

Newcastle City Council

Proposal for Selective Licensing of Privately Rented Houses in Byker and Greater High Cross



November 2020

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Part 1 - Introduction

The private rented housing sector in Newcastle, along with the rest of the country, has seen significant growth in recent years. The sector plays a vital role in the Newcastle housing market, and the Council works constructively with many landlords in the city who let their properties responsibly. However, there is a disproportionate number of private rented properties linked to antisocial behaviour (ASB).

Two areas are being considered for Selective Licensing re-designation on the primary ground of ASB; Greater High Cross, and Byker Old Town/Allendale South. The evidence in this report shows the scale of the problems in these areas.

There is a significant cost to the Council, Emergency Services, local businesses, landlords and residents in managing these issues, and they are leading to a decline in the environment, impacting community wellbeing, and making these areas unattractive places to live, work and invest.

At a time of significant pressure on local authority finances, selective licensing allows us to fund proactive enforcement to deal with anti-social behaviour caused by tenants or their visitors and associated property management issues in licensable private rented properties.

We are satisfied that re-designating these licensing schemes will significantly assist us in achieving our key objectives of a reduction in ASB associated with the private rented sector (PRS).

We have used a range of activities in the past to secure improvements in the sector, as detailed in Part 6. We however believe that selective licensing will fit into our wider enforcement strategy, provide the best structure and, with effective enforcement, secure the improvements required in the private rented sector.

This report outlines the evidence to re-designate these selective licensing schemes, how it links in with existing policies, supports existing services, delivery principles and how licensing will reduce ASB.

Part 2 – The Proposal

Newcastle City Council is proposing to re-designate the Greater High Cross and Byker Old Town/Allendale South Selective Licensing Schemes. The proposal is on the grounds of ASB. Subject to the outcome of the consultation it is proposed the designation would come into effect Autumn 2021. The areas cover approximately 871 licensable properties.

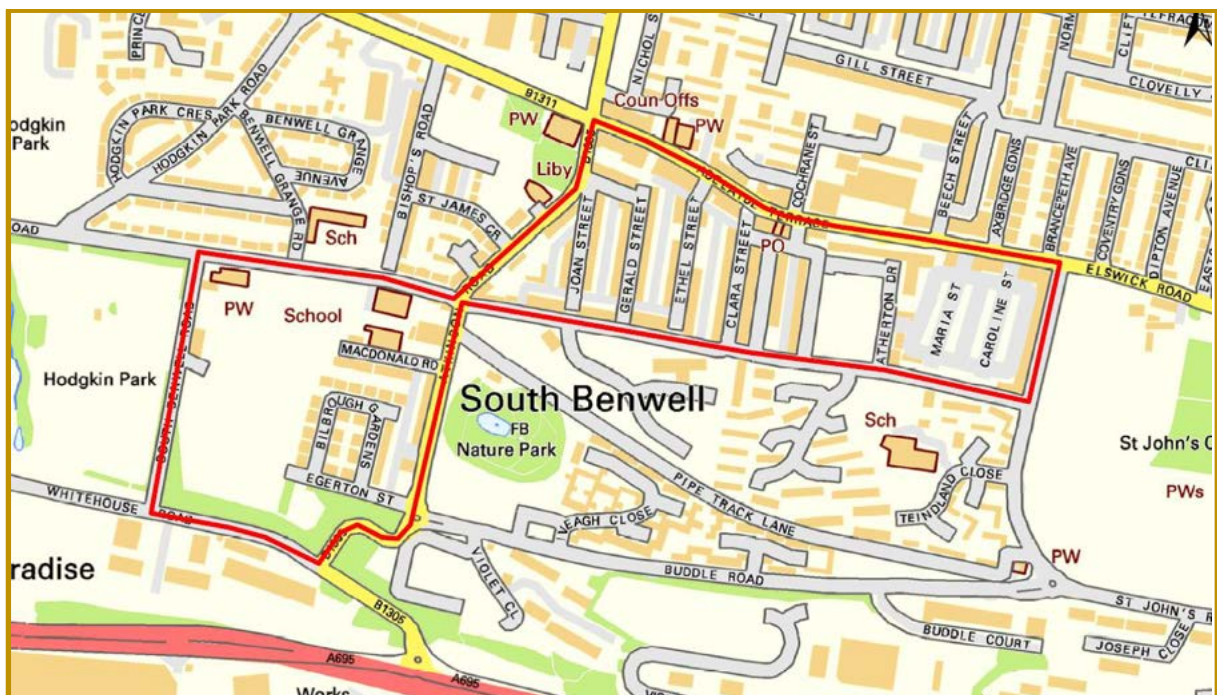
The Council considers that the proposed re-designations are the most effective way to regulate and improve the management and occupation of privately rented properties in the city, and to tackle the anti-social behaviour (ASB) associated with them.

The two existing Selective Licensing schemes: Greater High Cross in South Benwell and Byker Old Town/Allendale South in Byker were both initially designated on the grounds that they were suffering from low demand. Reviews of the schemes has confirmed that they have been successful at improving demand, housing conditions and management standards.

Both schemes were considered within the 2019 citywide licensing review which designated five new selective licensing areas and took the decision to let both schemes run until their designation ends (Greater High Cross October 2020, Byker October 2021).

Greater High Cross

Greater High Cross consists of almost 700 residential properties of which approximately 355 are private rented.



Selective Licensing was introduced in Greater High Cross in September 2010 on the principle ground that the area was suffering from low demand with a high turnover of

tenants, low property prices and high levels of empty properties. At the time it was also recognised that the area also suffered from ASB which, it was felt, was a symptom of low housing demand.

In 2015, at the end of the initial 5-year licensing scheme, a detailed evaluation of the Greater High Cross licensing scheme was undertaken to assess the impact licensing has had on the private rented properties and the neighbourhood. The evaluation concluded that licensing had improved management and property standards in the area and identified clear benefits for tenants living in the private rented sector. These improvements did not have a significant impact on the issues of low housing demand in the area due to the wider social and economic factors. It was decided to introduce a further Selective Licensing scheme to continue to strengthen property management standards, housing standards and provide a key link between landlords and organisations working in the area. This would also contribute toward stabilising the area, increase housing demand and the reputation of the area. The area was re-designated on 12th October 2015 for a further five years. This designation came to an end on the 11th October 2020.

Byker Old Town and Allendale Road

The Byker Selective Licensing scheme is split in two areas, Byker Old Town adjacent to the Byker Wall Estate and Allendale South towards St Peters Basin. The area consists of approximately 1,500 residential properties of which 553 are privately rented.

Selective Licensing was introduced in Byker in April 2011 on same the principle grounds as Greater High Cross, that the area was suffering from low demand with a high turnover of tenants, low property prices and high levels of empty properties. At the time it was also recognised that the area also suffered from ASB which, it was felt, was a symptom of low housing demand.

At the end of the initial 5-year licensing scheme an evaluation of the Byker licensing scheme was undertaken to assess the impact licensing has had on the private rented properties and the neighbourhood. Consultation with all stakeholders was also undertaken.

The Byker evaluation came to a similar conclusion as Greater High Cross, concluding that licensing had improved management and property standards in the area, and had clear benefits for tenants living in the private rented sector. These improvements did not have a significant impact on the issues of low housing demand in the area due to the wider social and economic factors.

It was decided to introduce a further Selective Licensing scheme to continue to strengthen property management standards, housing standards and provide a key link between landlords and organisations working in the area. This would also contribute toward stabilising the area, which would lead to an increase in housing demand and in

Part 3 - Newcastle Profile

Newcastle is one of ten Core Cities¹ within the UK and is part of a wider housing market area which extends to include North Tyneside, Gateshead and parts of South Northumberland. This status is reflected in the population increasing by 8.6% over the last 10 years to 292,883². The growth in the city well exceeds both the Tyne & Wear average growth of 3.1% and North East growth of just 2.7%.

In Newcastle there are a total of 137,000³ occupied residential properties. It is home to a large amount of social housing⁴ at 24.9%, compared with the average in England of 18.0%⁵. There is a significant amount of private rented accommodation at 36.9%, which is considerable higher than the average in England of 20.4%⁶. In comparison to England, Newcastle has a lower than average owner-occupied sector at 20.1 % compared to the average in England of 62.3%.

Although the City appears in many respects to be an affluent area, the housing market is polarised and there are significant pockets of deprivation. The median weekly wage of Newcastle residents in full time employment is £565, compared to a UK median of £585, and £533⁷ in the north east April 2019. However, Newcastle residents earn less than the typical wage for a job in the city; this is consistent with large commuter in-flows and typical of an area that functions as the administrative and economic centre for a wider area. Earnings in Newcastle are amongst the most unequal of any metropolitan area outside London and the most polarised of all the core cities. The bottom 20% of earners in Newcastle do particularly badly compared with the bottom 20% of earners in the UK, whereas Newcastle's top 20% are the highest earners among the core cities⁸.

Private Rented Profile

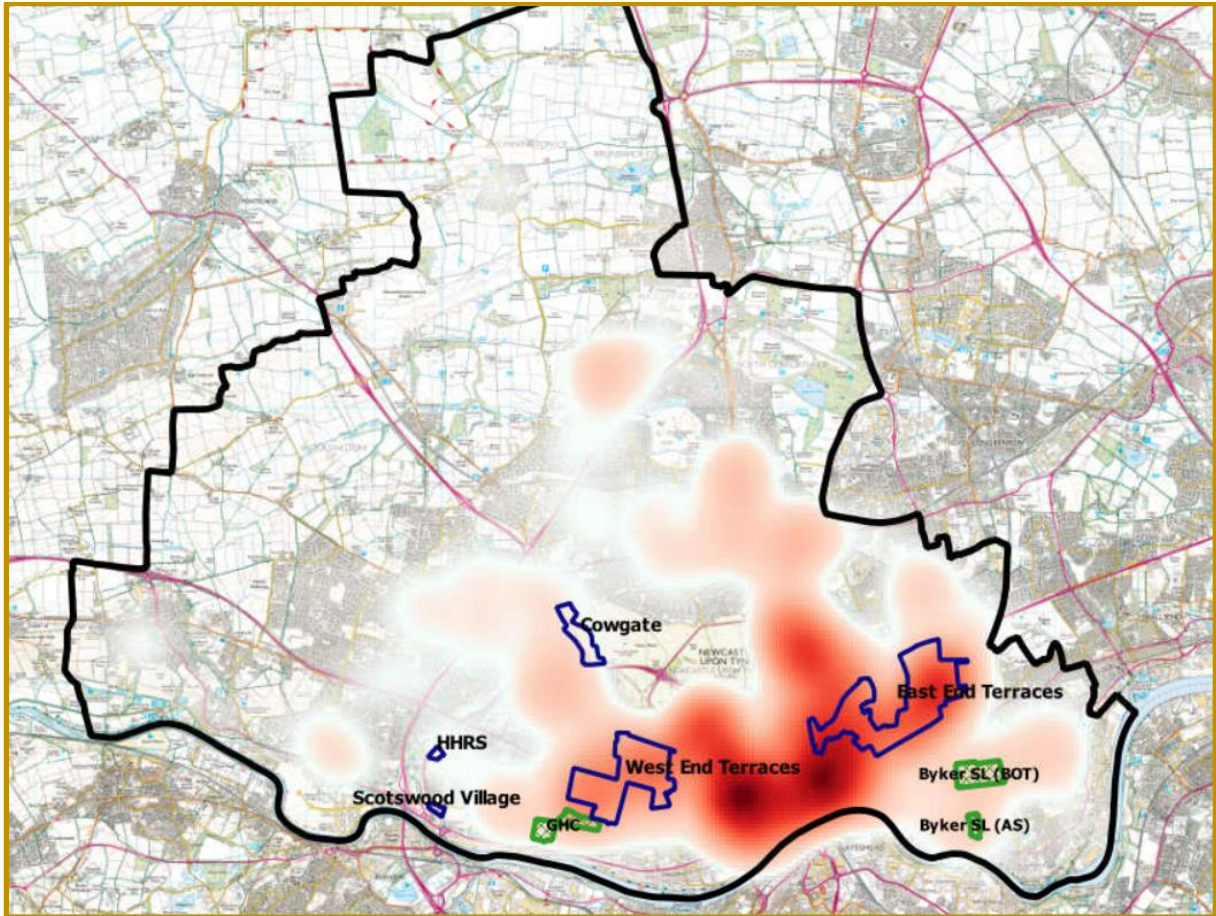
The national rise in private renting is reflected in Newcastle, with a large increase in private renting in the city can be attributed to the substantial growth in full-time students at the two universities, which has created a lucrative rental market to accommodate those studying away from home. Indeed, Newcastle is ranked as the number one place in the UK for multi-person households containing full time students as a proportion of all households⁹. Student only accommodation makes up approximately 19% of the total private rented sector. This still leaves a sizeable majority of this sector catering for single people and families, of which 7,022¹⁰ households are in receipt of full or partial housing benefit. This is reflected in the tenure split by ward with the wards closest to the city centre university campus recording private rented levels in around 70%.

The private rented housing stock for many tenants outside the student market is in older properties that have been adapted to cater for private rented tenants. The option to improve tenant choice through new build properties and the introduction of large-scale institution management to raise the quality and management is limited and will not impact the wider private rented market in the short to medium term. Many tenants have

limited options on the choice of quality accommodation, or to influence improved management standards.

Ward	Owner occupied	Private Rented	Social Housing
Arthurs Hill	2.6%	67.2%	30.2%
Benwell And Scotswood	46.1%	27.3%	26.6%
Blakelaw	34.8%	22.0%	43.2%
Byker	14.3%	30.4%	55.4%
Callerton And Throckley	51.8%	20.5%	27.7%
Castle	50.1%	39.0%	10.9%
Chapel	93.8%	5.5%	0.6%
Dene and South Gosforth	64.7%	31.4%	3.9%
Denton And Westerhope	53.2%	15.9%	30.9%
Elswick	14.1%	39.5%	46.4%
Fawdon And West Gosforth	51.5%	22.5%	25.9%
Gosforth	70.2%	24.1%	5.7%
Heaton	20.9%	69.3%	9.8%
Kenton	46.1%	14.1%	39.9%
Kingston Park South and Newbiggin Hall	47.8%	15.6%	36.7%
Lemington	56.4%	20.5%	23.1%
Manor Park	64.0%	24.7%	11.3%
Monument	3.4%	84.2%	12.4%
North Jesmond	22.1%	75.2%	2.7%
Ouseburn	4.5%	70.1%	25.4%
Parklands	70.8%	25.6%	3.7%
South Jesmond	11.7%	79.0%	9.2%
Walker	20.6%	11.1%	68.4%
Walkergate	51.9%	18.9%	29.2%
West Fenham	51.7%	25.8%	22.4%
Wingrove	40.6%	40.9%	18.5%
City	38.2%	36.9%	24.9%

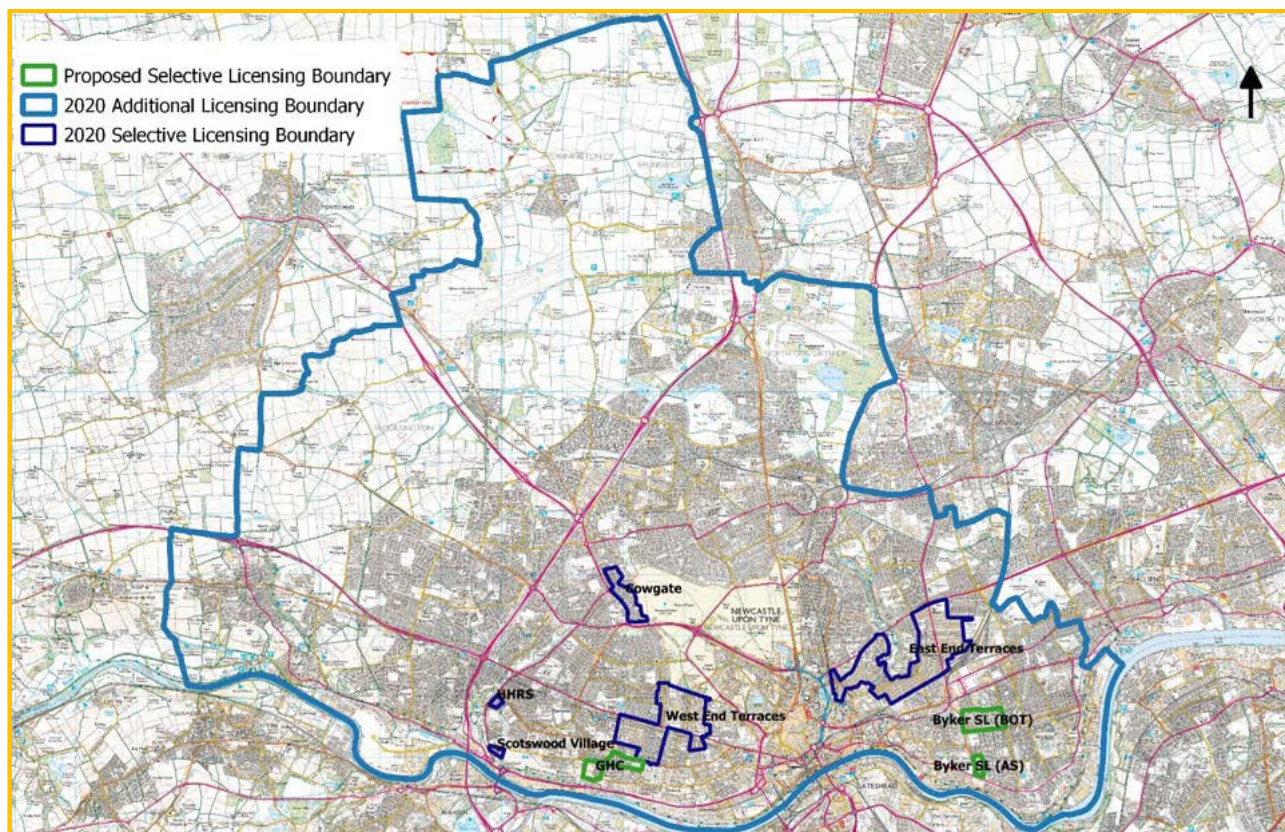
Table 1- Tenure by Ward



Map 1 - Private Rented concentration

Part 4 – Existing licensing Schemes

Existing licensing schemes can be seen in Map 2 – Licensing Boundaries. The proposed re-designations will be in addition to the mandatory HMO, Additional and Selective licensing schemes that are already in place. (Table 2).



Map 2 – Licensing Boundaries

	Selective Licensing Greater High Cross & Byker	Mandatory HMO Licensing	Additional Licensing	Selective Licensing (April 2020)
Number of Properties	871	2,061	9,377 (estimated)	3,664 (estimated)
Total	15,973			

Table 2 - number of licensable properties

	Area		% Private Rented (20% minimum)	Selective Licensing Boundary (hectare)	Estimated Number of Selective licence properties
Proposed Areas	Byker	AS	68.20%	4.78	145
		BOT	34.16%	22.87	377
	GHC		55.15%	18.73	349
Existing Areas	Cowgate		22.78%	21.79	187
	East End		49.37%	2.55	1,939
	HHRS*		55.36%	121.28	75
	Scotswood Village		36.13%	2.63	47
	West End		44.88%	102.5	1,416
Selective Licensing Area Total			45.75%	297.13	4535
				3%	17.18%
				Newcastle area (11,511.8 ha)	Newcastle Private rented (50,558)

*HHRS – The initials of the 4 streets; Howden Road, Howlett Hall Road, Ravenburn Gardens, Swinley Gardens.

Table 3 – Evidence to meet licensing designation criteria

The proposed Selective Licensing self-designations are summarised in Table 3. This confirms that Selective Licensing designations meet the legislative requirements to allow the Council to self designate without the need for Secretary of State approval: the overall proposed licensing area has a high concentration of private rented property (43%), it encompasses only 3% of the geographical area, and it affects 17.18% of the private rented properties in the city.

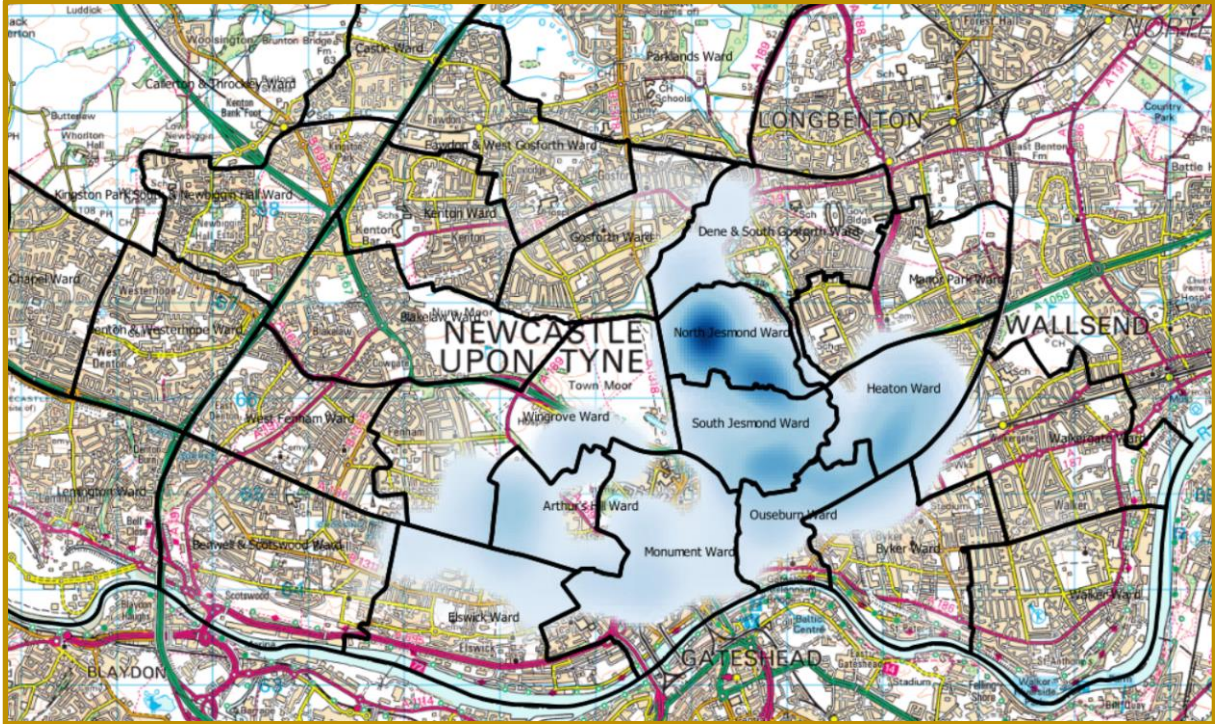
Mandatory and Additional HMO Licensing

Newcastle has approximately 13,000 licensable HMOs, and many of these properties are in the central student areas of the city. The impact of mandatory licensing has been positive, and standards of housing condition and management standards have improved significantly. It is expected that similar results will be achieved in Additional Licensing properties which was introduced in April 2020.

The following benefits of mandatory HMO licensing have been achieved:

- * Improved facilities and amenity provision achieved by specific housing conditions
- * Improved housing conditions
- * Every 5 years when a licence renewal application is received the fit and proper status of the applicant is assessed
- * All licensed properties have satisfactory gas, electric and fire certificates

- * All licensed properties have management statements
- * Licence holders are more engaged with council services and have a greater understanding of responsibilities
- * Many licence holders have properties already in the accreditation scheme



Map 3 –HMO licensing concentrations.

The current mandatory HMO licensing scheme covers 2,037 properties and is concentrated in the four “student wards”. This is 21% of the shared housing market and 24% of private rented properties.

It is estimated there are 9,377 shared properties licensable under the Additional Licensing scheme and as of October 2020 1,822 licence application have been received.

The concentration of both mandatory and Additional licensed properties is focused on the student wards and city centre. Within the proposed licensing areas there will only be small number of HMO properties currently licenced and there is not sufficient concentration to influence the local neighbourhood.

Part 5 – Wider Housing Strategy

The Council Delivery Plan 2018-19 sets out what we wish to achieve around five key themed priorities:

- * Employment: creating more and better jobs.
- * Education and Skills: the best learning opportunities for all.
- * Environment: a clean, green and safe Newcastle.
- * Health and Social Care: a healthy, caring city.
- * Housing: building more and better homes.

The following documents are in place to help support these priorities:

Housing Statement 2017-20

The Housing Statement 2017-20 is the detailed vision for housing in Newcastle, it set out four key priorities;

- * Make best use of the City's existing housing stock.
- * Delivering new homes to create greater choice.
- * Provide advice, support and information to vulnerable people.
- * Sustainable Economy and Sustainable Communities.

It also set out our proposal to review the Selective Licensing schemes in the city, and to explore if we needed to expand the schemes to other areas of the city. The current and proposed licensing schemes are an important and integral part of the Council's housing strategy, enabling us to adopt a co-ordinated and more effective approach to influence and improve the physical and management standards in the PRS.

