented Sector Strategy and Private Rented Sector Delivery Plan | and Residential Growth kevin.lowry@manchester.gov.uk |

**Neighbourhoods and Environment Scrutiny Committee
Work Programme - September 2020**

| Wednesday 2 September 2020, 2:00pm (Report deadline Thursday 20 August 2020) | | | | |
|---|---|-----------------------|---------------|----------|
| Item | Purpose | Lead Executive Member | Lead Officer | Comments |
| Housing | To include a report that provides the Committee with an update on the activities around Housing. This will include information on, but not restricted to: Retrofitting of properties across different tenures; Private Rented Sector Licensing Policy and HMO Standards; An update on Selective Licensing schemes and Issues arising due to external cladding on properties. | Cllr Richards | Kevin Lowry | |
| Housing Compliance and Enforcement | To receive a report that provides the Committee with activities undertaken in relation to Housing Compliance and Enforcement. | Cllr Richards | Fiona Sharkey | |
| Overview Report | This is a monthly report, which includes the recommendations monitor, relevant key decisions, the Committee's work programme and any items for information. | | | |

| Wednesday 7 October 2020, 2:00pm (Report deadline Friday 25 September 2020) | | | | |
|--|--|---------------------------|----------------|--|
| Item | Purpose | Lead Executive Member | Lead Officer | Comments |
| Highways Maintenance Programme | To receive an update report on the Highways Maintenance Programme. The report will include information on the following areas of activity: - Highways reactive maintenance update; - Managing disruption caused by major schemes; - Major schemes update; and - Highways planned Maintenance Programme update. | Cllr Stogia Cllr Akbar | Steve Robinson | |
| Waste, Recycling and Street Cleansing Update | This is the annual update report, previously considered by the Committee at their meeting of 9 October 2019. - At their meeting of January 2020 the Committee had further requested and evaluation of the revised service at Household Waste and Recycling Centre's that had been introduced from February 2020. | Cllr Akbar | Fiona Worrall | See minutes of the Neighbourhoods and Environment Scrutiny Committee Ref. NESC/20/02 |
| Budget Item (TBC) | | | | |
| Overview Report | This is a monthly report, which includes the recommendations monitor, relevant key decisions, the Committee's work programme and any items for information. | | | |

| Wednesday 4 November 2020, 2:00pm (Report deadline Friday 23 October 2020) | | | | |
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| Item | Purpose | Lead Executive Member | Lead Officer | Comments |
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| Overview Report | | | | |

| Wednesday 2 December 2020, 2 pm (Report deadline Friday 20 November 2020) | | | | |
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| Item | Purpose | Lead Executive Member | Lead Officer | Comments |
| Annual Compliance and Enforcement Service Performance Report | To provide members with an update on demand for and performance of the Compliance and Enforcement service during the previous 12 months. | Cllr Akbar | Fiona Sharkey | |
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| Overview Report | | | | |

| Items to be scheduled | | | | |
|--|---|-----------------------|---------------|----------|
| Item | Purpose | Lead Executive Member | Lead Officer | Comments |
| Behaviour Change and Waste Task and Finish Group – Update report | To receive a report that provides the Committee with an update on the actions taken to progress the recommendations made by the Behaviour Change and Waste Task and Finish Group that were endorsed by the Committee at their meeting of 9 October 2019. | Cllr Akbar | Fiona Worrall | |
| Homelessness Update | <p>This update report on Homelessness will include:</p> <ul style="list-style-type: none"> - Data on the number of homeless presentations since the last report to Committee, including a breakdown by families, single people and how many present from outside of Manchester; - Information on the number and location of facilities to support and accommodate homeless people (both provided by Manchester City Council and independent providers) and how long the support/ accommodation is provided for; - An update on the A Bed Every Night service and the preparations to support homeless peoples through the winter period; - Information on the activity and progress to accommodate and support homeless people who had been housed in hotels and other temporary accommodation during the covid crisis; - Information on inspections undertaken of temporary accommodation to ensure they are safe for residents occupying them; and | Cllr Rahman | Mike Wright | |

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| | - Data on the length of time people stay in temporary accommodation. | | | |
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