Private Sector Housing Plan

To support the delivery of local priorities in respect of private housing we set out several strategic aims:

- * Support and encourage owner-occupiers to maintain and repair their homes and introduce energy efficiency measures;
- * Encourage and support private landlords to provide good quality and well managed properties for their tenants;
- * Help private rented tenants to access, manage and sustain their tenancy;
- * Enable people to maintain their independence and health and prevent or delay moving to supported accommodation;

- * Maximise the use of the existing housing stock to increase the supply of decent affordable homes;
- * Develop and strengthen new and existing partnerships to support the private housing sector and explore new funding opportunities;
- * Create sustainable neighbourhoods by improving housing standards.

In the plan we clearly set out the interventions, support and enforcement actions we will use to meet the above aims. It is not the responsibility of one department, but a variety of services working on a collective objective.

Housing Position Statement 2020

This housing position paper sets out our key priorities ahead of a new housing vision we will deliver in 2021, which will cover the period up to 2030. We already have existing housing priorities which were set out in the 2018 Housing Statement:

- * Delivering new homes to create greater choice
- * Making best use of the City's existing housing stock
- * Sustainable economy and communities
- * Providing advice, support and information to vulnerable people

This paper updates on achievements we have delivered against our priorities, and updates on research and development undertaken in the last two years. It further set out the Council's priorities on selective licensing and how we will assess the impact of the schemes against original objectives and prepare recommendations for letting the schemes lapse or to renew them. It also clearly sets out our interventions in the Private Rented Sector and how we intend to support both landlords and tenants in the Sector.

Newcastle's Homelessness and Rough Sleeping Strategy 2020-25

The Newcastle's 2020-25 Homelessness and Rough Sleeping Strategy describes our approach, over the next five years, to improving our understanding of the causes of homelessness and to build on the good work of partners in the city to maximise the value of our collective investment to work towards ending homelessness in Newcastle.

The Strategy sets out clear links with the private rented sector. Emphasising delivery in partnership and working to ensure access to sustainable private rented accommodation, building resilience, improve pre-tenancy support packages. This will reduce residents becoming homeless and help clients to move on from support accommodation back into an appropriate home.

Safe Newcastle Plan 2020-2023

Safe Newcastle is the community safety partnership for Newcastle upon Tyne. It coordinates work around tackling crime and anti-social behaviour, sharing information with partners to target correct support and actions to protect their local communities and to help people feel safe.

The priorities contained within the 2020-2023 plan are:

- * Reduce the impact of anti-social behaviour
- * Reduce the harm and impact of drugs & alcohol
- * Reduce domestic abuse and sexual violence
- * Reduce hate crime and community tensions
- * Tackle serious & organised crime
- * Prevent radicalisation
- * Recognise and reduce the frequency of adverse childhood experiences and ameliorate their consequences through building resilience

Newcastle ASB Strategy

Safe Newcastle are developing a Newcastle anti-social behaviour Strategy which will set the strategic aim, objectives and direction to be taken by the Safe Newcastle Community Safety Partnership. The strategy will reflect the value that the Safe Newcastle Partnership adds to individual partners' activities and provide a framework for partners to continue to work together achieving long-term sustainable solutions to ASB behaviour in Newcastle.

The Safe Newcastle Partnership will seek to promote positive outcomes by joint working between local partners to prevent and respond to anti-social behaviour in Newcastle. For this reason, our strategy will be structured across four pillars:

- * Prevention - Focusing on the root causes of anti-social behaviour through prevention and early intervention, ensuring action taken is appropriate, proportionate and timely, and creating more choices and chances for people to engage in positive activities.
- * Integration - Working together to achieve shared objectives through a holistic approach to tackling anti-social behaviour, with a focus on partnership working and sharing information, intelligence and resources.
- * Engagement - Engage communities in a meaningful way as part of the development of strategies and services and keep them informed of progress. Help communities to take responsibility for their own actions and take steps to directly challenge and deal with local problems.

- * Communication - Communicate as partners to ensure positive, co-ordinated and evidence-based messages are shared with the public.

The strategy will seek to create a balanced approach, which recognises the role of appropriate enforcement action, but which has a primary focus on prevention and early intervention to address the root causes of anti-social behaviour.

The strategy will also recognise that anti-social behaviour and its causes cannot be understood in isolation, and that our approach needs to fit with wider policy. This includes for example housing policy, how we tackle more serious criminal behaviour, and how we address the underlying causes of unacceptable behaviour such as alcohol, drugs, inequality and deprivation.

Newcastle Private Sector Housing Enforcement Policy

This policy is intended to provide guidance for officers, business and members of the public on the principle and processes which will apply when enforcement action is considered or taken.

Newcastle City Council follows the principles laid down in the Regulators' Compliance Code when investigating complaints, responding to service requests, carrying out inspections, reviewing and granting licences and completing proactive project work. This enforcement policy seeks to meet the objectives set out in this code as we aim to prevent, risks to public health, statutory nuisances, anti-social behaviour, environmental crimes, unfair competition and trading which is detrimental to consumers and businesses. It is also the policy of the Council to promote awareness and understanding of our regulatory and licensing issues through education and working in partnership with other organisations.

Any departure from this enforcement policy will be exceptional, recorded and the circumstances and reasoning noted.

Our Objectives

- * To strive to ensure that tenants of a private landlord or a Registered Social Landlord (RSL) live in homes free of significant risks to their health and safety.
- * All Houses in Multiple Occupation (HMO's) and Selective Licensed properties are safe, licensed where required and all licensing conditions are met.
- * Empty homes are not left empty where there is blight and a need for housing.
- * Privately owned property and land does not present a statutory nuisance to other landowners or does not directly or indirectly present an unacceptable risk to public health, safety or the environment.
- * We meet our statutory duties as a local housing authority.

Part 6 – Licensing, a co-ordinated strategic approach

Licensing is consistent with the Council's overall strategic approach to housing, and its approach to key priorities for the City. Licensing is not a tool that can be used in isolation and will complement other existing work programmes.

The Council considers that the proposed designations are the most effective way to regulate and improve the management and occupation of privately rented properties in the city, and to tackle the anti-social behaviour (ASB) associated with them. To achieve this the proposed designations will be combined with other measures taken in the area by the Council, or by other persons together with the Council, including any licence conditions imposed under the Housing Act 2004.

Existing Work Programmes

Newcastle City Council has a long history of working in partnership with both landlords and tenants in the private rented sector. The Private Rented Service was established in 1996 in the West End of the city to provide support for tenants accessing private rented accommodation and supporting landlords to improve their management standards. The Service has expanded over the years and now covers key private rents areas of the city and is part of the Fairer Housing Unit in the Council.

The Public Protection & Neighbourhoods Team based in Regulatory Services undertake housing enforcement action and manage the mandatory HMO licensing scheme alongside the current Selective and Additional Licensing Schemes.

These two teams provide the primary engagement with the Private Rented Sector and coordinate actions and initiatives to support the objectives within the Council Housing Statement and Private Sector Plan. As a result, Newcastle has strong working relationships with internal and external partners providing supporting activities to deliver improvements and maintain standards.

As a Council we hold a range of forums, networks, meetings, conferences to bring together housing organisations, landlords, letting agents, advice agencies, tenants' groups to gain a greater understanding of the sector and to look at action planning and policy setting.

Landlord Services

The Private Rented Service is a one stop shop tenancy management assistance that is accessible to both landlords and tenants. They deliver financial and non-financial initiatives to encourage landlords to bring a property up to an acceptable standard, bringing properties back into use, and to support them when they accept a vulnerable client as a tenant.

The service offers a schedule of training courses to landlords: introduction to lettings, managing HMOs and HMOs standards, possession proceedings and deposit protection. In addition, training is being made available online via video and online training modules and a monthly e bulletin is produced to update landlord on the latest changes to legislation, share best practise and update on national and local issues affecting the market.

The Private Rented Service has an independent website which in addition to providing property advertising and news articles contains comprehensive landlord and tenant handbooks and a landlord and tenant toolkits. These toolkits include documents to assist a tenant who is challenging the non-protection of a deposit or to complain about a repair, or to support a landlord in setting up a tenancy including tenancy agreements, reference checks and deeds of guarantee, inventories templates and tenant pack templates.

The Service hosts an annual landlord conference with nationally recognised speakers, updating landlords and agents in the sector of changes in national legislation, good practice, and advice. The conference is free to landlords and cost neutral to the Council.

The Private Rented Service offers free online advertising for residential properties and produces a weekly Home Finder List for tenants who are unable to access online information. This is distributed widely as a paper document and emailed to prospective tenants, support workers and various agencies. Landlords who opt to have their property marketed through the service can take advantage of a free tenants finding service, which includes a tenants' reference check and sign in service.

Between 2015 and 2020 the team has delivered:

- * 54 landlord information events attended by 1534 landlords
- * 492 tenancies created or sustained
- * 183 rent deposit bonds
- * 9212 tenants and landlords provided support
- * 387 properties let through Home Finder service

The Service works closely with the current licensing schemes, giving landlords support to meet their licensing conditions, to manage their properties, and to raise awareness of the licensing requirements for both landlords and tenants. A suite of tenancy management documents has been created and are available to download for free from the website. These documents were designed specifically to support a landlord in meeting their management requirements under the Property Licence Schemes. Documents include tenancy agreement, reference check applications, ASB letters and tenants pack documents including how to report repairs, how to manage waste and bulky collections and how to report ASB.

Newcastle Private Housing Accreditation Scheme

The Newcastle Private Housing Accreditation Scheme is a free and voluntary scheme for landlords. It requires landlords to attain certain property and management standards to achieve accredited status. The objectives of the accreditation scheme are:

- * To recognise and encourage landlords who are prepared to provide good quality accommodation at an appropriate rent to improve and promote the public image of the private rented sector;
- * To improve and promote private sector rented housing conditions;
- * To improve liaison and communication between landlords and the Local Authority to promote good practices in the private rented sector;
- * To provide tenants with confidence in the management and accommodation they are renting;
- * To foster confidence in the sector.

Within the terms of the scheme, properties are inspected to ensure they are in good overall repair, do not contain category one hazards, have an efficient heating system, suitable fire precautions, and have a range of energy efficiency measures. The landlord will also be checked to ensure they are deemed to be fit and proper to manage a private rented property. Landlords are provided with financial and non-financial assistance to attend the Accreditation standard and those who do achieve Accreditation status benefit from a number of support services such as free property marketing and tenant find services as well as discounts on professional training sessions.

Empty Homes Assistance

Newcastle has been providing coordinated action to reduce the number of empty homes across the city since 2012. This has been achieved through a dedicated Empty Homes Officer, financial assistance towards the renovation of properties and taking enforcement action where necessary. The team successfully brings between 500-600 long term empty homes back in to use every year.

Most properties are in areas with high numbers of private rented properties, and they are often brought back into use as a private rented property. As a result, assistance is focused around helping the owner to understand their responsibilities when renting properties and in finding suitable tenants.

A key support service is financial assistance of between £2,000 and £25,000 towards the renovation costs through a mix of grant and loan finance. The property standards have been designed to ensure that the private rented properties will meet the current Newcastle licensing standards and final payments are not made until licence application has been submitted where a licence is required.

Private Rented Graded Response

The Council operates a Private Rented Graded response to identify landlords and agents operating in the private rented sector where serious concerns have been raised. Concerns may be regarding the physical standards of properties, or the general management standards of that landlord or agent. Concerns are raised by but are not limited to: Public Protection & Neighbourhoods Team, Private Rented Service and Housing Advice Centre, Legal Services and external organisations invited to the Private Rented Sector Liaison Group (Shelter, Citizens Advice, etc). This ensures across the city all organisations working in the PRS have one central point to refer a landlord of concern.

The interventions list process provides the Council with the infrastructure to implement new Rogue Landlord legislation which came into force this year. It provides the team with an additional enforcement tool to penalise rogue landlords and may exclude them from managing properties in the city.

Stand Alone Problem Solving

Stand Alone Problem Solving (SAPS) processes follow a recognised methodology of scanning (gathering as much information from a range of partners as possible), analysing (looking at all information to try to establish the root of the problem), responding (focusing on the root of the problem as well as some quick fixes to improve community confidence) then assessment (looking into what worked and why). This process can be used to tackle issues relating to crime and anti-social behaviour.

An example of where this worked well is when a substantial increase in drug related litter and open public injecting was experienced in the Byker Wall estate and surrounding areas; a SAPS group was convened with all the subject matter experts for this problem being consulted. This process highlighted the causes of some of the behaviour, identified offenders and the need for support services in the area. The SAPS process put several high-visibility patrols into the area to improve public confidence, and ensured environmental changes were undertaken to improve the amenity of the area. There was also a significant amount of high-level enforcement taken against the offenders. This was all supported with a social media campaign to keep the public informed of the actions. It was such a success that the whole process received a commendation from the Northumbria Police Area Commander.

This problem-solving process ensures that costly responses are not undertaken without fully analysing the problem. It ensures that all responses are targeted, appropriate and proportionate.

Meeting Council objectives

The Council believes that licensing will be used to complement the existing initiatives which the Council currently has in place, by tackling the problems which are evidenced

later in this report, and it will help to achieve several positive outcomes in the following ways:

- * The licence conditions will address the impact that poorly managed properties have on ASB and/or crime.
- * Selective Licensing schemes will see an increased presence of staff in the designated areas. Something as simple as increased agency attention in the area will increase the residents' feelings of safety and confidence in agencies will grow.
- * Increasing community confidence will likely result in increased reporting of ASB, and similarly increased identification of offenders, this will in turn enable successful enforcement action to be taken. Increased ASB reports should be regarded as a positive as it demonstrates increased confidence in authorities.
- * Analysing locations and details of poorly managed properties will enable further intelligence led enforcement against the most problematic landlords who are falling below the required standards. For example, where a landlord has a portfolio of properties and has come to the attention of the selective licensing team for failing to manage one or two, then this would be a catalyst to prioritise the rest of the portfolio to prevent or intervene early to reduce the impact of any associated ASB, as well as adding protection for the occupiers of this landlord's properties.
- * Licensing will improve standards of tenancy management and will promote an understanding among residents about what they can reasonably expect from their landlord. It will also ensure tenants know what is expected from them.
- * The scheme will place a requirement on landlords or licence holders to have a robust ASB policy in place, meaning that they will be held responsible for managing ASB at and associated with their properties at all stages.
- * Landlords who fail to licence will be easier to identify.
- * Licensing and associated checks using Housing Act 2004, Part 1 powers will secure housing improvements that will positively impact on the health and wellbeing on tenants.
- * Signposting tenants to services will support improved health, safety and finances. This can in certain instances lead to a reduction in crime and ASB.

The P.I.E.R Model

To follow the P.I.E.R Model [Prevention, Intervention, Enforcement, Rehabilitation] as adopted in the Newcastle ASB Strategy, the proposed Selective Licensing Schemes will assist in tackling ASB and making communities feel safer as follows:

Prevent

- * Requiring robust reference checking via the licence conditions will help landlords to understand the tenants they are letting to and will ensure tailored and

appropriate management of tenants who may have a history of ASB; this may include Acceptable Behaviour Agreements on sign up of the tenancy, or more frequent property inspections than normal.

- * By placing a greater responsibility on landlords or licence holders to maintain their properties to a more acceptable standard will encourage them to inspect their properties more regularly. This should ensure that the tenants are clear on expected standards and will therefore maintain their properties, which in turn will ensure the external appearances of properties do not deteriorate and cause a detrimental impact on the visual amenity of the area.
- * Increased inspections of properties will enable early identification of Organised Crime indicators such as cannabis farms, brothels or modern-day slavery, as selective licencing will require access to properties for compliance inspections. Therefore, in the medium and long term, the likelihood of them choosing to operate in the designated selective licensing schemes will be significantly reduced.
- * Increased footfall of more confident residents and officers from the Selective Licensing team will act as a natural policing mechanism and deterrent for offenders.
- * Selective Licensing can act as a conduit between all partners, such as social services, health and mental health services, Police, Local Services and Waste, to identify the root causes of ASB, tackle the heart of the issue and provide a long-term sustainable solution to each case. Looking at ASB holistically will allow practitioners to identify who would be best placed to take the lead in each case, so that the burden doesn't always fall with the selective licensing team.

Intervention

- * Tenants and residents will be educated and encouraged to report incidents to their landlord through licensing.
- * As all landlords who operate rented properties in the designated area will be known to the local authority, this will assist when an ASB issue comes to light. The licence holder can be engaged at the earliest point to work alongside agencies to intervene, encourage behaviour change and sustain tenancies where possible to stabilise the turnover of tenants in the area.
- * As the schemes progress, relationships with landlords will get stronger, communication will invariably improve, and this will lead to better, earlier communication, and sharing of information to prevent any issues escalating.
- * By placing an expectation on landlords to undertake regular property checks, this will mean that environmental issues (which may make the area look and feel uncared for) are identified early, allowing them to be rectified before the issue escalates.

Enforcement

- * Where Prevention and Intervention have failed to resolve an issue, there is a robust audit trail demonstrating that enforcement is a last resort. Experience has shown that when enforcement action is taken in these circumstances it is appropriate and more punitive outcomes have been granted.
- * Enforcement is a useful tool to drive the harder to engage offenders or even landlords into support and longer-term compliance.
- * Robust partnership working will improve the identification of offenders to enable appropriate and proportionate enforcement.
- * Implementing a suitable media strategy to report on the successful enforcement actions will again increase confidence, encourage harder to engage persons to come on board, and will act as a deterrent for others who may flouting the law.

Rehabilitation

- * Requiring licence holders to undertake relevant training via the Private Rented Service to ensure that they do not continue with poor management practices.
- * Referring tenants/residents to the most appropriate services to get assistance with the underlying issues that may be the root cause of their ASB.

Part 7 - Regulating the Private Rented Sector

We are currently using a wide suite of tools and powers to tackle ASB. These are implemented in a graded response manner. Newcastle's enforcement approach aims to prevent risks to public health, statutory nuisances, anti-social behaviour, environmental crime, and unfair competition and trading. It also aims to promote awareness and understanding of our regulatory and licensing issues through education and by working in partnership with other organisations.

We know that many of the most vulnerable tenants do not complain due to fear of eviction, a lack of understanding of their rights, and low expectation of housing standards, which means that many problems go unreported. This was confirmed during a delivery of the Rogue Landlord Project in 2016. External funding was secured for a 14-week project targeting the North Benwell Terraces, an area with a high number of private rented properties in the West End of Newcastle. A combination of proactive property tenant surveys was undertaken to identify irresponsible landlords and poor housing conditions. In the area:

- * 175 property inspections were carried out
- * 76% of properties had disrepair including inadequate heating, damp, water leaks, poor security, lack of fire precautions, electrical hazards, lack of cooker and bathroom facilities.

This external funding allowed a proactive approach to be taken, significantly improving the conditions of the properties inspected and raising landlord's and tenant's awareness of the minimum standards and enforcement action available.

The enforcement policy has been reviewed to include the use of financial penalties introduced by the Housing and Planning Act 2016. In some cases, these new powers will be used as an alternative to prosecution, enabling savings to be made and a better level of compliance achieved.

Where properties that are subject to licensing are not licensed and the property falls within the criteria of the Housing Act 2004, section 102, the Council is under a duty to make an Interim Management Order (IMO). The Council previously made 22 Final Management Orders (FMO's) where there was no prospect of a licensed property being effectively managed.

The Public Protection and Neighbourhoods Team have good working relationships with the Police, Immigration Enforcement, Fire Service, Building Control, Planning Enforcement, and other teams within the Council such as Safe Newcastle, Trading Standards, Environmental Crime, Housing Benefits, the Housing Advice Centre and Social Services. This ensures a coordinated, targeted approach against landlords managing sub-standard properties, and/or carrying out illegal activities such as modern-day slavery. This has resulted in many successful outcomes to date.

We work closely with colleagues in the Housing Advice Centre to ensure support is in place. We lead on the enforcement of illegal eviction and harassment cases and take enforcement action when we have the criminal standard of evidence.

We work closely with Your Homes Newcastle (YHN), the arm's length management organisation for the Council, to improve the city's neighbourhoods. Some estates are a mixture of tenures, often resulting from properties sold under the right to buy process. Previous Council homes are often privately rented, so joint working is essential to ensure issues of ASB are properly reported and investigated. Officers from both teams attend regular operational meetings to manage individual cases.

Multi-agency operations will form a key part of the enforcement approach to regulating the new licensing schemes. Subject to data protection rules we share intelligence with the police at regular operational meetings which enables us to work together to tackle crime.

Under section 44 of the Anti-social Behaviour, Crime and Policing Act 2014, Community Protection Notices (CPNs) can be served on private landlords or managing agents in respect of their tenants' behaviour. Section 43 (3) (c) provides a requirement for a person served with a CPN to ... "take reasonable steps to achieve specified results". "Reasonable steps" could include either applying for a licence or compliance with its conditions. In this way selective licensing will work with ASB powers to escalate cases of persistent and serious ASB, potentially leading to an injunction or property closure.

Licensing schemes are reliant on robust enforcement - the approach we intend to take will be targeted against criminal and non-compliant landlords while providing a light touch for professional landlords who comply with the law. Licensing increases the Council's ability to impose civil penalties in respect of housing breaches.

We have a commitment to use the full range of enforcement powers against the most prolific offenders to improve conditions within our communities.

Principles Underpinning Enforcement Action

The Public Protection and Neighbourhoods Team's enforcement activity is

Targeted at properties and people that pose the greatest risk, including the owners and landlords that evade licensing and regulation, and those whose properties cause a nuisance or put people's health and safety at risk.

Proportionate, reflecting the nature, scale and seriousness of any breach or non-compliance.

Fair and objective, based on the individual circumstances of the case, taking all available facts into account.

Transparent, communications will be easy to understand, with clear reasons being given for any enforcement action taken.

Consistent, undertaken by well-trained investigators to ensure consistency in the interpretation and enforcement of legislation. We will work with other regulatory agencies and share and develop good practice.

Accountable, undertaken in a responsible manner that has a clear purpose.

From time to time we will target our enforcement activity to ensure we meet our objectives effectively and efficiently. Some examples of ways in which activity may be targeted is set out below (not an exhaustive list):

- * Unlicensed properties.
- * Poorly managed privately rented properties.
- * Private rented property subject to incidences of anti-social behaviour.
- * Properties where tenants receive Local Housing Allowance/Housing Benefit/Universal Credit. These tenants are more vulnerable to lower standards of accommodation and can consequently face greater risks to their health safety and welfare.
- * Properties poorly or illegally built or converted that may not comply with planning or building regulation requirements.
- * Household types such as shared accommodation.
- * Properties with a low energy efficiency rating on their Energy Performance Certificate (EPC)¹.
- * Construction type – where there is a known issue associated with methods of construction for example precast reinforced concrete.
- * Where a style of renting or rental model causes risk to health, safety or welfare, e.g. rent to rent models, where a short-term tenant sub-lets a property creating an unregulated HMO.

Part 8 – Alternative Options Considered

Both the Housing Act 2004 and guidance issued by the Department for Communities and Local Government requires the Council to consider whether any alternative means would be effective, instead of licensing, to address the problems the Council has identified. The guidance - *Selective licensing in the private rented sector: A guide for local authorities* (March 2015) - states: *The local housing authority must show:*

- * it has considered whether there are any other courses of action available to them that might provide an effective method of achieving the objectives that the designation is intended to achieve, and;
- * how the making of the designation will significantly assist the local housing authority in achieving its' objectives (whether in conjunction with those other measures or otherwise).

We have shown a range of strategies and activities that are currently in place, but do not believe that, individually or collectively, they provide an effective means of tackling ASB, or of delivering the scale of improvement that we believe is required in the PRS. The table below shows the strengths and weaknesses of these different options which have been taken to help secure improvements in the PRS

Activity	Strength	Weakness
Voluntary Accreditation schemes	Landlords who take part in accreditation sign up to property and management standards, and access support to improve their ability to effectively manage a property	Voluntary. It requires landlords to engage with the scheme and rogue landlords are unlikely to join. Majority of schemes re-accredit on self-declaration with limited compliance inspections. Low levels of resources committed to compliance and breaches in standards. Only small proportion of landlords are members and it is not targeting the problem properties/landlords. Despite attempts to bring about awareness of the benefits of renting from an Accredited landlord, tenants remain unaware or unconvinced and being Accredited fails to bring market edge.
Landlord Support Services	Training and advice available for landlords to improve management standards	Relies on the landlords wanting help and are willing to meet the minimum standards. Does not target problem landlords. Resources available limit

Activity	Strength	Weakness
		service to small portion of the Newcastle market.
Tenants' Training	Training to educate and empower tenants with a history of failed tenancies. Several incentives were offered for attendance such as free energy efficiency products, vouchers, childcare for the duration of the event and lunch. Free transport was also provided.	Take up was incredibly poor, with most tenants either failing to sign up to a session or failing to attend.
Improvement grants to improve sub-standard properties	Grants subsidise improvement works, improving standards and deriving benefits for landlords and tenants	Limited funding to deliver schemes only to empty homes grants and small energy efficiency schemes currently. Impacts small number of properties and does not address ASB and management issues.
Retain existing mandatory HMO and Selective Licensing scheme	Properties covered by licensing are proactively regulated. Improved communication with owners and agents.	This will not help to address the issues of ASB in the proposed areas
Use of prosecutions and civil penalties	Prosecutions generally only taken when landlord fails to engage. Landlords are criminalised for offences Ensures financial benefit gained from offence is reduced.	Process can be slow and complex Fines awarded vary greatly. Majority are under £5000 Successful prosecutions do not themselves secure improvements in housing conditions and the Council's prosecution costs are often not met in full.

Activity	Strength	Weakness
		Does not drive behaviour change. Some rogue landlords who have been prosecuted commit further offences
Standalone Problem Solving (SAPS)	<p>Effective way to get all relevant partners sharing intelligence</p> <p>Can assist in identifying what are the causes of ASB in an area</p> <p>Can be used to tackle all types of crime and ASB</p>	<p>SAPS work best looking at ASB and crime in a specific geographical area rather than specific households</p> <p>Used to deal with existing crime and ASB</p> <p>Partners eagerness to jump to respond phase often makes it difficult to assess what has or has not worked and why</p> <p>Responses often have a cost element, sometimes not attributed to any organisation</p>
Use of ASB powers under Anti-Social Behaviour, Crime and Policing Act 2014	<p>Effective for dealing with a range of anti-social behaviours.</p> <p>Can be used to deal with tenant and landlord behaviour</p> <p>Can be used to specify positive requirements to mitigate future ASB</p>	<p>Used to respond and deal with existing ASB.</p> <p>Do not require proactive management or action or drive behaviour change</p>
Community Engagement	<p>World Café events are effective for bringing small communities together to discuss and understand issues relevant to them</p>	<p>Costly to run</p> <p>There is often a necessity to provide incentives for communities to engage</p> <p>Needs communities to take ownership of solutions to tackle issues</p>

Table 4 – strengths and weaknesses

Part 9 - Supporting Evidence – Selective Licensing

The Housing Act 2004 sets out the conditions that the area must meet for Selective licensing to be implemented.

The proposal is to implement Selective Licensing on the principle ground relating to anti-social behaviour - section 80(6) Housing Act 2004. The condition under section 80(6) Housing Act 2004 is that

- (a) the area is experiencing a significant and persistent problem caused by anti-social behaviour;
- (b) that some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take; and
- (c) that making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, lead to a reduction in, or the elimination of, the problem.

This part of the report outlines the evidence to support this proposal and considers the other conditions as supporting evidence.

The ASB condition can only be considered where:

- * The area contains a high proportion of properties in the private rented sector in relation to the number of properties in the area and
- * Those properties are occupied under either assured tenancies or licences to occupy.

A Selective Licensing designation may also be made if the area to which it relates satisfies one or more of general conditions under section 80 Housing Act 2004 or one of the conditions in The Selective Licensing of Houses (Additional Conditions) (England) Order 2015:

1. low housing demand (or is likely to become such an area)
2. a significant and persistent problem caused by anti-social behaviour
3. poor housing conditions
4. high levels of migration
5. high level of deprivation
6. high levels of crime

High proportion of private rented

There is no statutory definition of what constitutes a “high proportion” and it is therefore open to the Council to make its own reasonable determination. The national guidance states that:

“Nationally the private rented sector currently makes up 20% of the total housing stock... if it is more than 20%, the area can be considered as having a high proportion of privately rented properties. ...

There is no national central register to identify private rented properties. As a result, the number of private rented can only be estimated using various data sources such National Census, Council Tax, Tenancy deposit schemes etc. Newcastle commissioned consultants in 2019 to use a combination of artificial intelligence and behavioural insights to identify tenure status at property level. This was then combined with data matching exercise with local and national tenure data sets provides an update estimation of private rented in the city.

It is estimated that Newcastle has just over 50,000 properties that are private rented which is 37% of the housing stock. This is significantly higher than the national average of 20% but are in line with similar university cities that have seen a rapid growth in purpose-built student accommodation in the last 10 years.

Tenure	Properties	%
Owner occupied	52,365	38.2%
Private Rented	50,588	36.9%
Social Housing	34,147	24.9%
City	137,100	

Table 5 – Estimated tenure 2019

Private rented concentration varies across Newcastle wards with higher concentration of private rented in wards closer to city centre, wards with higher levels of deprivation and wards close to the two university campuses.

Ward	Owner occupied	Private Rented	Social Housing
Arthurs Hill	2.6%	67.2%	30.2%
Benwell And Scotswood	46.1%	27.3%	26.6%
Blakelaw	34.8%	22.0%	43.2%
Byker	14.3%	30.4%	55.4%
Callerton And Throckley	51.8%	20.5%	27.7%
Castle	50.1%	39.0%	10.9%
Chapel	93.8%	5.5%	0.6%
Dene and South Gosforth	64.7%	31.4%	3.9%
Denton And Westerhope	53.2%	15.9%	30.9%
Elswick	14.1%	39.5%	46.4%
Fawdon And West Gosforth	51.5%	22.5%	25.9%
Gosforth	70.2%	24.1%	5.7%
Heaton	20.9%	69.3%	9.8%
Kenton	46.1%	14.1%	39.9%
Kingston Park South and Newbiggin Hall	47.8%	15.6%	36.7%
Lemington	56.4%	20.5%	23.1%
Manor Park	64.0%	24.7%	11.3%
Monument	3.4%	84.2%	12.4%
North Jesmond	22.1%	75.2%	2.7%
Ouseburn	4.5%	70.1%	25.4%
Parklands	70.8%	25.6%	3.7%
South Jesmond	11.7%	79.0%	9.2%
Walker	20.6%	11.1%	68.4%
Walkergate	51.9%	18.9%	29.2%
West Fenham	51.7%	25.8%	22.4%
Wingrove	40.6%	40.9%	18.5%
City	38.2%	36.9%	24.9%

Table 6 – Tenure by ward

The two selective licensing areas are located in wards with lower than the city average of private rented Byker ward 30.4% and Benwell & Scotswood ward 27.3%. Within these wards the private rented properties are concentrated in small neighbourhoods and the following table shows the tenure split for both proposed licensing areas.

Tenure	Byker Properties 2020	Byker 2020 %	GHC Properties 2020	GHC 2020 %
Owner Occupied	299	21%	100	14.7%
Private Rented	533	37.5%	355	52.4%
Registered Provider	153	10.8%	123	18.1%
YHN	436	30.7%	100	14.7%
Grand Total	1421		678	

Table 7 – Selective Licensing Tenure

Both proposed licensing areas meet the high proportion private rented condition of 20%, with Byker at 37.5% and GHC at 52.4% private rented

Assured tenancies or licences

Assured Shorthold tenancies are the most common form of contract in the private rented sector and, along with properties let under licence, are licensable under a Selective Licensing scheme. The main, documented alternative to assured shorthold tenancies and licences is regulated tenancies; tenancies which were established prior to 1991 and which have not been re-let since, whereby they would default to an assured shorthold tenancy.

Only 2 properties over the last 10 years have been identified as being on regulated tenancies which is less than 0.25% of the properties in the proposed license areas. Given the very low occurrence of regulated tenancies and the continued phasing out of these types of tenancies, the proposed area meets the statutory requirement that the private rented properties within the proposed areas are occupied under either assured tenancies or licences to occupy.

Anti-Social Behaviour

Anti-social behaviour is a cross cutting issue and can often be the symptom of other more deep-rooted issues the impact of which can be felt by the wider community and is often symptomatic of more serious criminal activity.

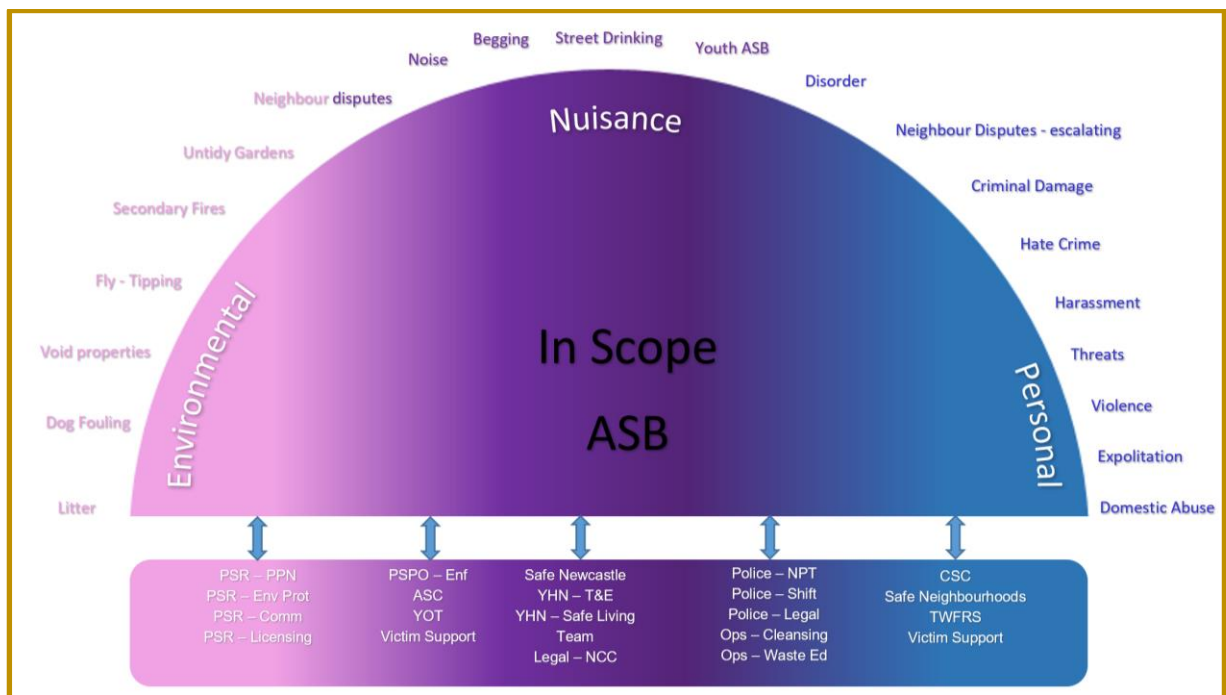


Figure 1– In scope ASB across 3 categories and the teams responsible for tackling ASB in Newcastle

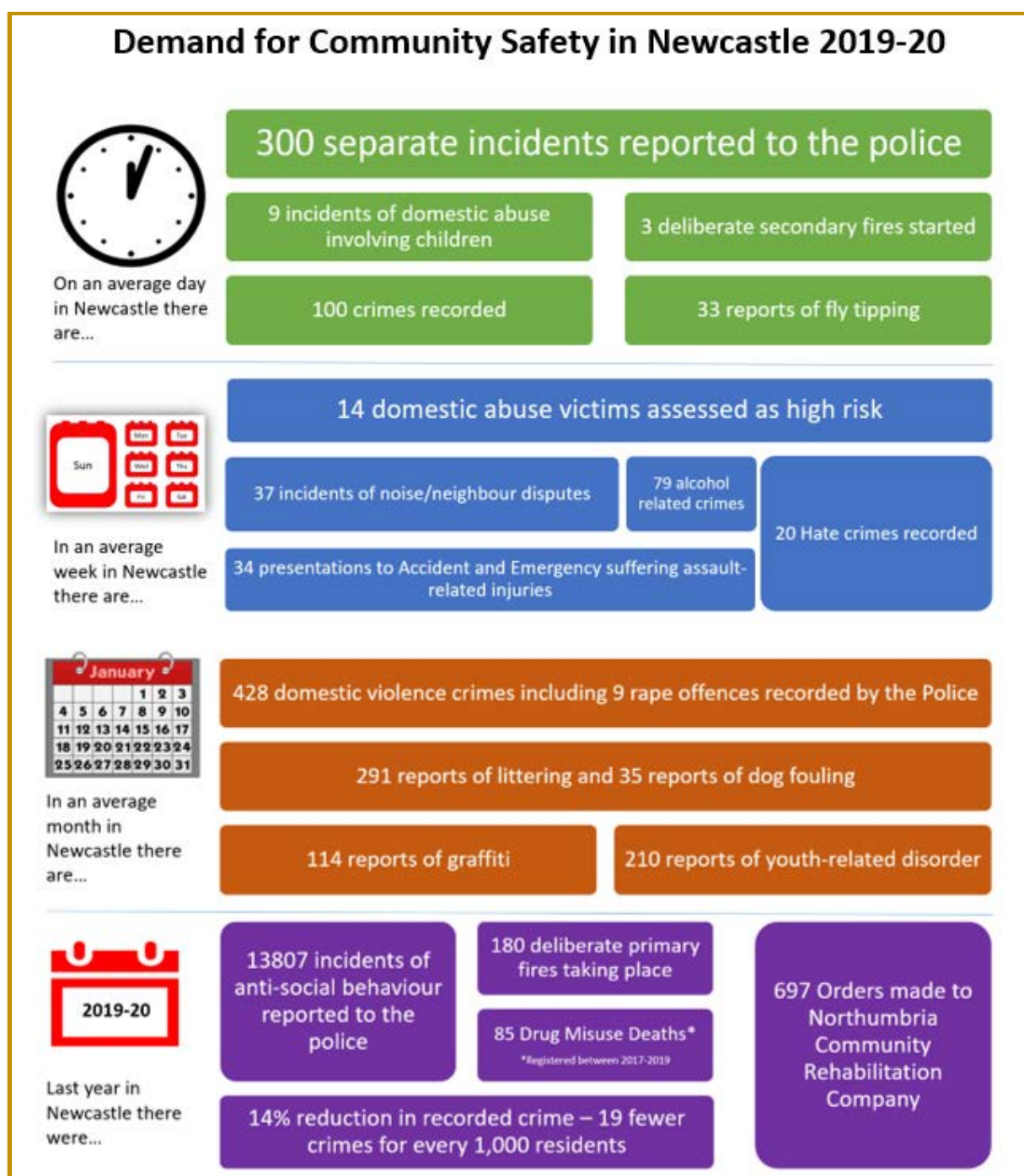


Figure 2 - Demand for Community Safety in Newcastle

Nuisance Anti-Social Behaviour

The Public Safety and Regulation division of the council along with the Police service deal with a wide range of ASB problems from children skateboarding, to barking dogs, through to neighbour disputes. Over the last three years almost 2,000 ASB incidents were recorded across the two proposed licensing areas.

The following section looks at Crime and Anti-Social Behaviour recorded by the Police and the Housing Enforcement Team over the licensing period. The data covers a full range of incidences which are not directly related to the residential properties such as ASB in the

city centre and parks. To provide a more realistic assessment incidents have been filtered to remove any report occurring more than 20m away from a residential property.

To meet the licensing conditions each of the areas proposed to be licensed must meet the ASB conditions and the following section reviews the evidence for each area separately.

Byker Licensing Area

The ASB data has been reviewed at three area levels, the license area, Ward and city levels primarily to identify if the ASB levels within the licensing area is changing relative to the other areas. Due to the area levels being of significantly different scales to allow for comparisons to be made the number of ASB incidents have been divided by the number of residential properties in each of the area to provide a ratio that can be compared. The data is further reviewed focusing on the last three years to consider the current ASB levels in the area and compare these levels with city, 2020 licensing areas and no licensed areas of the city.

The following table shows reported ASB incidents over the last 9 years across the three area levels and shows that there has been a steady decline in ASB incidents across all three levels. Byker had almost twice as many incidents per property than the city average when licensing began and by 2019 the levels had dropped 51% from the highest levels but still remains higher than both Ward and city levels. The reduction in Byker is much steeper than both the wider Wards and city decline showing that Byker improvement have been greater than wider ward and city level.

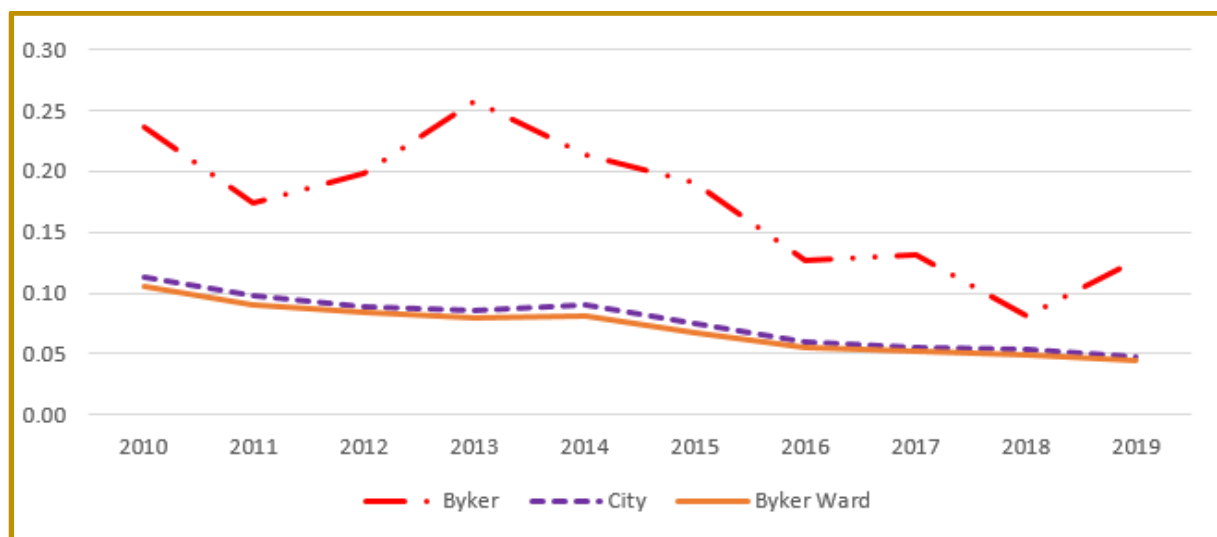


Figure 3 Byker Police ASB incidents with 20m of residential properties

The ASB data is split down into 19 categories with the majority of incidents (78%) recorded in the four categories below.

Year	Malicious / Nuisance Communications	Neighbour Dispute / Noise Problem	Rowdy / Inconsiderate Behaviour	Youth Related - under 18 years
2010	19	66	1	113
2011	6	51	74	74
2012	5	55	117	69
2013	13	64	131	105
2014	17	57	138	48
2015	13	75	122	22
2016	6	49	68	24
2017	8	41	48	37
2018	1	19	36	28
2019	4	27	44	47

Table 8 Byker Police ASB incidents to 4 categories

Again, this highlights that there has been a downwards trend in all four categories with rowdy/inconsiderate behaviour reducing from its peak in 2014 of 138 incidents down to 44 in 2019. The data shows that there has been a significant improvement in residents' and visitor behaviours in the licensing areas over the licensing period.

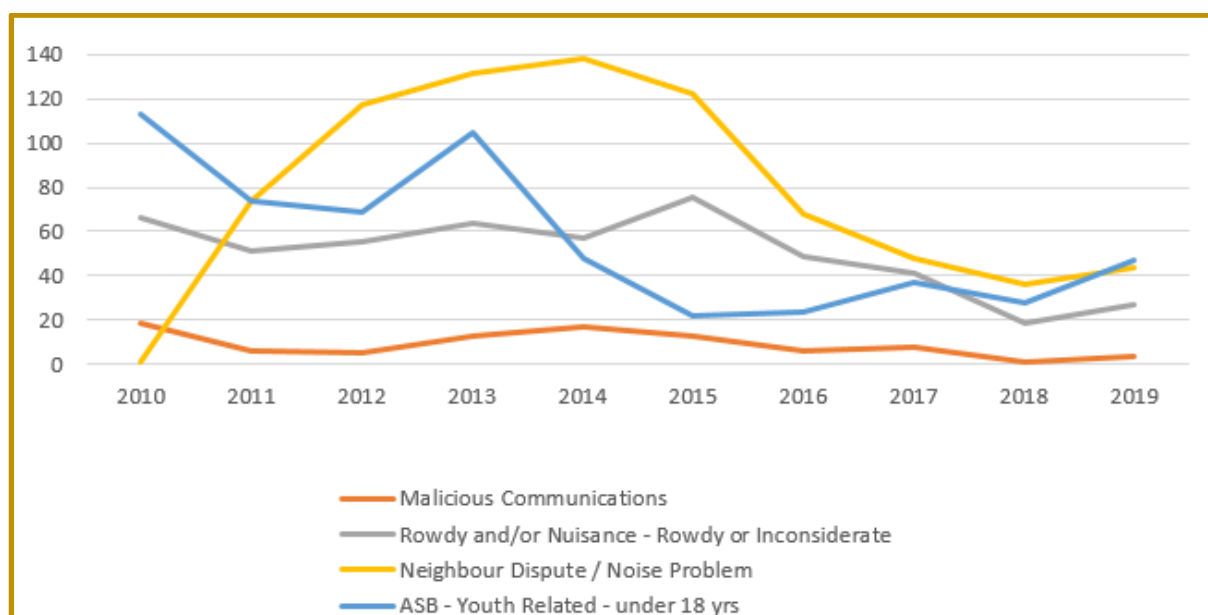


Figure 4 Byker Police ASB incidents to 4 categories

The Public Protection and Neighbourhood Team also investigate a wider range of public health complaints across all properties in the licensing area. A review of ASB incidents shows a similar trend to the police data.

The graph below shows an overall reduction in complaints. The increase in resources as a result of licensing allows for additional proactive enforcement to take place with levels

declining as the schemes progress as residents start to modify their behaviour and the areas improves.

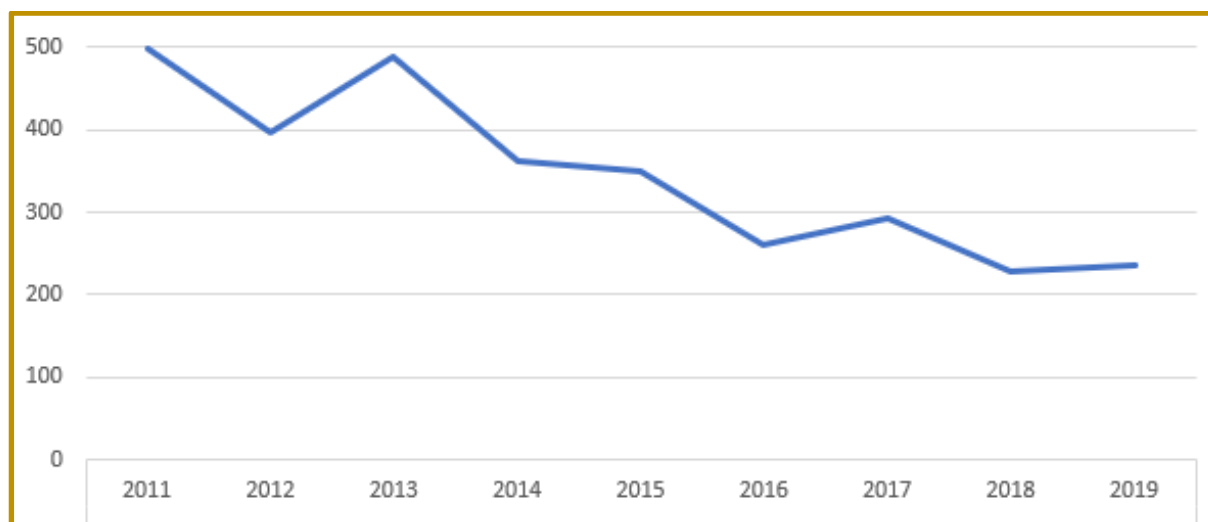


Figure 5 Byker PP&NT complaints

Complaints can be split down into two broad categories

- * Antisocial behaviour related issues such as noise complaints, litter, general ASB and dog issues
- * property condition.

The ASB complaints are dominated by noise at the start of the licensing scheme and complaints have declined by over 300% over the 10-year period. The remaining three categories have remained relatively constant over the licensing period.

ASB Issues	ASB	Dog	Litter	Noise
2011	18	14	35	150
2012	9	9	15	171
2013	14	19	29	150
2014	31	18	24	107
2015	13	15	31	47
2016	10	19	34	24
2017	13	9	36	42
2018	9	8	27	37
2019	22	5	28	29

Table 9 Byker PP&NT complaints by categories

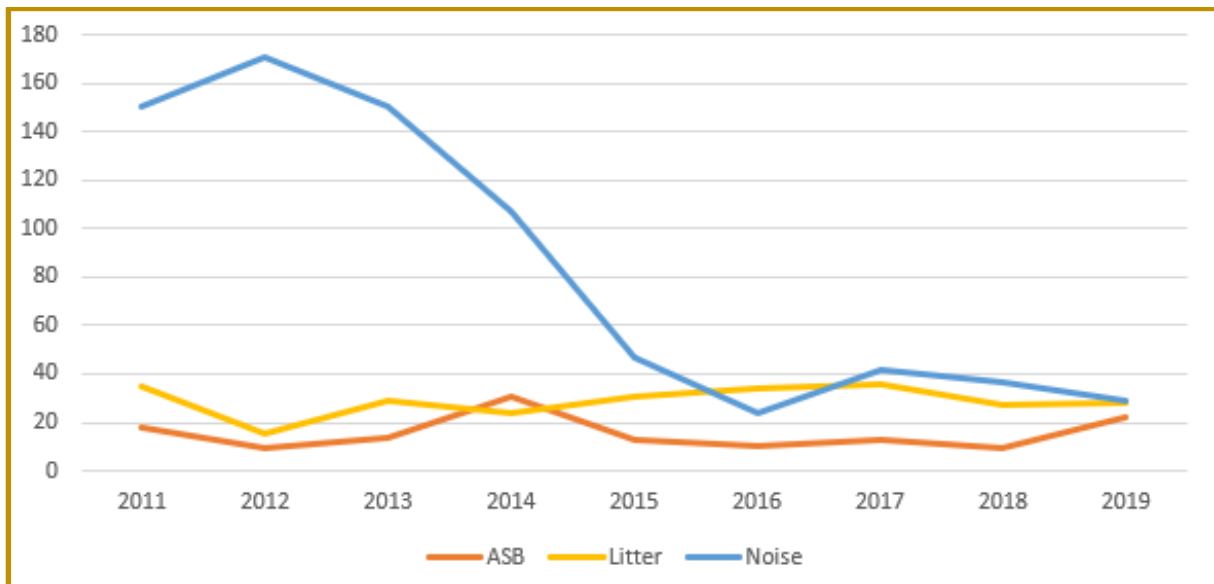


Figure 6 – Byker ASB -litter and noise complaints

Despite the significant downwards trend in ASB incidents are still above the city average and when we have a closer look at the incidents over the last three years, we can see that Byker has higher ratios of Noise and ASB incidents compared to the 6 other Selective Licensing areas. Only environment complaints are slightly lower than the other licence areas but still much higher than the city average.

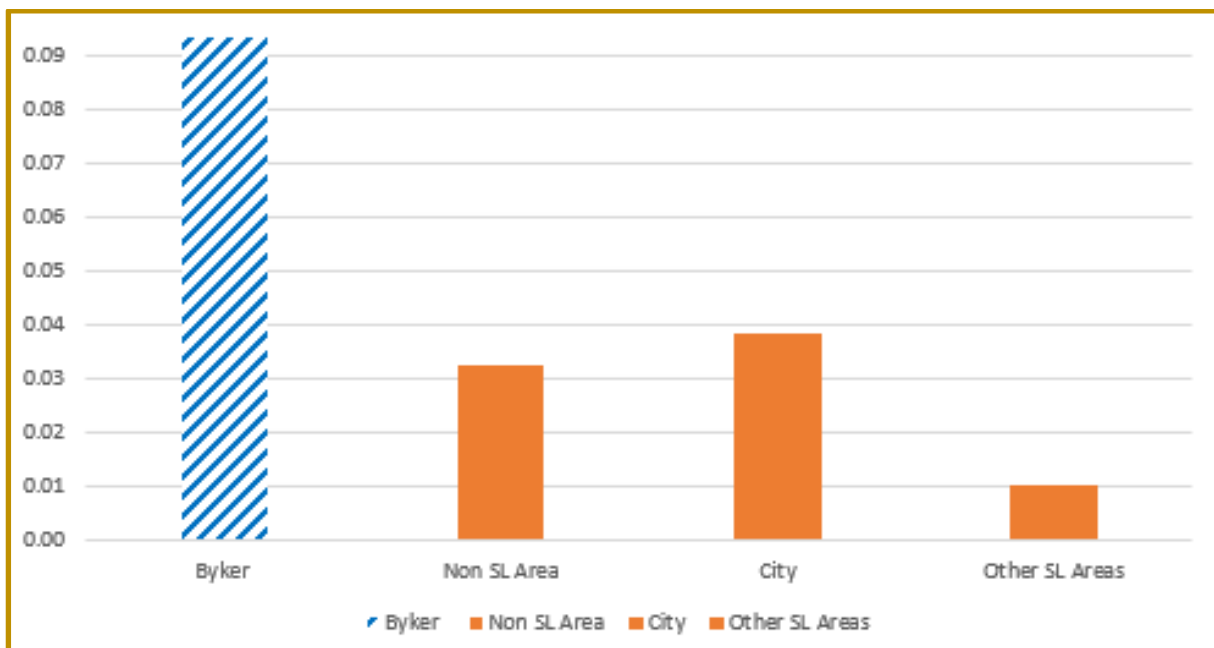


Figure 7 Byker Uniform Housing Team - Noise complaints 2017-2019

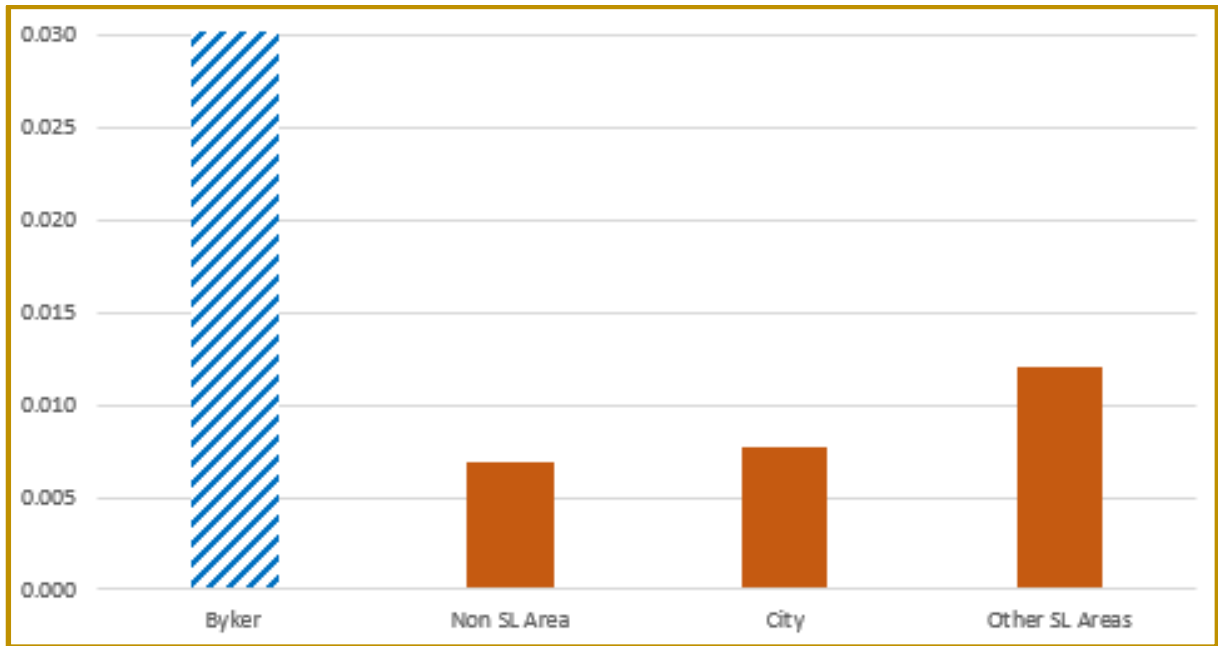


Figure 8 Byker Uniform Housing Team - ASB complaints 2017-2019

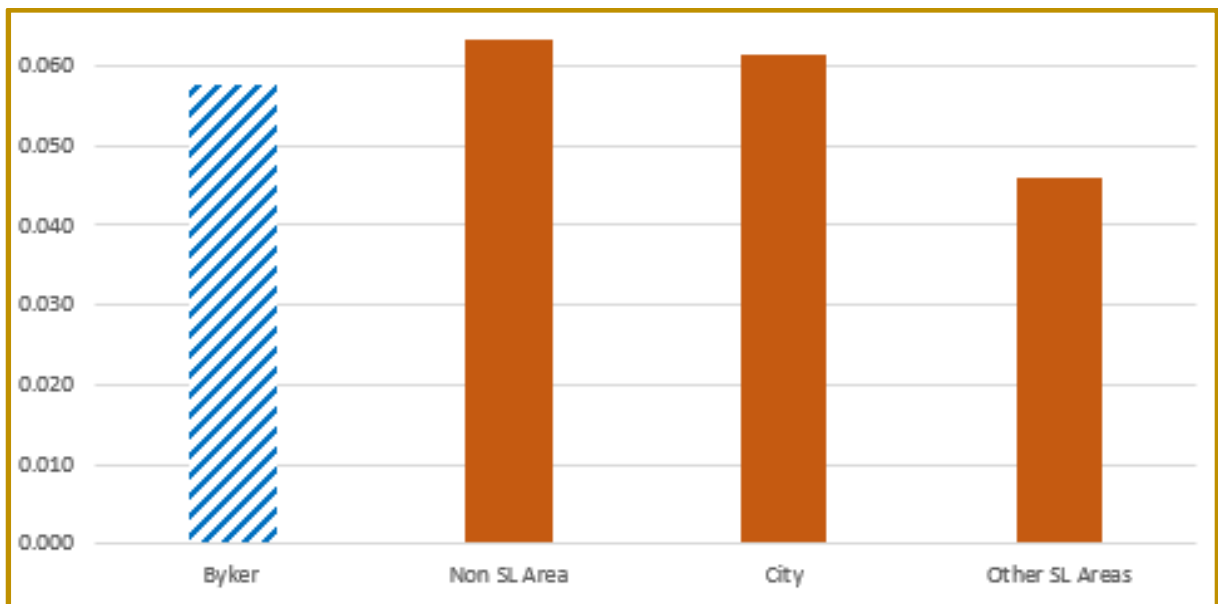


Figure 9 Byker Uniform Housing Team - Environment complaints 2017-2019

A similar review of the police data shows the same trends with Byker Selective Licensing still higher than other Selective Licensing areas.

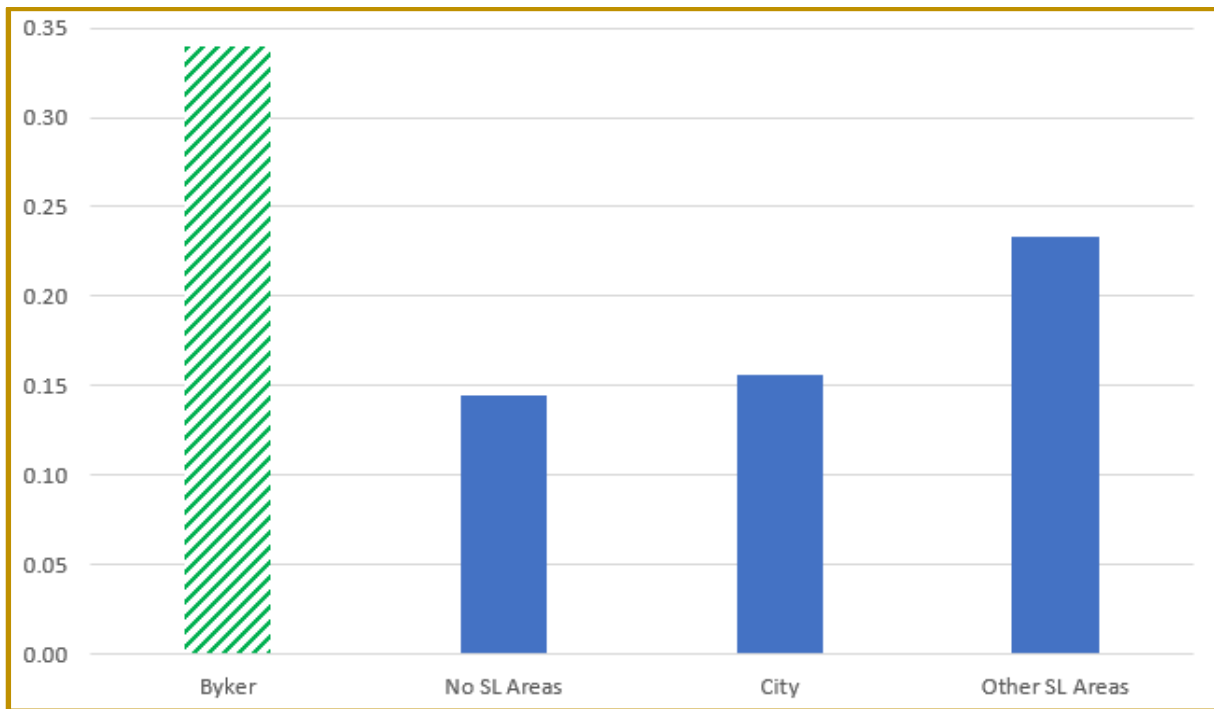


Figure 10 Byker ASB Police within 20m residential properties 2017-2019

Reviewing the 5 top ASB categories that incidents are registered under continues to show that Byker consistently remains higher than the other Selective Licensing areas.

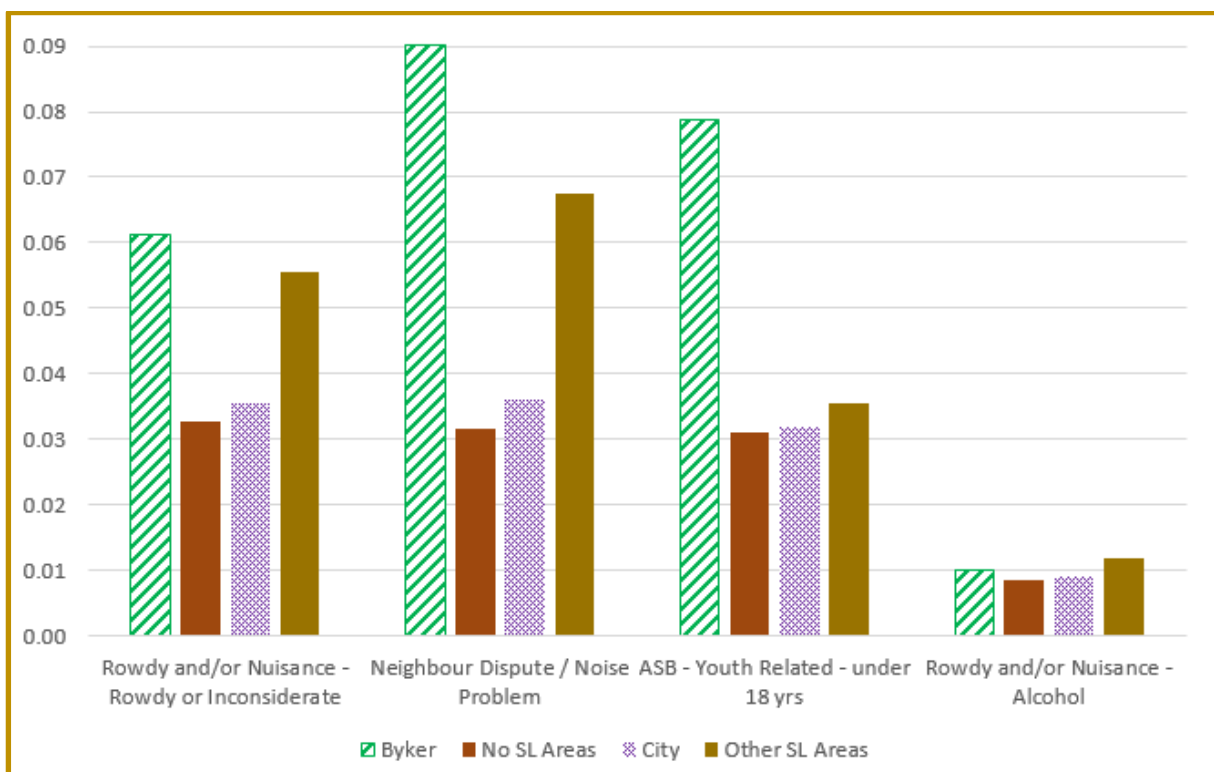


Figure 11 Byker ASB Police within 20m residential properties top five categories 2017-2019

The graphs above show that Byker continues to suffer high levels of ASB issues and although numbers of incidences have reduced over the selective licensing periods, levels still remain higher than other areas of the city.

The following table highlights that Byker ASB incidents are 51% higher for ASB (police) compared to the new 2020 selective licensing areas and 126% higher than non-licensed areas of the city. Only litter incidents are closer to 2020 selective licensing area levels (13% higher and non-licensed areas (32%))

ASB Type	Byker Licensing Areas 2020	Non-Licensing Areas	Number of incidents recorded in GHC
ASB (Police)	51%	126%	934
Litter (Uniform)	24%	32%	120
Noise (Uniform)	13%	175%	195

Table 10 Byker Comparison of levels of ASB incidents between areas occurred between 2017-19

Byker licensing area consists of two separate areas Byker Old Town and Allendale South and the ASB evidence was reviewed for each of the separate area to confirm both areas meet the ASB conditions.

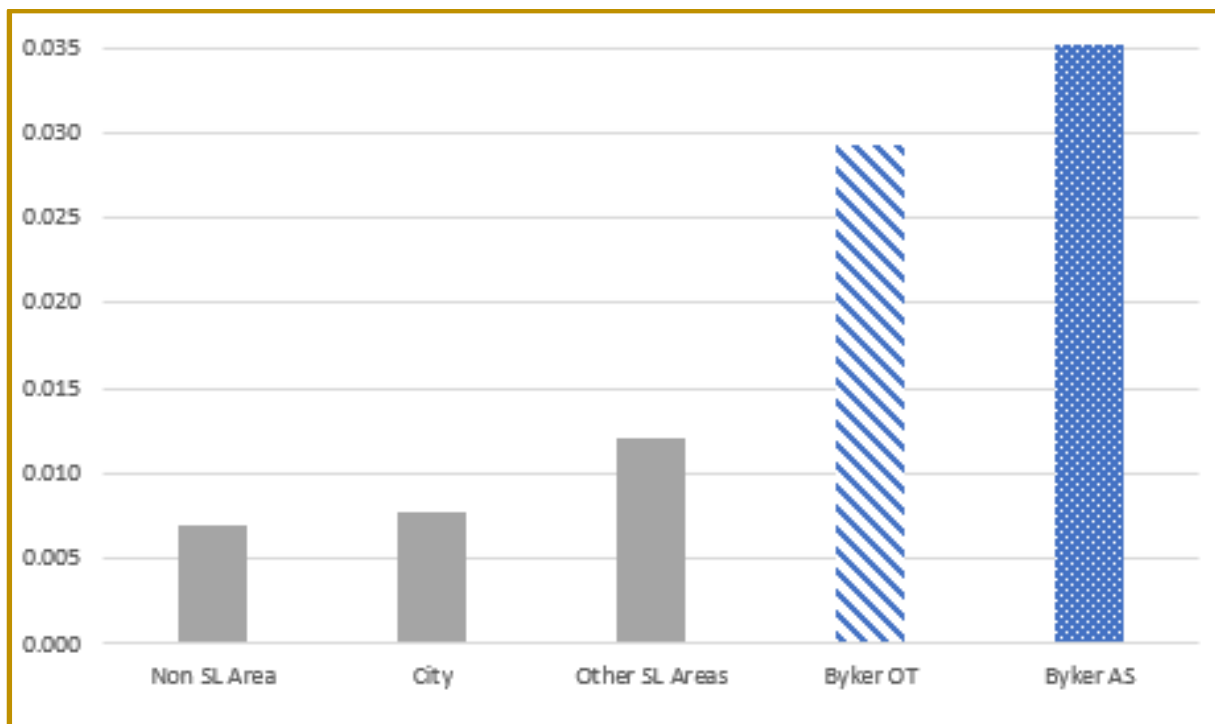


Figure 12 Byker sub areas Uniform Housing Team - ASB complaints 2017-2019 (Byker sub areas)

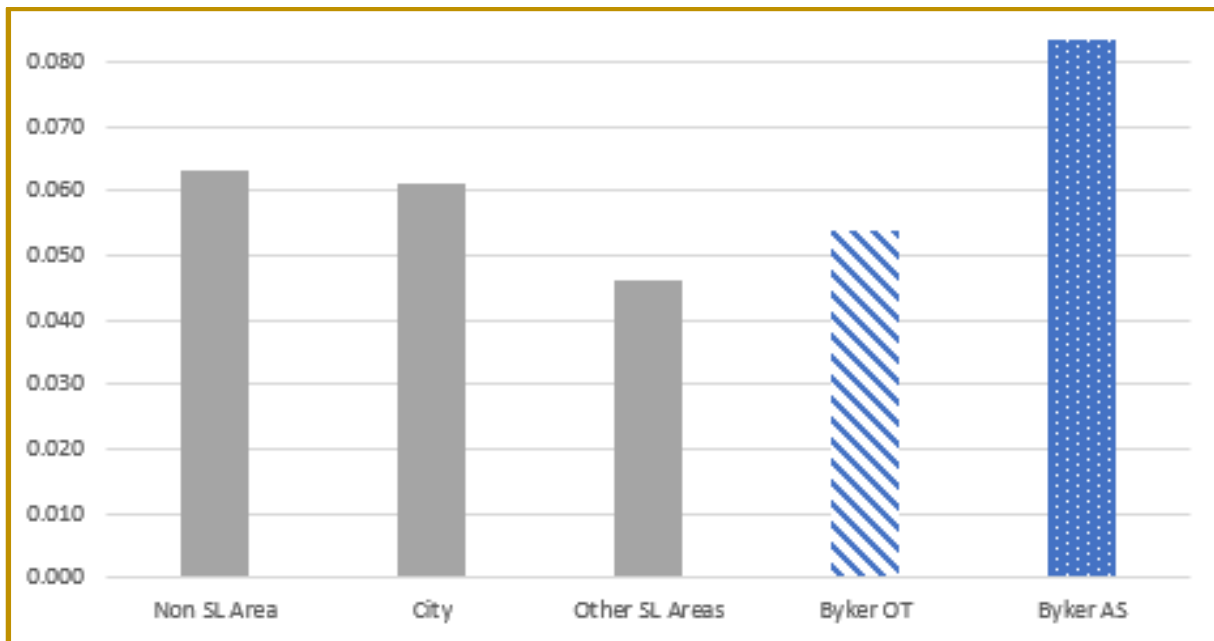


Figure 13 Byker sub areas Uniform Housing Team - Environment complaints 2017-2019 (Byker sub areas)

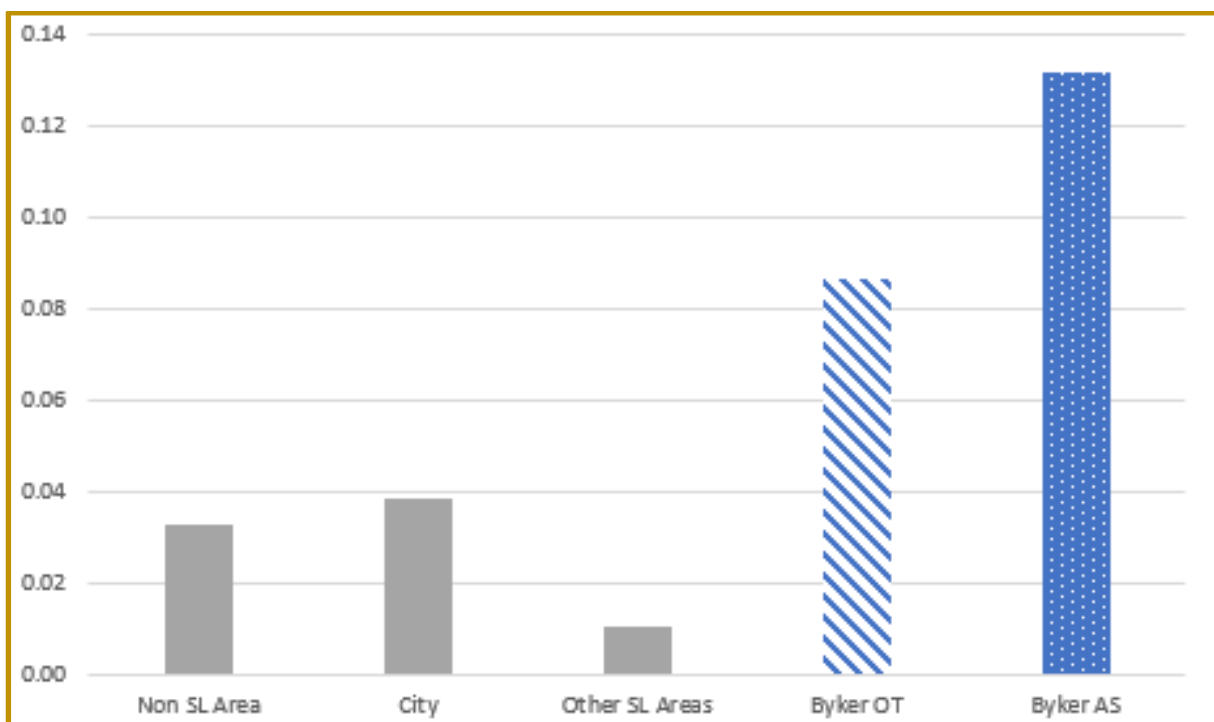


Figure 14 Byker sub areas Uniform Housing Team - Noise complaints 2017-2019 (Byker sub areas)

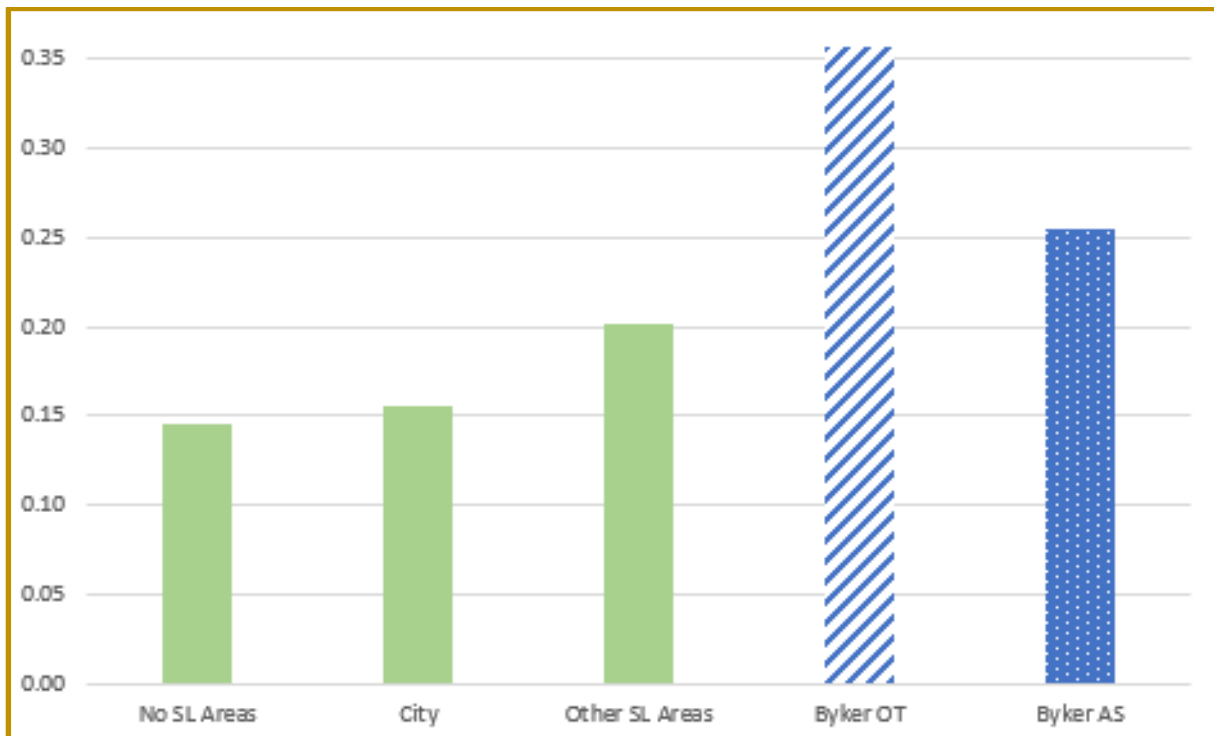


Figure 15 Byker sub areas ASB Police within 20m residential properties 2017-2019 (Byker sub areas)

The graphs above show that both Byker sub areas have higher levels of ASB then the city and other sub areas across the all of categories for Environmental compliant where Byker Old Town was lower than the city average but still higher than the other licensing areas. Overall, both areas ASB complaints are higher the comparison areas in the majority of cases and therefore both areas should be included in the proposed Byker designation.

Greater High Cross Anti-Social Behaviour

Greater High Cross licensing scheme spans over the two wards of Elswick and Scotswood & Benwell.

The ASB data has been reviewed at three area levels, the license area, ward and city levels primarily to identify if the ASB levels within the licensing area is changing relative to the other areas. Due to the area levels being of significantly different scales to allow for comparisons to be made the number of ASB incidents have been divided by the number of residential properties in each of the area to provide a ratio that can be compared. The data is further reviewed focusing on the last three years to consider the current ASB levels in the area and compare these levels with city, 2020 licensing areas and no licensed areas of the city.

The following table shows reported ASB incidents over the last 11 years across the three levels and shows that there has been a steady decline in ASB incidents across all three levels. Greater High Cross had almost twice as many incidents per property than the city average when licensing began and by 2019 the levels had dropped to almost the same levels as the city average. The reduction in the High Cross is much steeper than both the

wider Wards and city decline showing that Greater High Cross improvement has been greater than wider ward and city level.

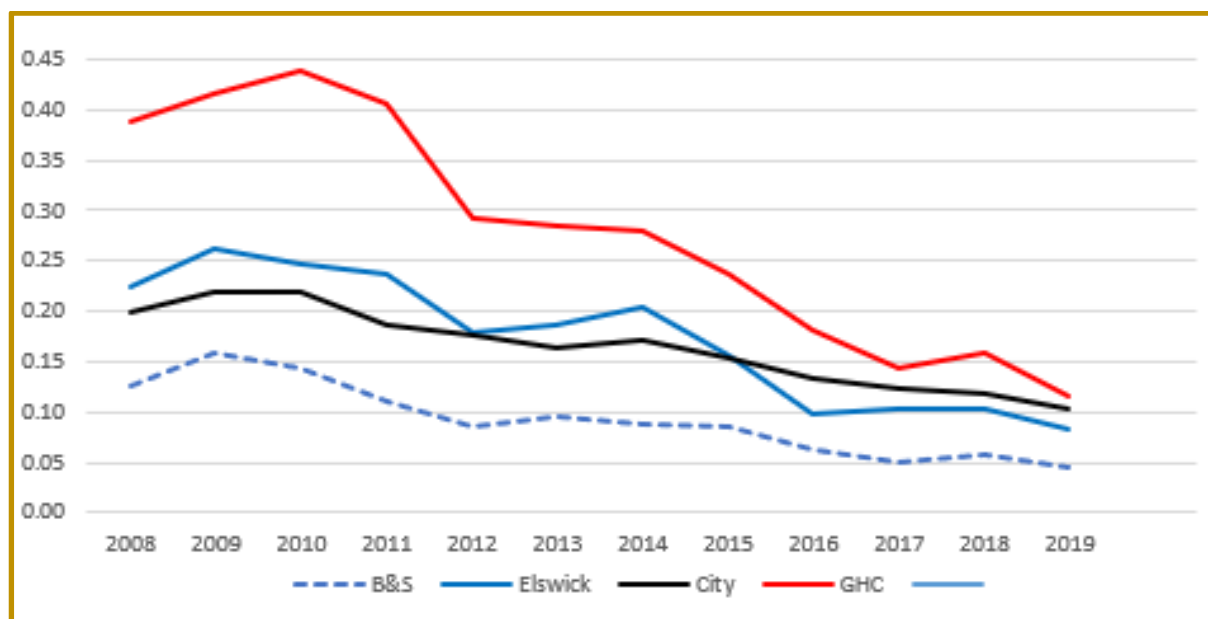


Figure 16 Police ASB incidents with 20m of residential properties

The ASB data is split down into 19 categories with the majority of incidents (72%) recorded in the four categories below.

Year	Malicious / Nuisance Communications	Neighbour Dispute / Noise Problem	Rowdy / Inconsiderate Behaviour	Youth Related - under 18 years
2008	12	41	159	
2009	17	73	145	
2010	10	36	213	
2011	3	62	145	22
2012	3	43	123	9
2013	7	49	101	14
2014	7	43	122	6
2015	10	58	69	6
2016	6	33	58	9
2017	1	32	38	5
2018	2	27	48	10
2019		16	38	9

Table 11 Police ASB incidents to 4 categories

Again, this highlights that there has been a downwards trend in all four categories with rowdy/inconsiderate behaviour reducing from its peak in 2010 of 213 incidents down to 38 in 2019. The data shows that there has been a significant improvement in residents' and visitor behaviours in the licensing areas over the licensing period.

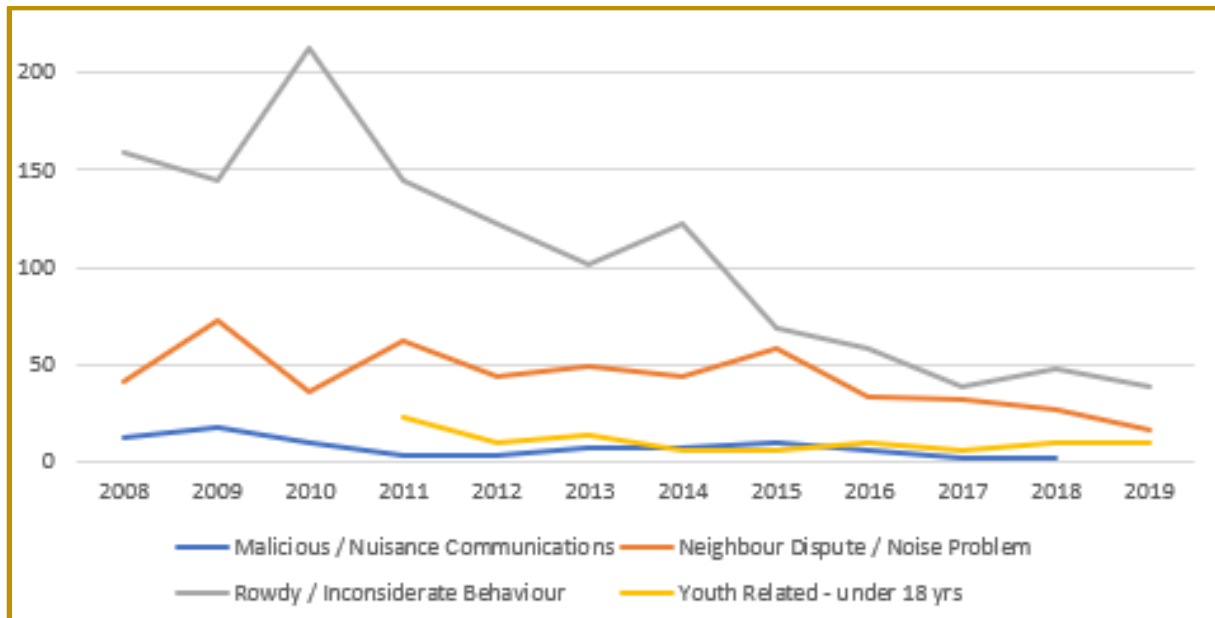


Figure 17 Police ASB incidents to 4 categories

The Public Protection and Neighbourhood Team also investigate a wider range of public health complaints across all properties in the licensing area. A review of ASB incidents shows a similar trend to the police data.

The graph below shows that there was an increase in complaints prior to the first licensing scheme being introduced. This is likely due to the increased engagement and awareness raising undertaken during the development and consultation period before the start of the scheme. Increase in resources as a result of licensing allows for additional proactive enforcement to take place with levels declining as the schemes progress as residents start to modify their behaviour and the areas improves.

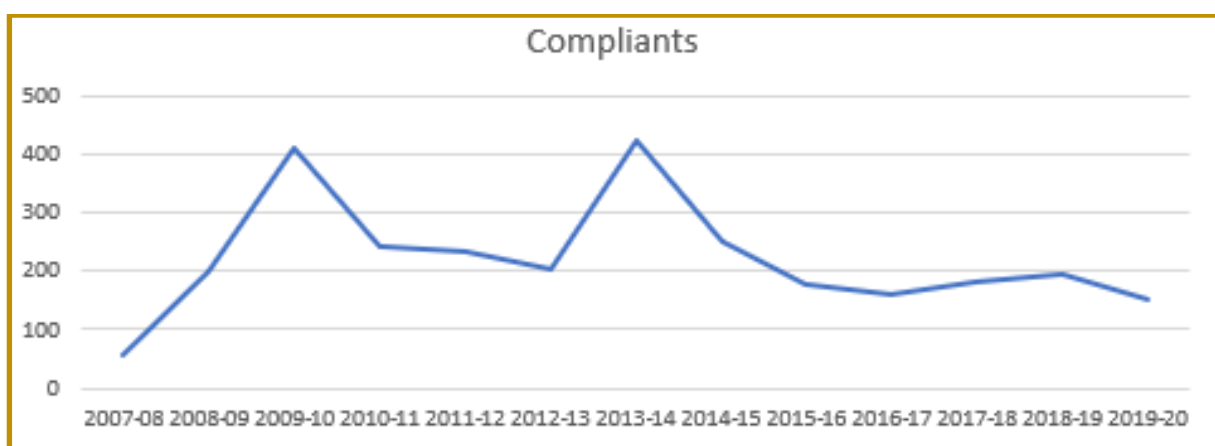


Figure 18 -GHC PP&NT complaints

The ASB complaints are dominated by noise and litter issues which has seen a small decline in reporting over the 10 years of the licensing scheme

ASB Issues	ASB	Dog	Litter	Noise
2007-08	0	4	7	30
2008-09	5	8	60	47
2009-10	5	6	85	82
2010-11	5	3	64	43
2011-12	5	4	67	40
2012-13	2	9	50	50
2013-14	12	6	208	32
2014-15	8	16	108	44
2015-16	11	6	78	20
2016-17	11	7	38	20
2017-18	6	6	52	26
2018-19	16	4	40	38
2019-20	4	4	36	24

Table 12 GHC PP&NT complaints by categories

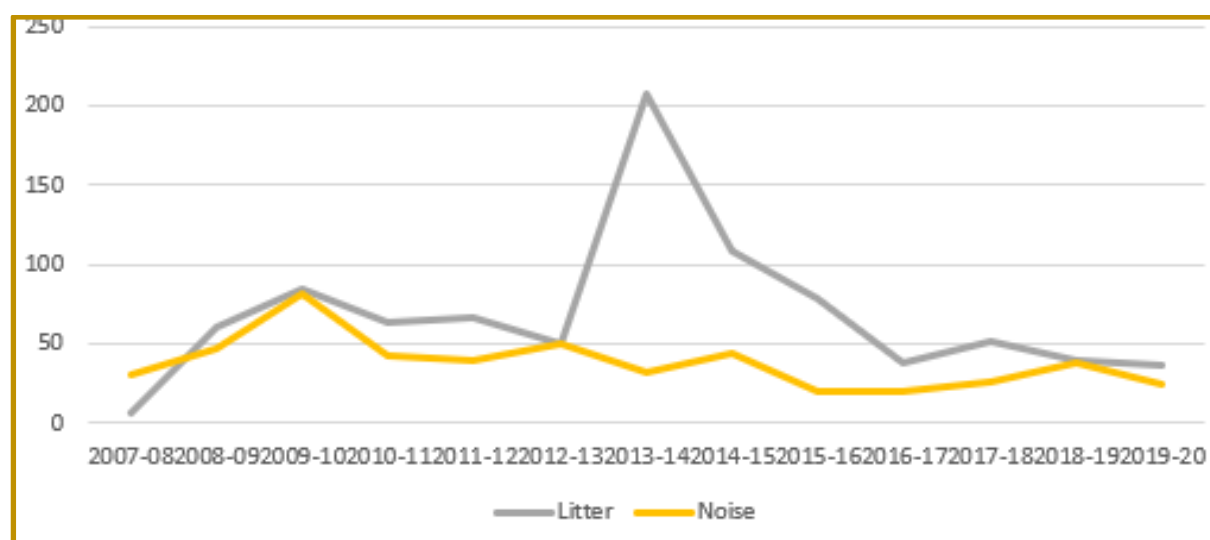


Figure 19 – GHC ASB -litter and noise complaints

Despite the significant downwards trend in ASB incidents are still above the city average and when we have a closer look at the incidents over the last three years we can see that High Cross consistently has higher ratios of Noise and ASB incidents compared to the 6 other Selective Licensing areas. Only environment complaints are slightly lower than the other licence areas but still much higher than the city.

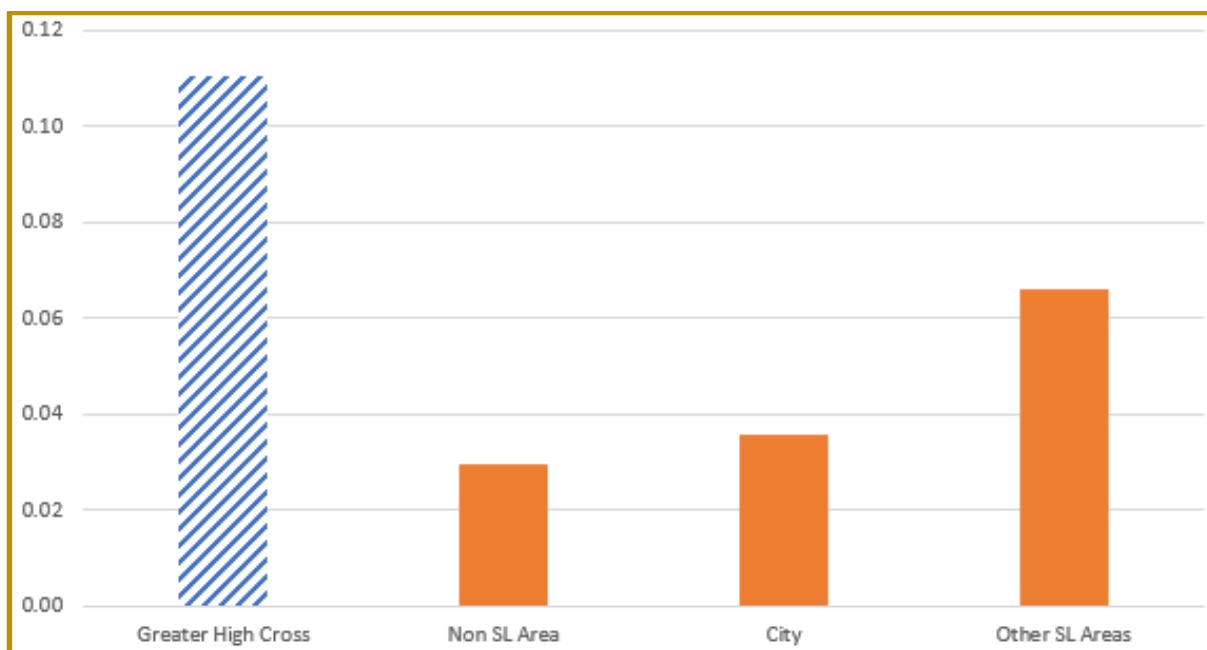


Figure 20 GHC Uniform Housing Team - Noise complaints 2017-2019

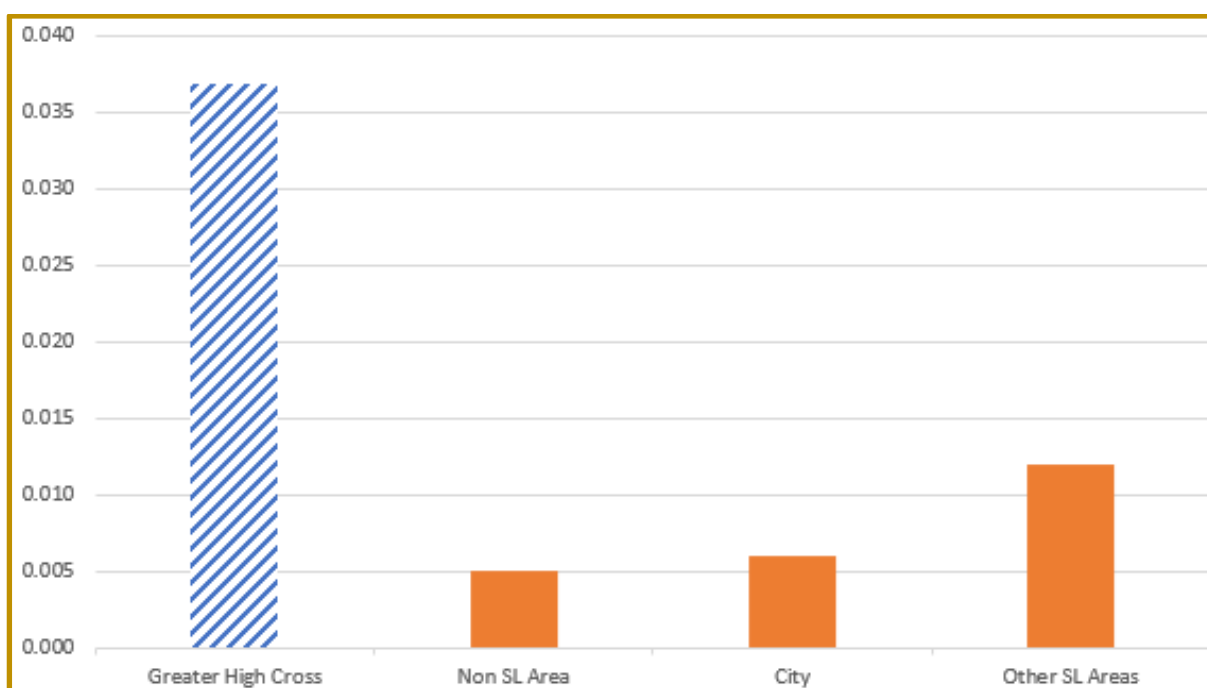


Figure 21 GHC Uniform Housing Team - ASB complaints 2017-2019

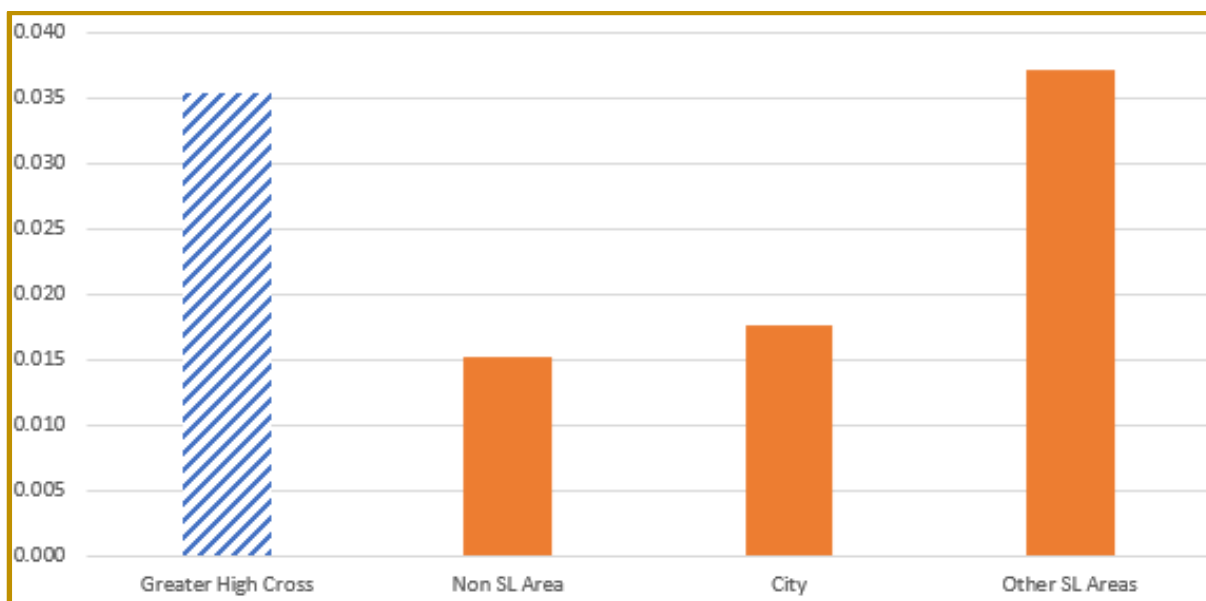


Figure 22 GHC Uniform Housing Team - Environment complaints 2017-2019

A similar review of the police data shows the same trend with High Cross Selective Licensing still higher than other Selective Licensing areas.

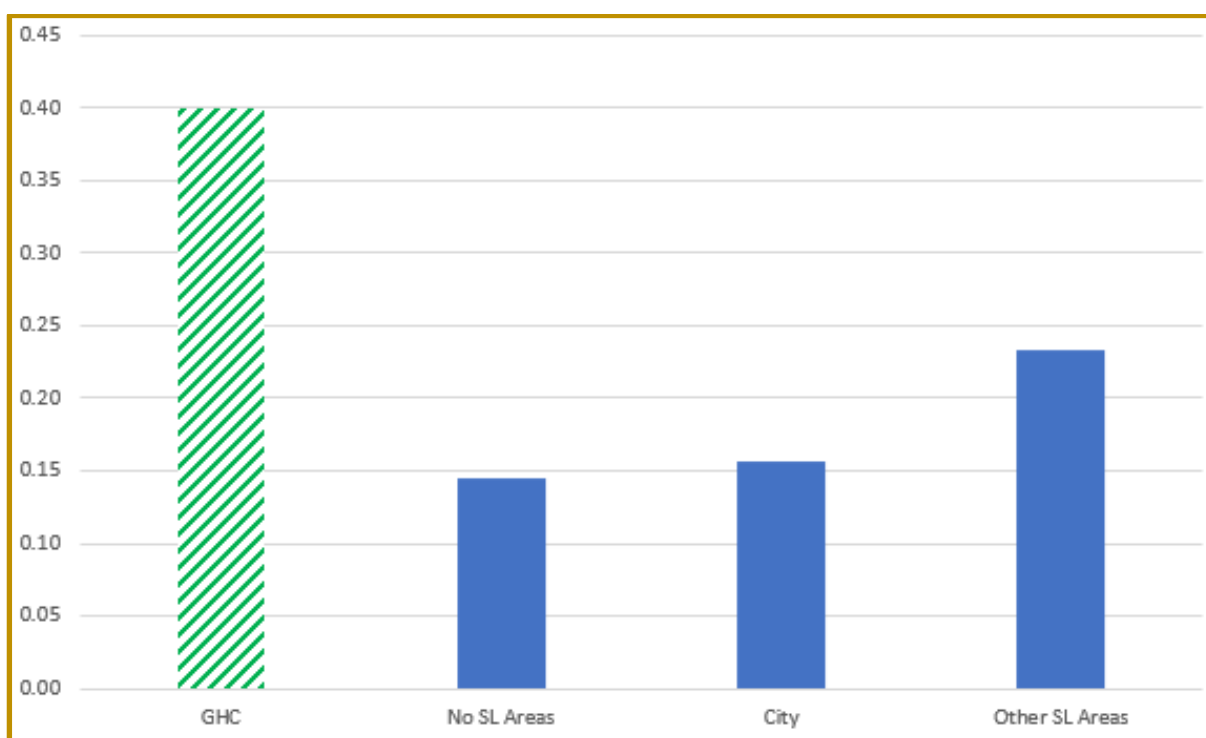


Figure 23 GHC ASB Police within 20m residential properties 2017-2019

Reviewing the 5 top ASB categories that incidents are registered under continues to show that Greater High Cross consistently remains higher than the other Selective Licensing areas.

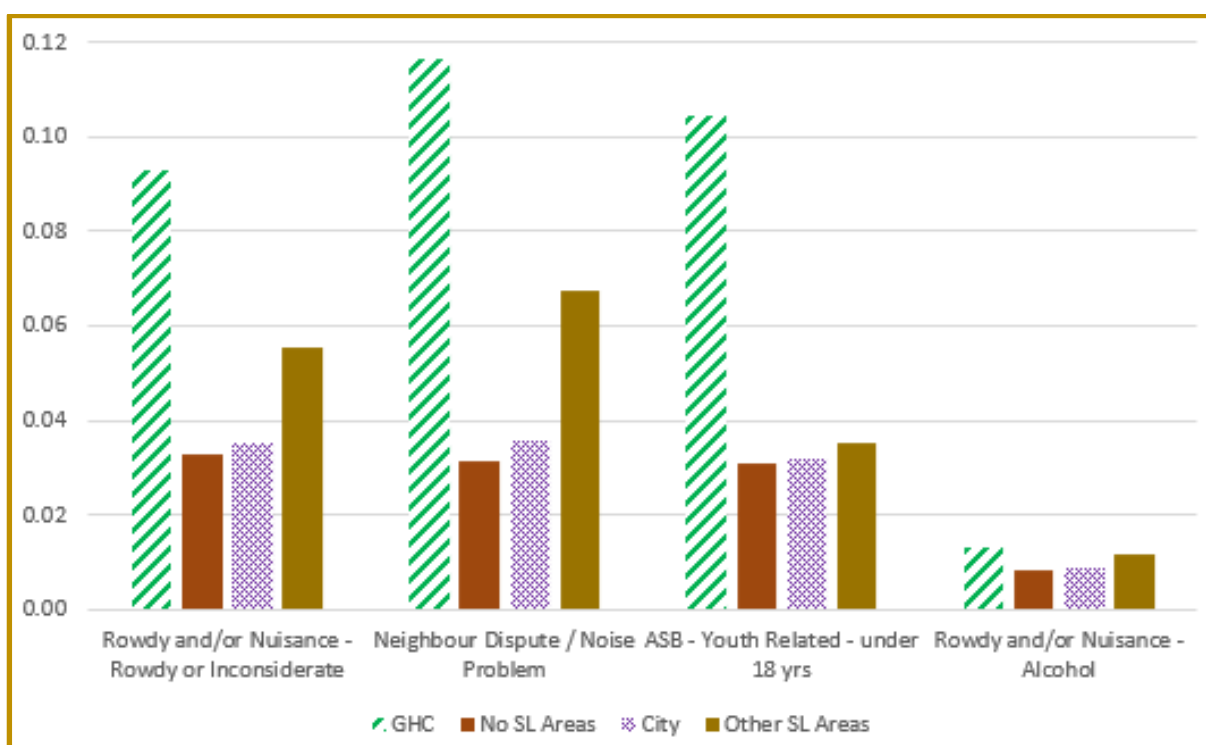


Figure 24 GHC ASB Police within 20m residential properties top five categories 2017-2019

The graphs above show that Greater High Cross continues to suffer high levels of ASB issues and although numbers of incidences have reduced over the selective licensing periods, levels still remain higher than other areas of the city.

The following table highlights that Greater High Cross ASB incidents are 84% higher for ASB (police) compared to the new 2020 selective licensing areas and 200% higher than non-licensed areas of the city. Only noise incidents are closer to 2020 selective licensing area levels (29% higher), but still significantly higher for non-licensed areas (212%)

ASB Type	Licensing Areas 2020	Non-Licensing Areas	Number of incidents recorded in GHC
ASB (Police)	84%	200%	544
Litter (Uniform)	73%	84%	80
Noise (Uniform)	29%	212%	106

Table 13 GHC Comparison of levels of ASB incidents between areas occurred between 2015-19

Personal Anti-social Behaviour

Figure 1 shows that Personal ASB contains predominantly criminal activity; all criminal activity can be classed as ASB if the impact of that criminal activity “has caused, or is likely to cause, harassment, alarm or distress” (Anti-Social Behaviour, Crime and Policing Act 2014). However, not all ASB amounts to criminal activity. When collating data for this report information was requested on ASB; the information provided, particularly from Northumbria police will have all incidents recorded with an ASB code. This does not cover

the breadth of incident and crime types provided in Home Office guidance (Home Office Typology of ASB). It would also not identify incidents not recorded as a crime, or ASB classified by police as 'suspicious circumstance' or 'concern for safety'.

There are other incidents which could be useful. Some incidents may for example be allocated a suspicious circumstance code or a concern for safety code but actually relate to issues we would classify as ASB. There are also recorded crimes which should also be included in this analysis. The most obvious example being Public Order crimes which are often the result of ASB which has developed into a more serious incident. Recent increases in Public Order crimes, nationally and locally have coincided with reductions in ASB, demonstrating the interconnected nature of these types of incident and probably reflecting a tightening of crime recording practices by the police in recent years.

This means that the data analysed for this report could be deemed 'conservative', and the reality of ASB is significantly higher due to data collection and recording methods. Arguably, Personal ASB could be considered the category which has the greatest impact on residents and their feelings of safety in their communities. For example, drug dealing taking place from a property would be correctly recorded as a crime, however it is the impact of this crime which affects the neighbours and wider community.

Residents' Perceptions

The most regular public insights to ASB issues come from the Safer Communities Survey conducted by Northumbria Police. They contact residents across the Northumbria area by telephone and ask about their perceptions of the local neighbourhood, police visibility and awareness and the services delivered by the police and council. The report covers a 12-month period to the 31st March 2020.

This showed that 26% of respondents in Newcastle thought ASB is a very big, or fairly big problem in their neighbourhood and 16% thought Crime is a very big, or fairly big problem in their neighbourhood.

These results have been further filtered in terms of the existing or proposed licensing area. Due to the smaller of the proposed licensing areas and the small number of responses in these areas. The survey has been results have been reviewed at post code areas with NE4 Greater High Cross and NE6 Byker areas compared to the city average.

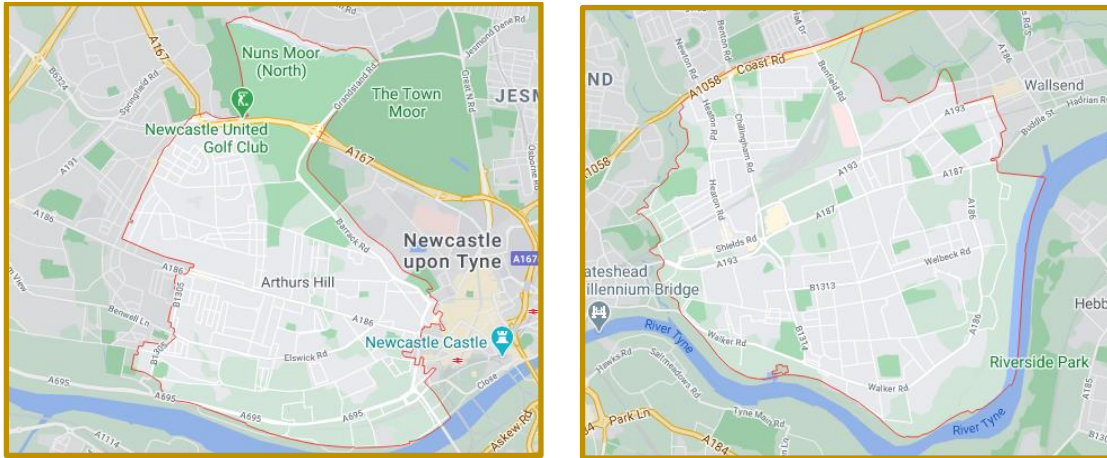
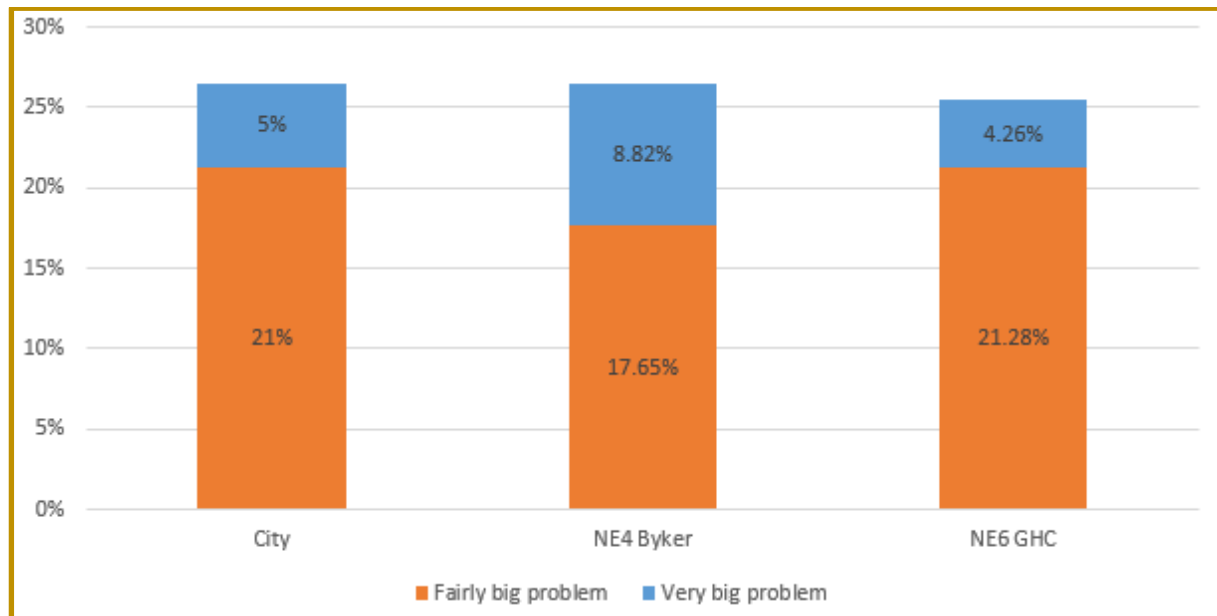


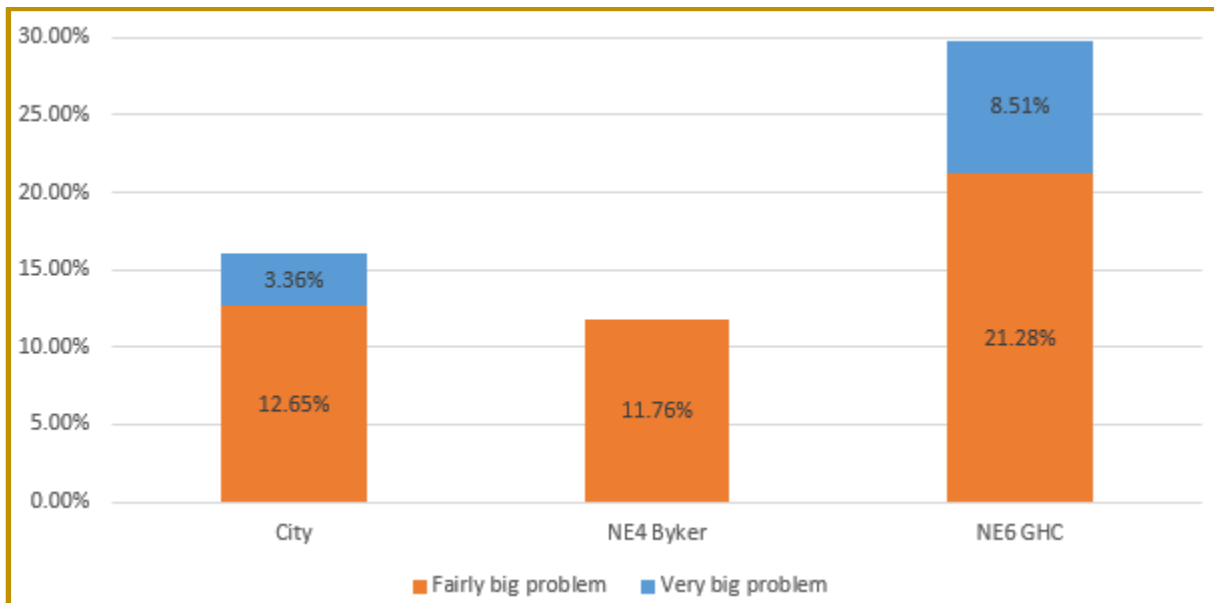
Figure 25 – Byker NE6 post code areas and Greater High Cross NE4 post code area

In both post codes relating to license areas, residents have a similar perception of ASB and crime than the city average, with almost 9% of Byker residents indicating that ASB is a very big problem compared to the city average of 5%.



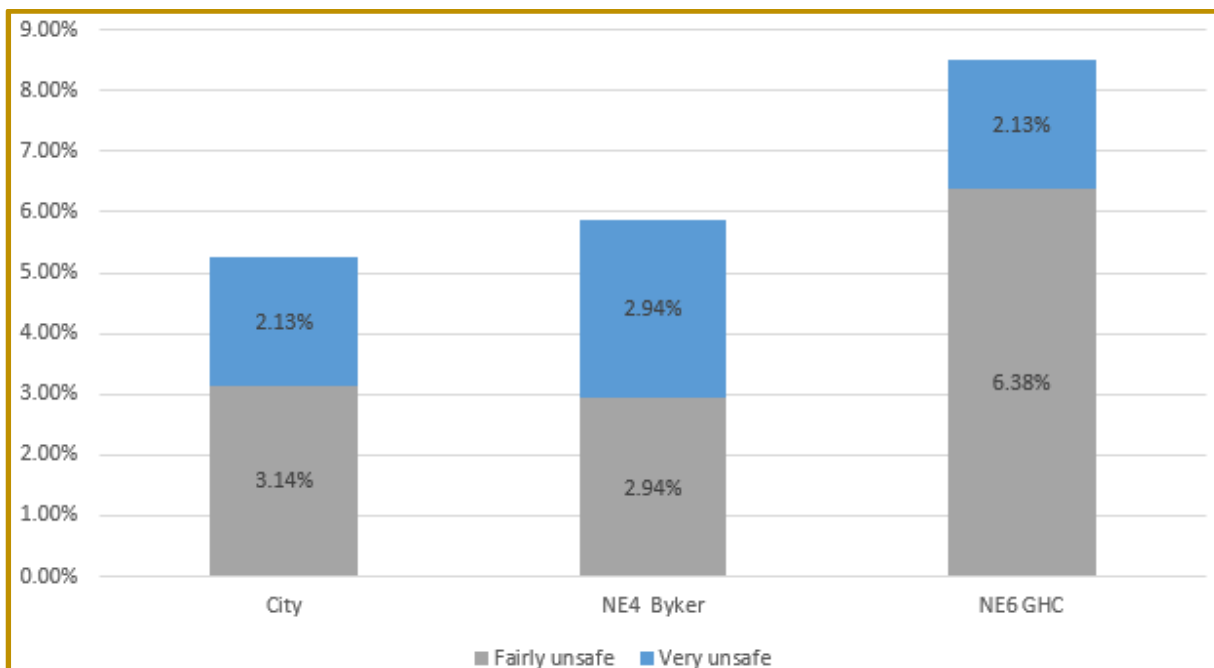
Graph 1 – Perception ASB survey 2020, Think ASB is a very or fairly big problem

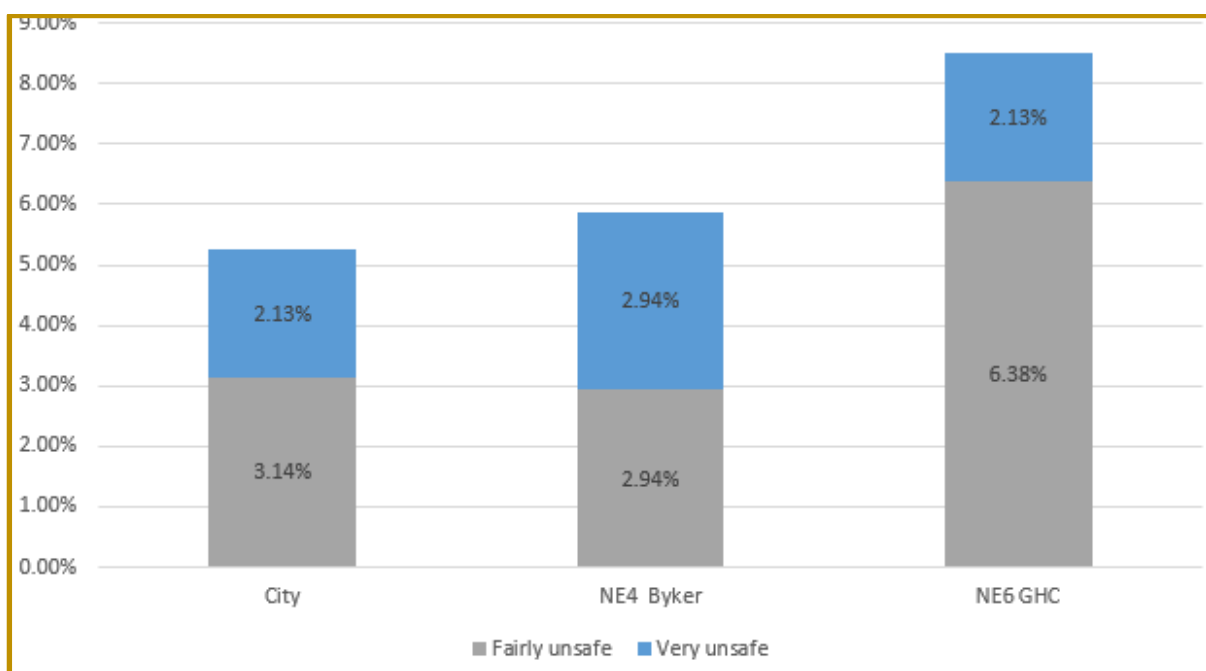
Greater High Cross postcode area has almost double the number of residents who think that crime is a very or fairly big problem compared to the city. Byker residents feel that crime is less of a problem than the city average.



Graph 2 – Perception ASB survey 2020, Think crime is a very or fairly big problem

Residents were also asked if they felt safe in their neighbourhood. Again, Greater High Cross residents were significantly higher than the city average. Results in Byker were slightly higher than the city average with a high number of residents feeling very unsafe in their neighbourhood.





Graph 3 – Perception ASB survey 2020, residents feel very safe in local area

Figure 26 shows the top problems identified by residents in 2017/18. As can be seen environmental ASB issues feature strongly, with rubbish or litter coming out as the top priority for residents and Fly tipping coming 3rd in the list. Young people being rowdy, or a nuisance and vandalism / criminal damage are also reported frequently.

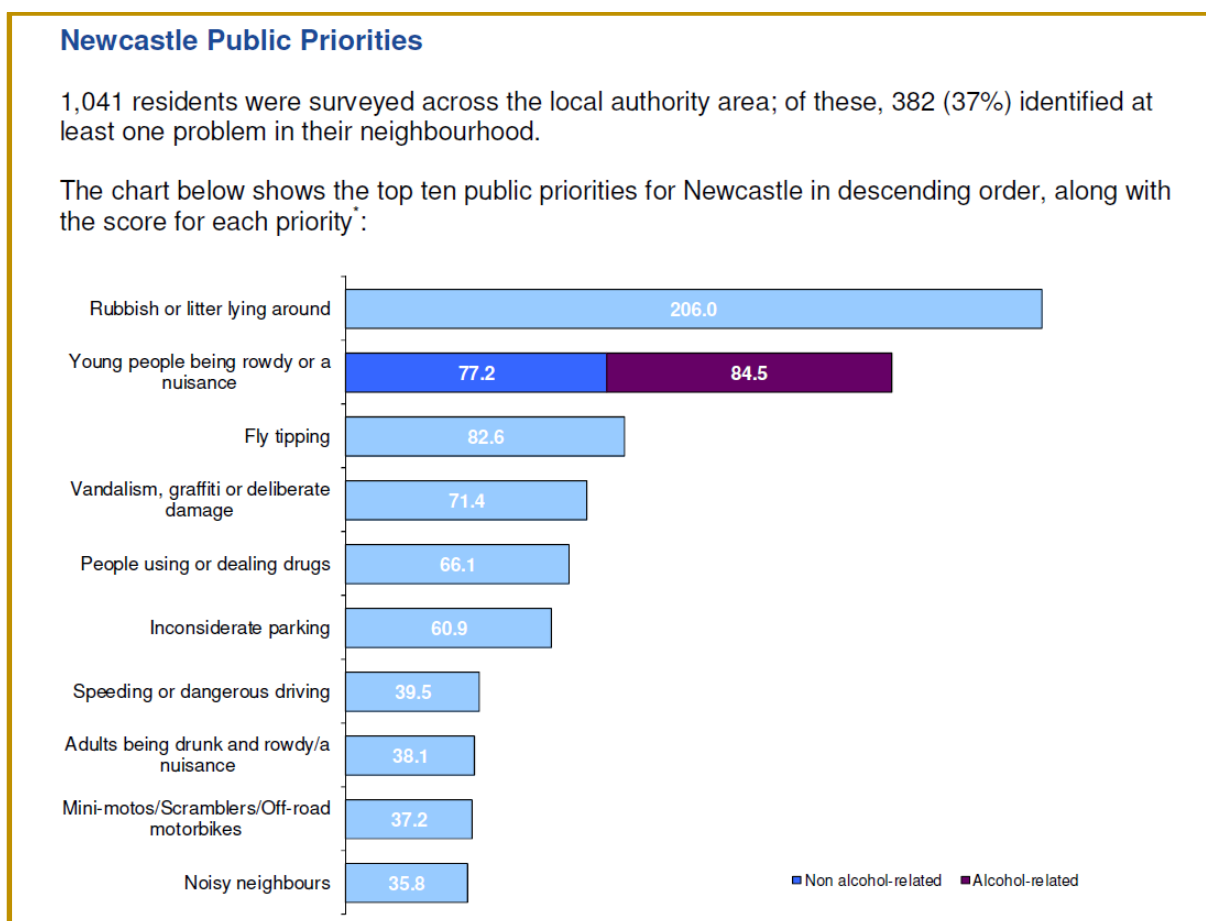


Figure 26 – Public priorities

Summary

There is clear evidence that there are high levels of ASB within the Selective Licensing area which have a significant effect on tenant and licence holders' attitudes and actions.

Byker ASB incidents are 51% higher for ASB (police) compared to the new 2020 selective licensing areas and 126% higher than non-licensed areas of the city. Only litter incidents are closer to 2020 selective licensing area levels (13% higher and non-licensed areas (32%))

ASB Type	2020 Licensing Areas	Non-Licensing Areas	Number of incidents recorded in Byker
ASB (Police)	↑ 51%	↑ 126%	934
Litter (Uniform)	↑ 24%	↑ 32%	120
Noise (Uniform)	↑ 13%	↑ 175%	195

Table 14 Byker Comparison of levels of ASB incidents between areas occurred between 2017-19

Greater High Cross ASB incidents are 84% higher for ASB (police) compared to the new 2020 selective licensing areas and 200% higher than non-licensed areas of the city. Only noise incidents are closer to 2020 selective licensing area levels (29% higher), but still significantly higher for non-licensed areas (212%)

ASB Type	2020 Licensing Areas	Non-Licensing Areas	Number of incidents recorded in GHC
ASB (Police)	↑ 84%	↑ 200%	544
Litter (Uniform)	↑ 73%	↑ 84%	80
Noise (Uniform)	↑ 29%	↑ 212%	106

Table 15 GHC Comparison of levels of ASB incidents between areas occurred between 2015-19

Residents perception of ASB is higher than the city which reflects the high levels of incidents reported in both proposed licensing areas.

	NE4 Byker	NE6 GHC	City
Who think ASB is a very or fairly big problem in their neighbourhood	26.47%	25.53%	26.54%
Who think Crime is a very or fairly big problem in their neighbourhood	11.76%	29.79%	16.01%
Who don't Feel Safe in Local Area	5.88%	8.51%	5.26%

Table 16 Perception ASB survey 2018 Summary

Licensing will provide a framework that can contribute towards supporting reduced ASB levels by:

- * Requiring landlords to provide references for prospective tenants.
- * Landlords carrying out regular property inspection and report problems to the relevant authorities.
- * Increase support being offered to landlords when being asked to challenge ASB and manage tenants in their properties.
- * Provide additional resources to support tenants and families who are struggling to abide by the terms of the tenancy and reduce the need to end tenancies due to ASB.
- * Undertaking joint property inspections (as necessary) with the Police and HMRC.
- * Increased intelligence gathering and communication to coordinate proactive action.
- * Increased communication between licence holders and the licensing team allowing early warning of ASB activities in their neighbourhoods, and quicker response to informing and actions to be taken where issues are directly related to their properties.

Crime

In considering whether an area suffers from a high level of crime, the local housing authority may have regards as to whether the area has displayed a noticeable increase in crime over a relatively short period, e.g. in the previous 12 months; whether the crime rate in the area is significantly higher than in other parts of the local authority area or if the crime rate is higher than the national average. The local housing authority may consider if the impact of crime in the area affects the local community and the extent to which a Selective Licensing scheme can address the problems. The licensing scheme must be part of a wider strategy to address crime and we should consider:

- * Whether the criminal activities impact on some people living in privately rented accommodation as well as others living in the areas and businesses therein;
- * The nature of the criminal activity, e.g. theft, arson, criminal damage, graffiti;
- * Whether some of the criminal activity is the responsibility of some people living in privately rented accommodation.

The proposed designation does not intend to designate on the crime condition but the information on crime levels in the areas is relevant as criminal behaviour and ASB are often linked. The following section review of the Police data on crime has been undertaken covering all types of crime including non-property related activities and is based data recorded with 20 metres of a residential property.

Byker Licensing Area Crime

As with ASB the crime data has been reviewed at ward and city level and has been adjusted to ratio to allow suitable comparison of the different areas. Crime levels in Byker followed city average over the period of the licensing scheme until 2017 when levels have increased and remained higher than both ward and city averages.

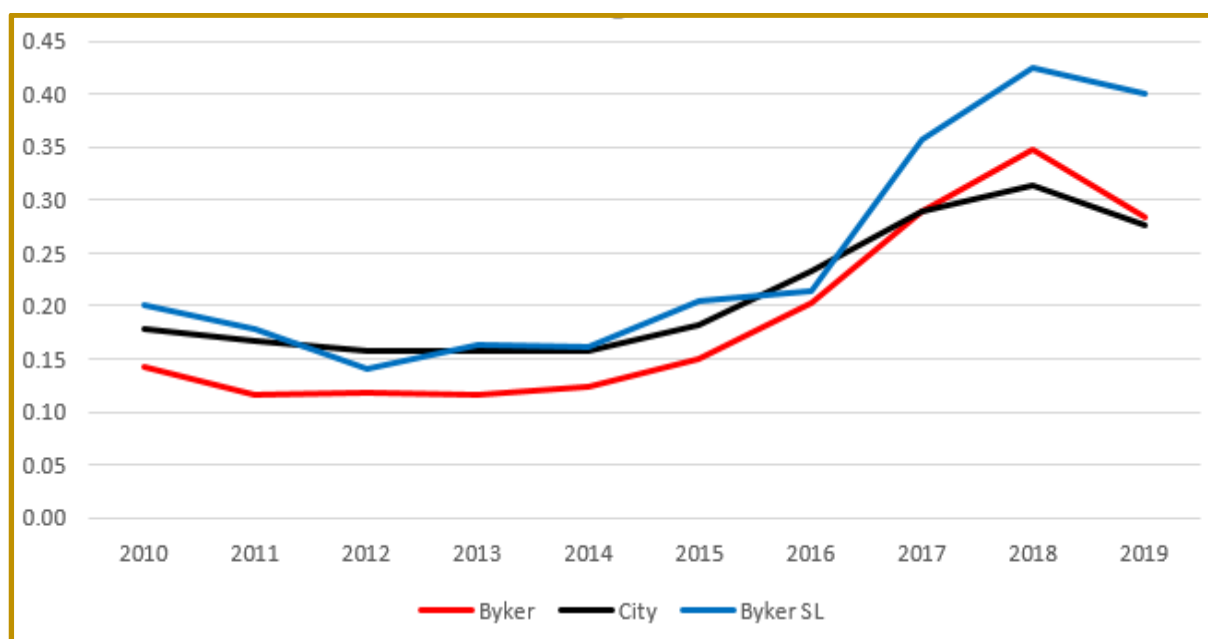


Figure 27 Police Crime incidents with 20m of residential properties

The crime data is split down into 13 categories and the table below summaries the top 4 categories which recorded 87% record of the incidents of crime reported in Byker

Row Labels	Theft offences	Criminal damage and arson offences	Violence against the person	Public order offences
2010	112	83	49	14
2011	115	72	30	6
2012	67	63	21	15
2013	73	71	45	14
2014	69	68	45	12
2015	87	89	57	13
2016	82	67	90	29
2017	107	116	152	69
2018	126	108	221	89
2019	123	112	187	78

Table 17 Police Crime incidents top 5 categories

The crime data in the licensing areas shows that across all four categories there has been a significant increase in offences with trebling in violence against the person. The overall

crime rates have followed the city trends for the majority of the licensing period with rates only increasing since 2017. There is not sufficient information to link the crime data to specific tenure or quantify how much of the crime is perpetrated by local residents.

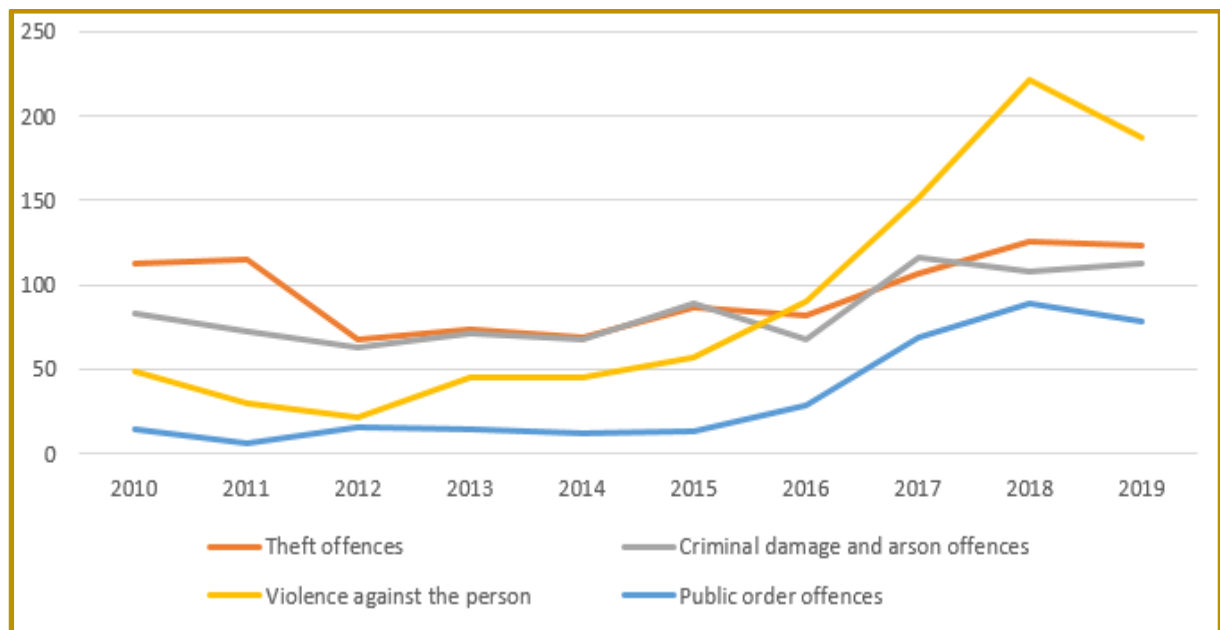


Figure 28 Police Crime incidents top 4 categories

Greater High Cross licensing area Crime

As with ASB the crime data has been reviewed at ward and city level and has been adjusted to ratio to allow suitable comparison of the different areas. Crime levels in Greater High Cross are consistently higher than both ward and city ratios and have followed a similar trend as the other areas. The gap between Greater High Cross line and the ward and city lines in the graph below have remained constant throughout the licensing period indicating that there has not be any major improvement or decline in Greater High Cross when compared to the ward and city levels of crime. Crime levels have increased but this is following the ward and city levels trends.

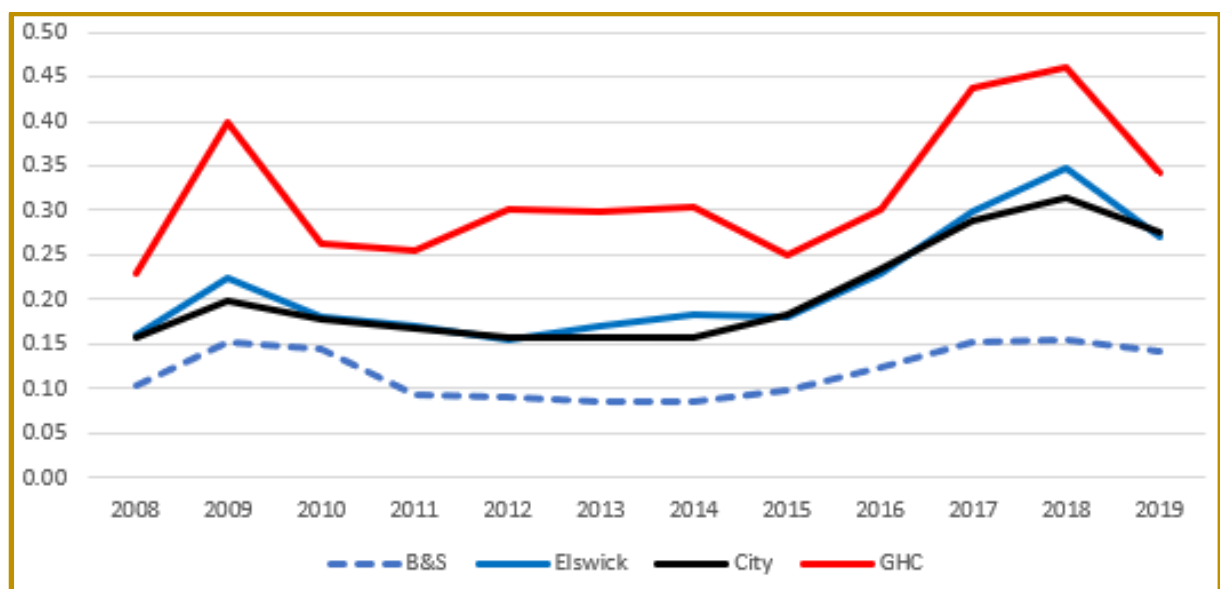


Figure 29 Police Crime incidents with 20m of residential properties

The crime data is split down into 13 categories and the table below summarises the top five categories which recorded 93% record of the incidents of crime reported in Greater High Cross

The crime data at the licensing areas shows there is an increase in violence against the person and public order offences with the other categories seeing a small decline in the number of incidents. There is not sufficient information to identify a sufficient change in the crime rates in the area that can be related to local activities and the areas continues to have a higher rate than the city average and this has remained the same throughout the licensing periods.

Year	Criminal damage and arson offences	Drug offences	Public order offences	Theft offences	Violence Against the person
2008	46	10	6	70	13
2009	86	22	12	108	32
2010	50	15	6	78	17
2011	43	12	10	75	23
2012	47	27	9	92	23
2013	47	18	13	84	27
2014	59	13	8	66	44
2015	36	8	17	39	54
2016	26	10	25	62	60
2017	49	11	42	92	77
2018	55	5	60	71	103
2019	39	4	35	62	75

Table 18 Police Crime incidents top 5 categories

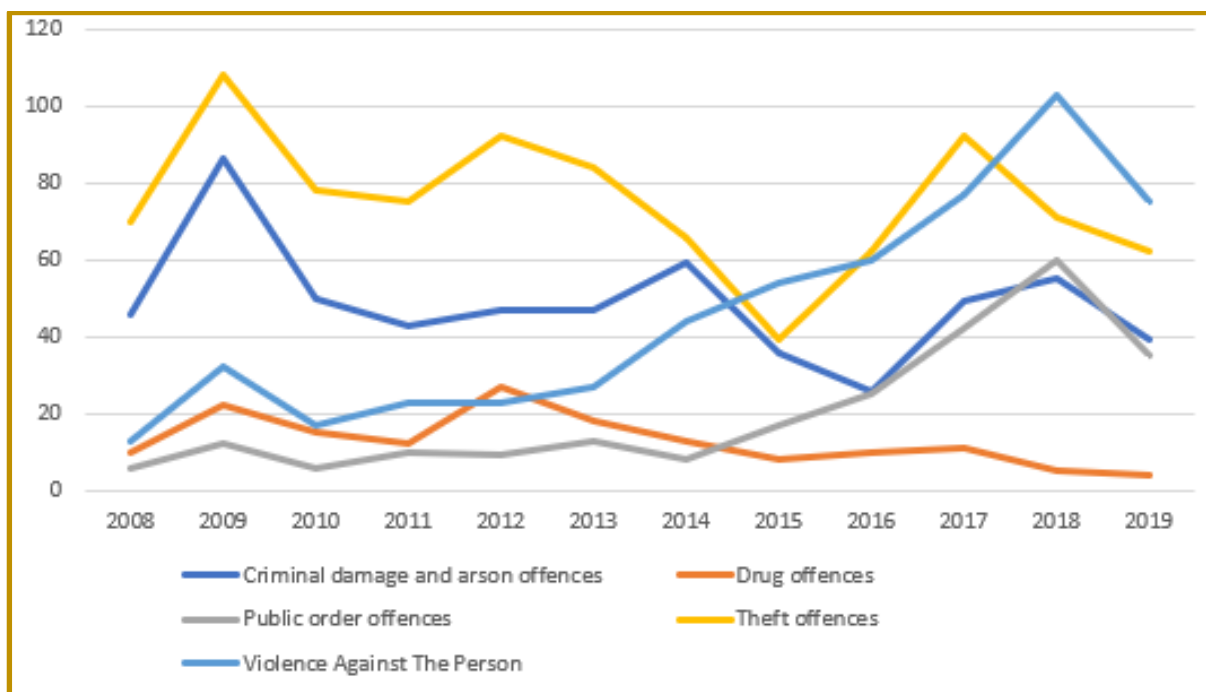


Figure 30 Police Crime incidents top 5 categories

The high levels of crime within the Selective Licensing area has a significant effect on tenant and licence holders' attitudes and actions. It is recognised that licensing will provide a framework that can contribute towards supporting reducing crime levels by:

- * Requiring landlords to provide references for prospective tenants
- * Landlords carrying out regular property inspection and reporting problems to the relevant authorities.
- * Undertaking joint compliance and unlicensed property inspection with Police and HMRC.
- * Increased intelligence gathering and communication to coordinate proactive action.
- * Increased communication between licence holders and the licensing team, allowing early warning of criminal activities in their neighbourhoods and quicker response to informing and actions to be taken where issues are directly related to their properties.

Serious and Organised Crime

If re-designated the Selective Licensing Schemes would provide the additional tools and powers to continue to tackle ASB, crime and exploitation that is taking place in privately rented properties in both proposed areas. Appendix 2 shows a letter from Northumbria Police Central Serious & Organised Crime Team which confirms the joint work that has commenced to tackle these issues and the need for continuing work in this area.

Part 10 - Other Factors for Consideration

This proposal is made on the ground of significant and persistent problems caused by anti-social behaviour. However, we do believe that Selective Licensing will contribute to other factors impacting the private rented sector.

Housing Conditions

The core to the licensing scheme is to identify and license all eligible properties within the area assessing the management and property standards as part of the application process and that licensed properties abide by the licensing conditions during the licensing period.

The first licensing schemes focused resources on identifying private rented properties, working with the landlord to submit applications, improve their management standards and property conditions. Resources were focused at providing the support during the application process resulting in a longer negotiating period between application and approval. Landlords were also given time to make improvement to their property where they failed to meet the property standards with multiple property visits undertaken before standards were met.

A different approach was taken in the second designation where the landlords were already familiar with the licensing standards. As a result, the level of support during application stage was less and the licensing took a stricter approach with the assessment of applications with applicants given tight deadlines to revise their applications where issues were found. The property inspection process was also tightened and again landlords were given stricter deadlines to rectify problems identified and enforcement action taken where license holders failed to comply.

This change in policy reflected that landlords had been given ample time and support to meet the licensing conditions in the first licensing period and that to continue improvements stricter enforcement was required in the second scheme.

As a result, properties are now meeting the licensing housing conditions and where properties fail it is on minor issues which are addressed by the license holder. The proposed scheme will continue to regulate housing condition with the licensing conditions and inspections will take place to ensure that standards are maintained.

Housing Complaints

Housing disrepair complaints peaked at the start of the initial licensing scheme but with increased resources and awareness of the issues, levels have steadily reduced over the last 10 years as owners undertake improvements to their properties and start to manage the properties better. This is similar in both proposed licensing areas.

Greater High Cross

Housing issues	Empty	Housing - Condition	Housing - Other	Licensing	Pest
2007-08	1	16	0	0	0
2008-09	8	69	1	0	2
2009-10	59	142	29	0	2
2010-11	70	47	4	2	5
2011-12	54	50	2	4	8
2012-13	46	41	1	2	3
2013-14	59	39	2	62	3
2014-15	31	30	5	7	3
2015-16	8	32	11	13	1
2016-17	20	21	5	38	2
2017-18	19	32	3	28	9
2018-19	21	48	3	15	10
2019-20	19	39	10	7	9

Table 19 PP&NT housing complaints

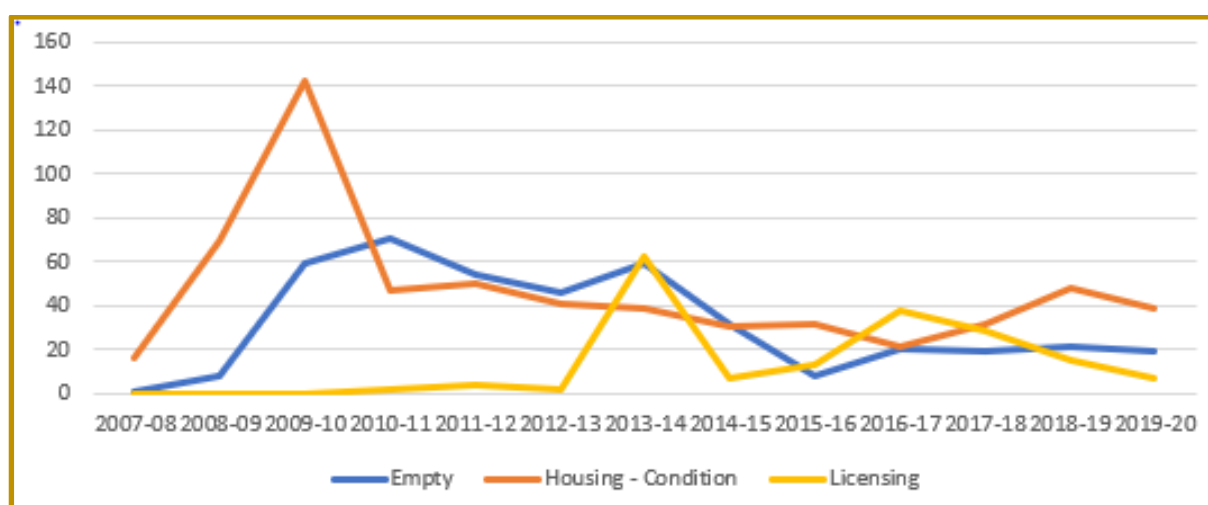


Figure 31 Hosing complaints trends

The severity of the complaints and level of positive landlord and tenant compliance can be considered by looking at the number of notices served in the area over the licensing period. The graph below shows a steady decline in notices being served across all categories, Despite the housing team taking a more proactive enforcement lead approach in the second period of the licensing scheme, this clearly shows that issues have been addressed at a much earlier stage resulting in the complaints being less severe and quicker to resolve. Also, stakeholders are aware that there is a stronger regulation policy in place with increased surveillance and behaviour is therefore changing in the area.

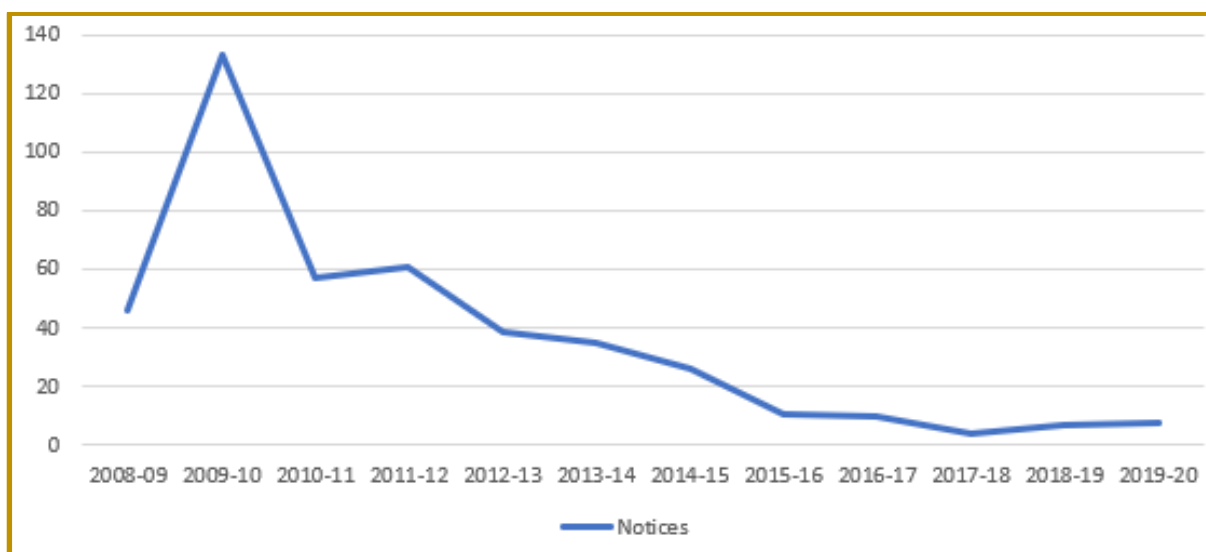


Figure 32 Greater High Cross enforcement notices

Byer Selective licensing area.

Housing issues	Empty	Housing - Condition	Housing - Other	Licensing	Pest
2011	53	178	7	18	4
2012	24	129	2	11	2
2013	43	182	1	16	4
2014	40	112	2	3	4
2015	35	175	6	17	1
2016	35	97	7	30	3
2017	25	85	5	74	3
2018	40	68	7	21	11
2019	42	81	3	18	7

Table 20 PP&NT housing complaints

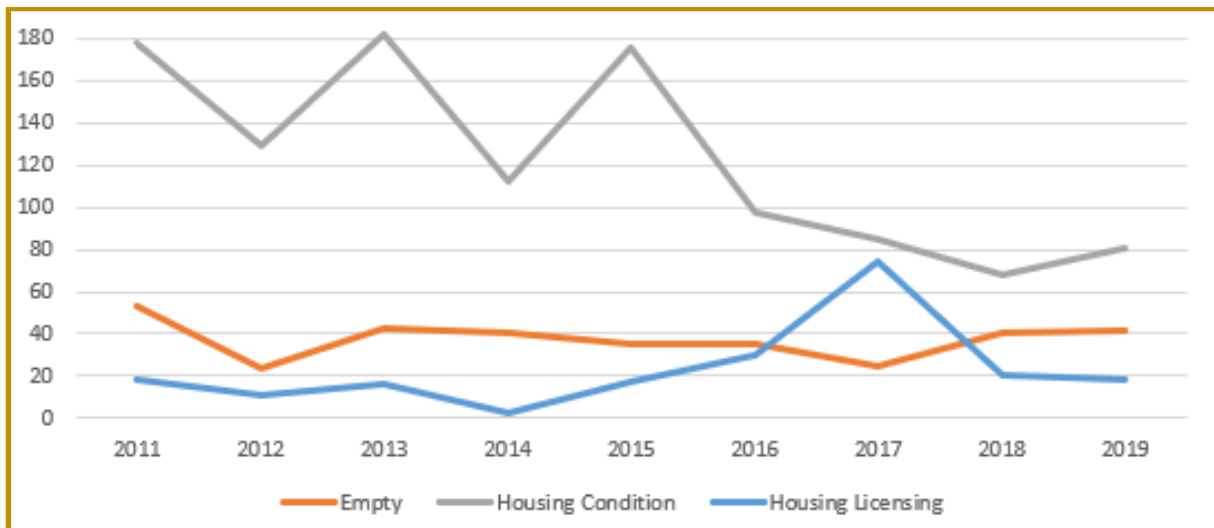


Figure 33 Housing complaints trends

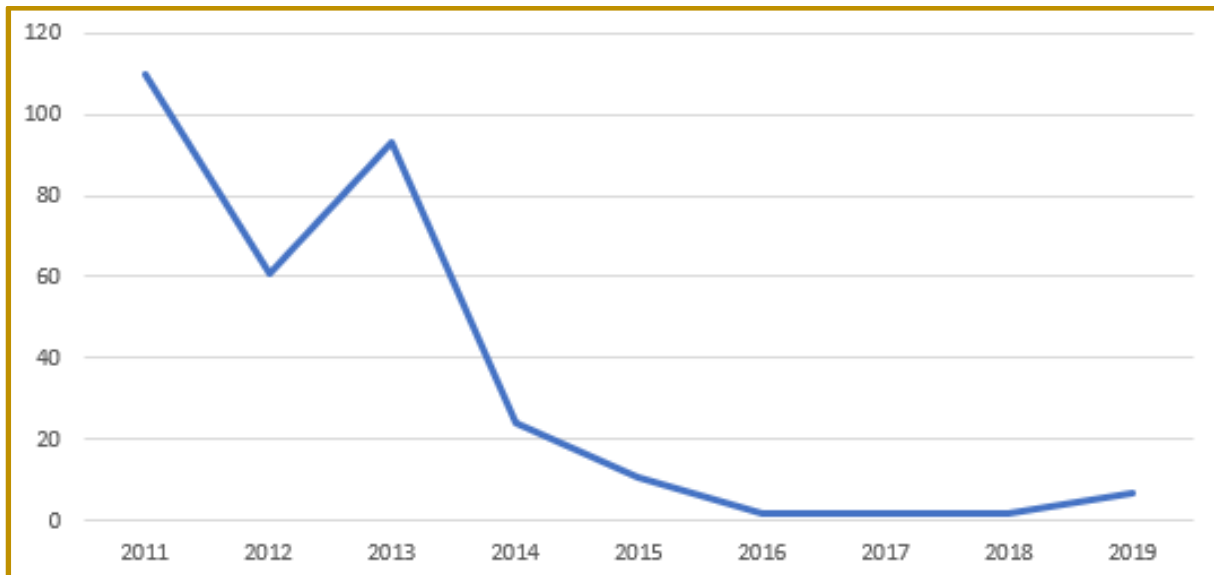


Figure 34 Byker enforcement notices

Low Income Households

The profile of the residents in the areas has been reviewed using Experian Mosaic data. Mosaic is a comprehensive cross-channel classification system which provides an easy to understand segmentation that allocates individuals and households into groups and detailed types using variables from a combination of Experian proprietary, public and trusted third-party sources - including research findings and behavioural data - to build a picture of the latest UK consumer and social trends.

Mosaic Public Sector Type	Mosaic description	Byker Private Rented	GHC Private Rented
L50 Renting Rooms	Transient renters of low-cost accommodation often within older properties	56.89%	76.1%
O63 Single Essentials	Singles renting small social flats in town centres	22.50%	14.9%

Table 21 Private rented licensing areas profile Mosaic

A Mosaic summary of the key features of the three main household types are listed below. There is a common feature that the residents are small households (single or sharing) and on low income. There has been little change in the social status of the householders in the licensing area over the 10 years of the licensing scheme. This is reflected in the Index of Multiple Deprivation scoring that is discussed later in this report.

Renting Rooms	Single Essentials
Singles and home sharers	Singles and sharers
Short term private renters	Low cost social flats
Low rent accommodation	1 or 2 bedrooms
Often Victorian terraces	Urban and fringe locations
Most likely to get a lift to work	Routine occupations
Low wage occupations	Shortage of opportunities

Table 22 Private rented licensing areas profile Key Mosaic type

Deprivation

Deprivation is made up from a combination of factors including Income, employment, education, health, crime, housing and living environment. The link between health and social inequalities is well established and taking action against poor housing conditions should improve the overall health and well-being of residents.

Newcastle is ranked the 53rd most deprived local authority out of 326 in total. Of the 176 Super Output Areas in Newcastle, 63 areas are within the 20% most deprived areas of the country. This is 36% of all Newcastle's Super Output Areas. (Super Output Area is a geographical area used in the UK Census for reporting statistics)

Greater High Cross

Greater High Cross selective licensing area is covered by two LSOA areas; E01008290 Bilbrough Gardens and E01008290 The Terraces.

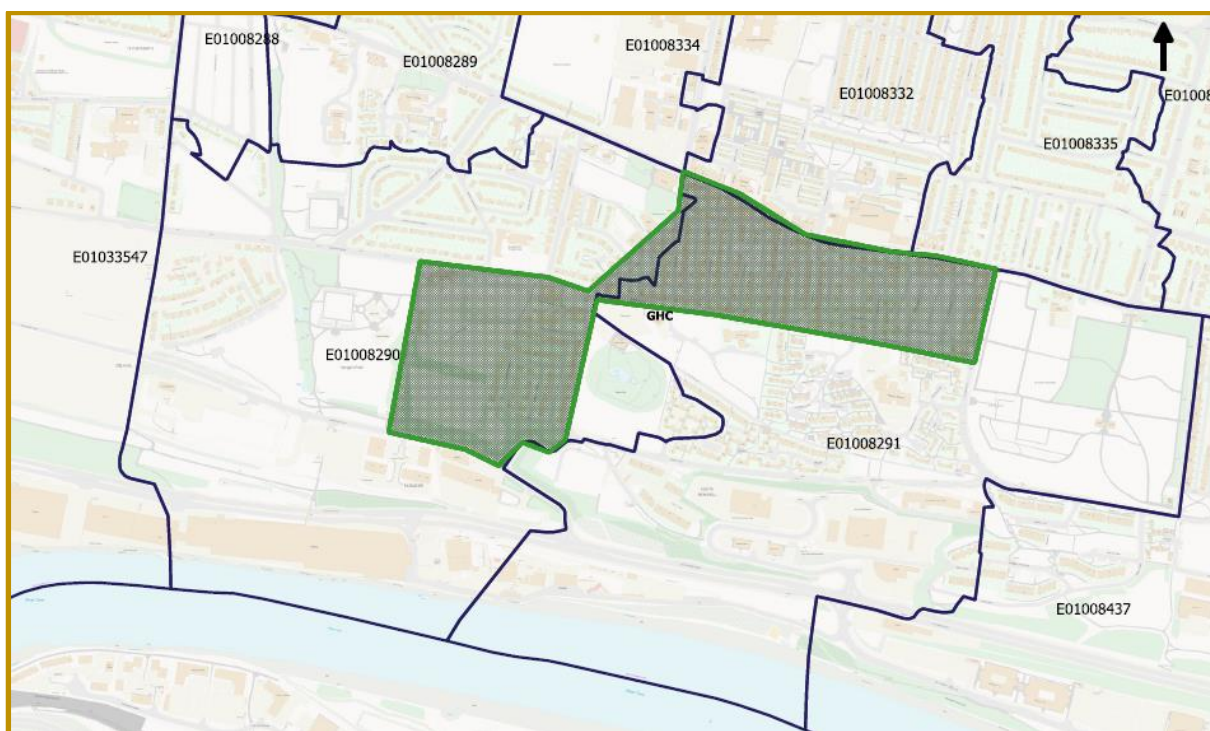


Figure 35 Greater High Cross LSOA Area

Over the licensing periods there has been 3 updates to the IMD figures, and the following section looks at the changes in these scores.

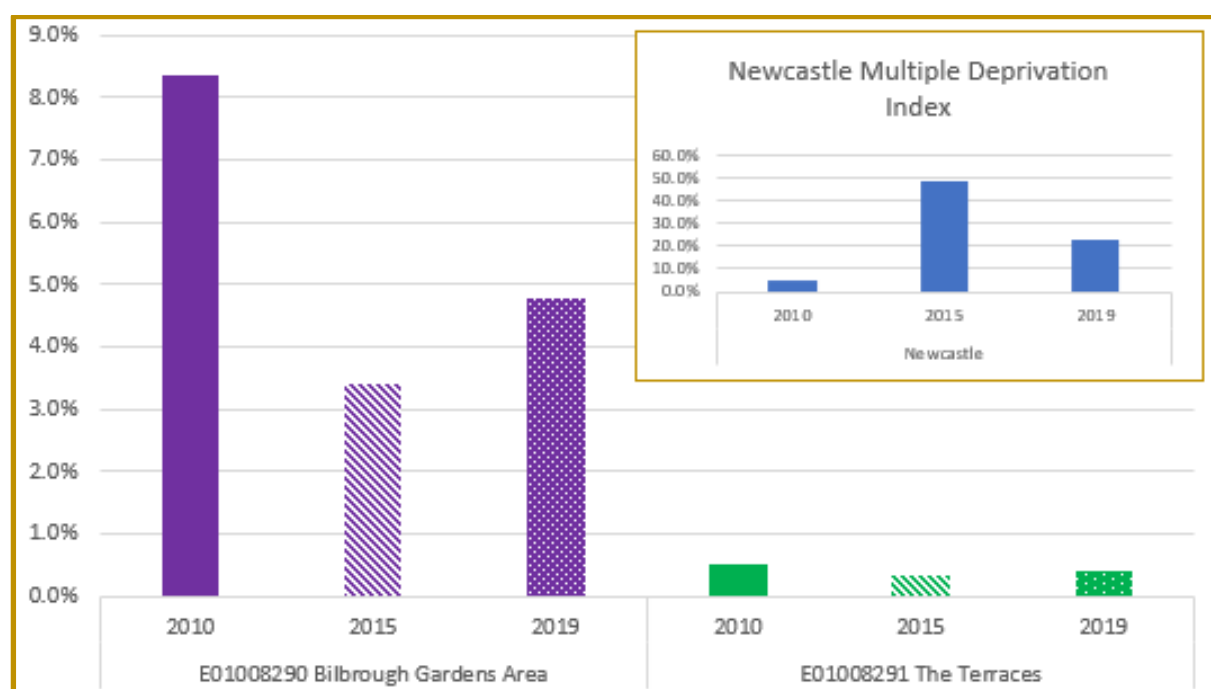


Figure 36 Multiple Deprivation Index 2010-19

Both areas remain in the 10% most deprived areas of the country with Bilbrough Gardens deteriorating from 8.4% in 2010 to 4.8% 2019 and The Terraces remaining similar levels of 0.5% throughout the 10 years. Neither area follows the Newcastle IMD trends and overall, there has been little change in the wider area with IMD overall scores remaining static, which is reflected in the map below of the wider area.

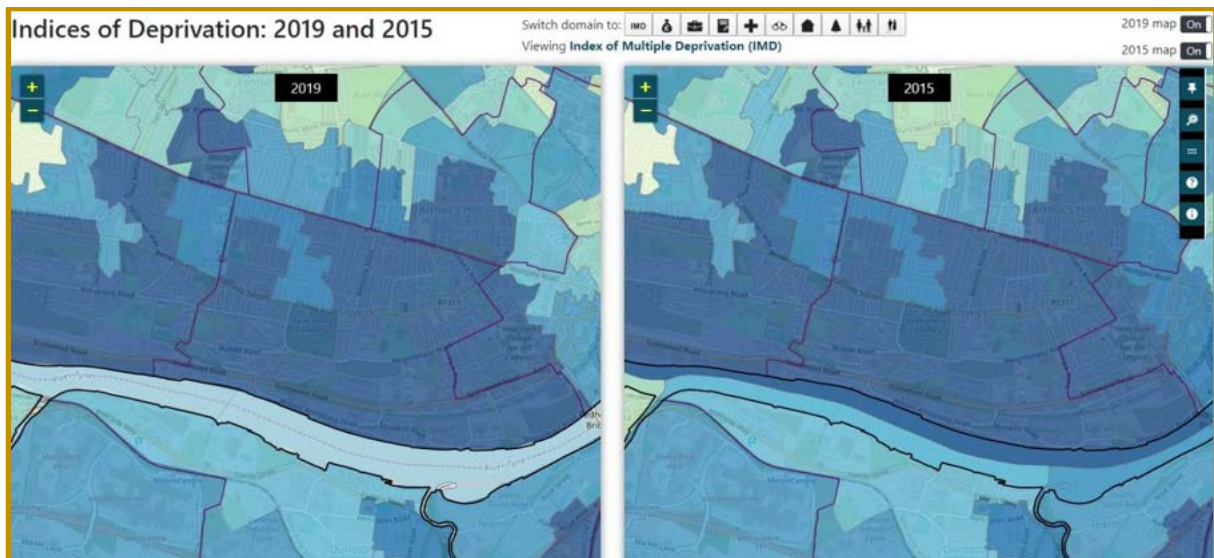


Figure 37 Multiple Deprivation Index 2010-19 map

The IMD score is made up of 7 key domains and the following graph shows the changes over the licensing period. The majority of the domains are heavily influenced by national and city policy such as employment, income and health. Licensing will have the biggest influence over the Living Environment which measures indoor and outdoor quality of the living environment. This domain measures the changes in houses in poor condition, houses without central heating, air quality and road traffic. There has been a slight improvement in Bilbrough Gardens of 3% and a significant improvement of 34% for the Terraces.

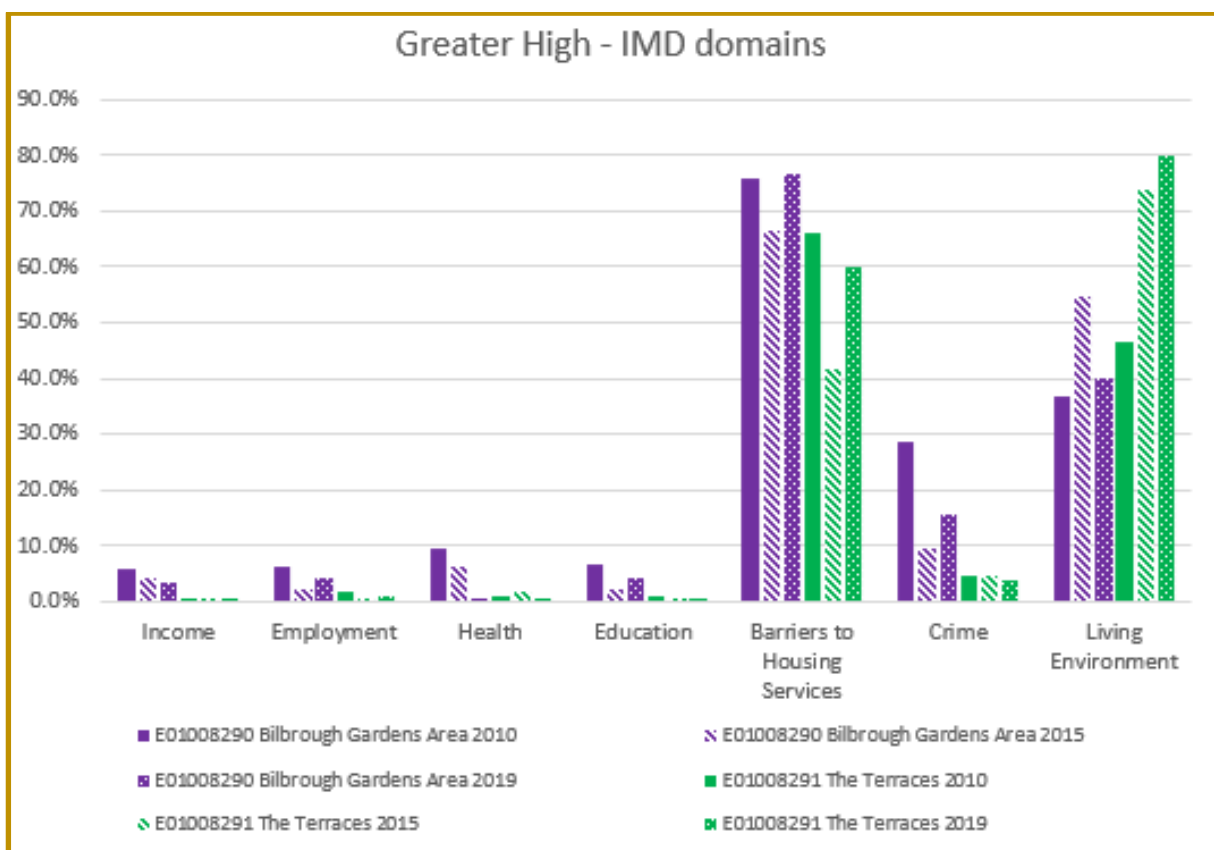


Figure 38 Greater High Cross - IMD domains

Byker Selective Licensing Area

Byker selective licensing area is covered by 4 LSOA.

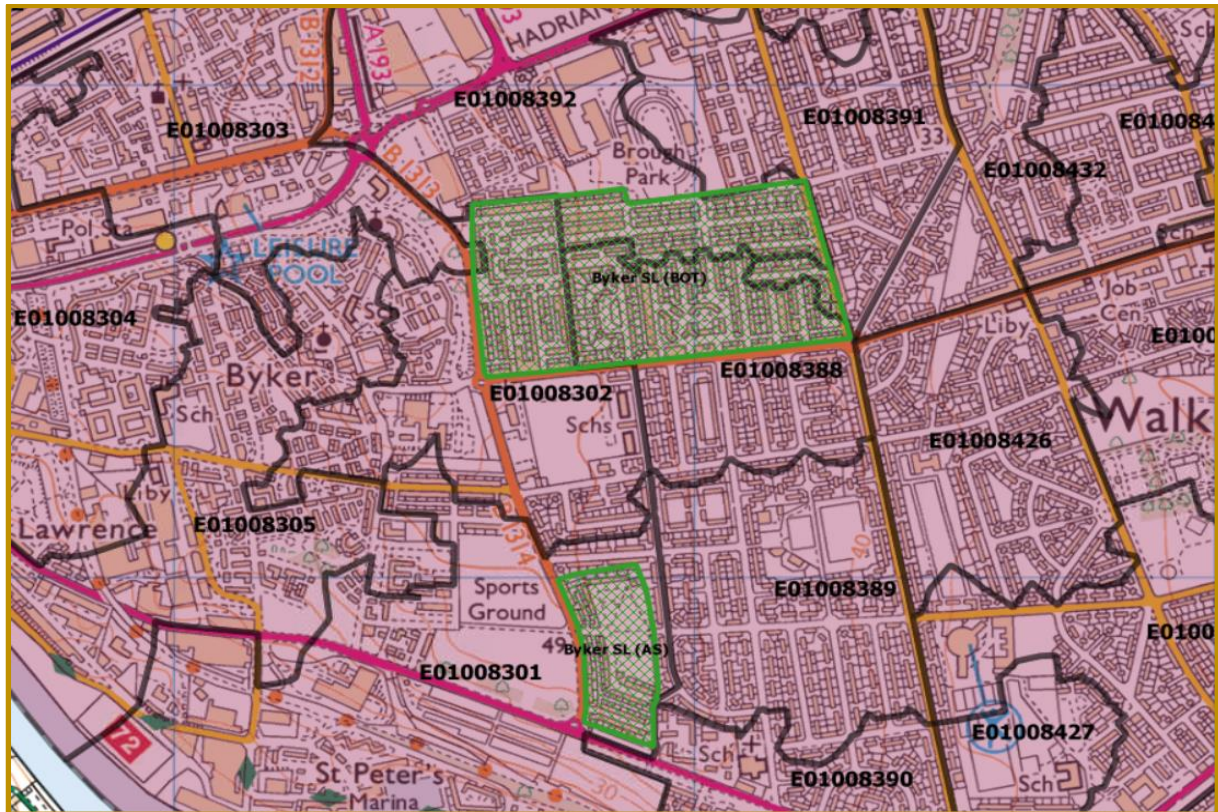


Figure 39 Byker LSOA Area

Over the licensing periods there has been 3 updates to the IMD figures, and the following section looks at the changes in these scores.

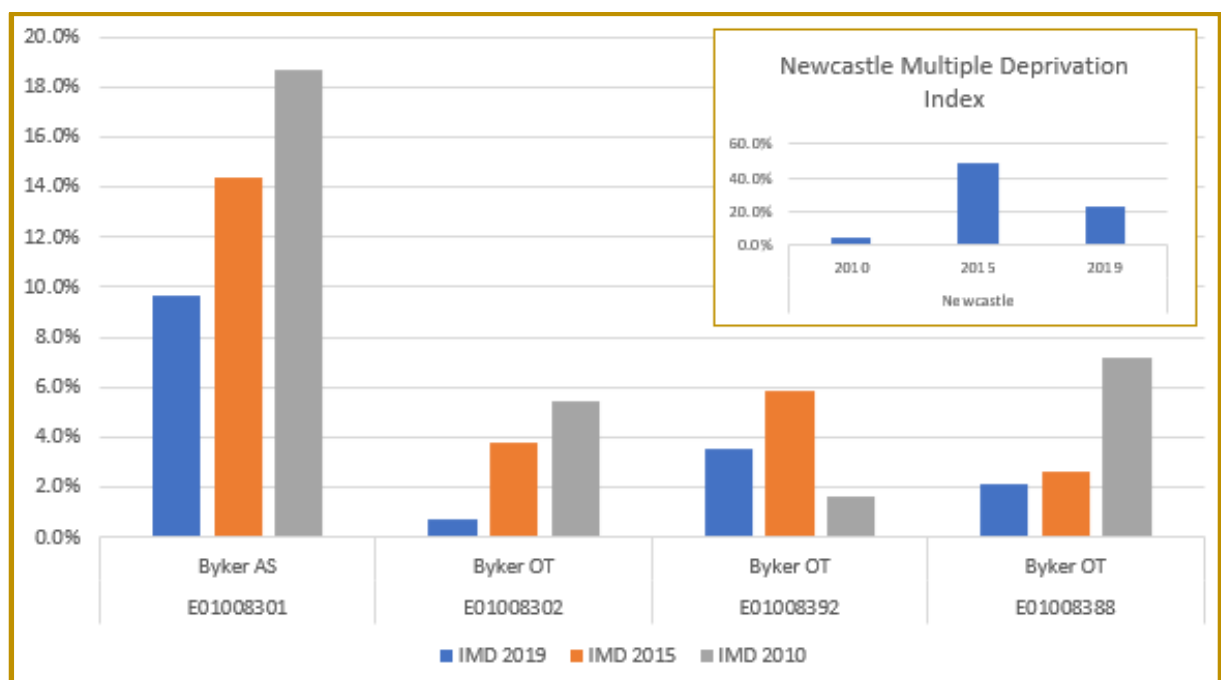


Figure 40 Multiple Deprivation Index 2010-19

Both areas remain in the 10% most deprived areas of the country with only E01008392 seeing a positive improvement over the time period and follow the city trend. The other 3 area follows have seen a steady decline which is reflected in the map below of the wider area.

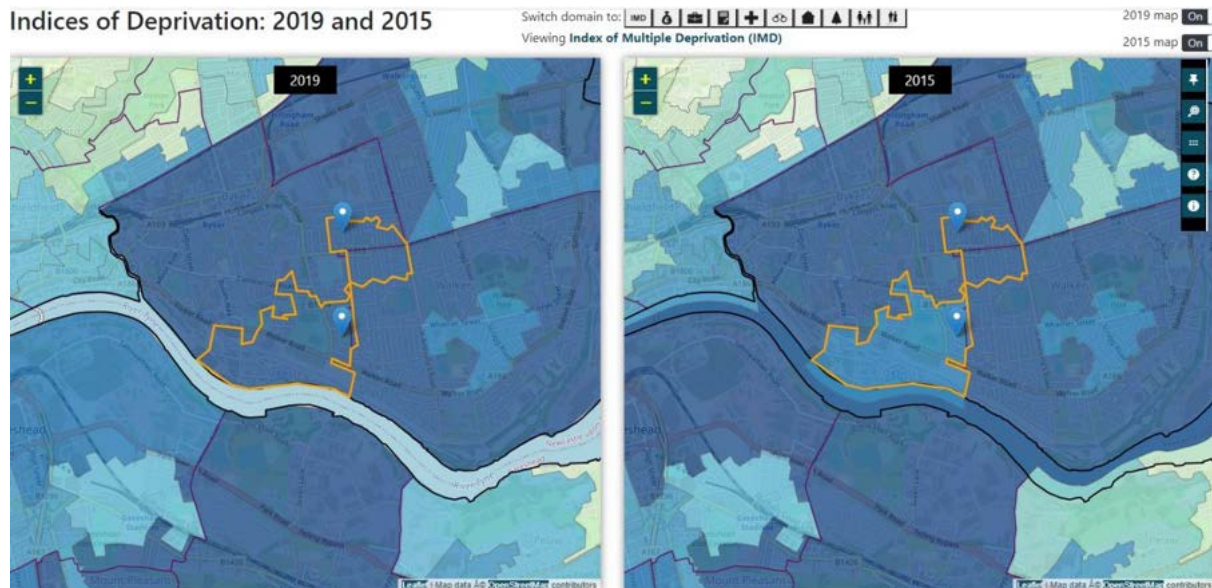


Figure 41 Multiple Deprivation Index 2015-19 map

The IMD score is made up of 7 key domains and the following graphs shows the changes over the licensing period. The majority of the domains are heavily influenced by national and city policy such as employment, income and health. Licensing will have the biggest influence over the Living Environment which measures indoor and outdoor quality of the living environment. This domain measures the changes in houses in poor condition, houses without central heating, air quality and road traffic. There has been improvement in across all the LSOA areas cover the license area an average of 18% improvement in the living environment.

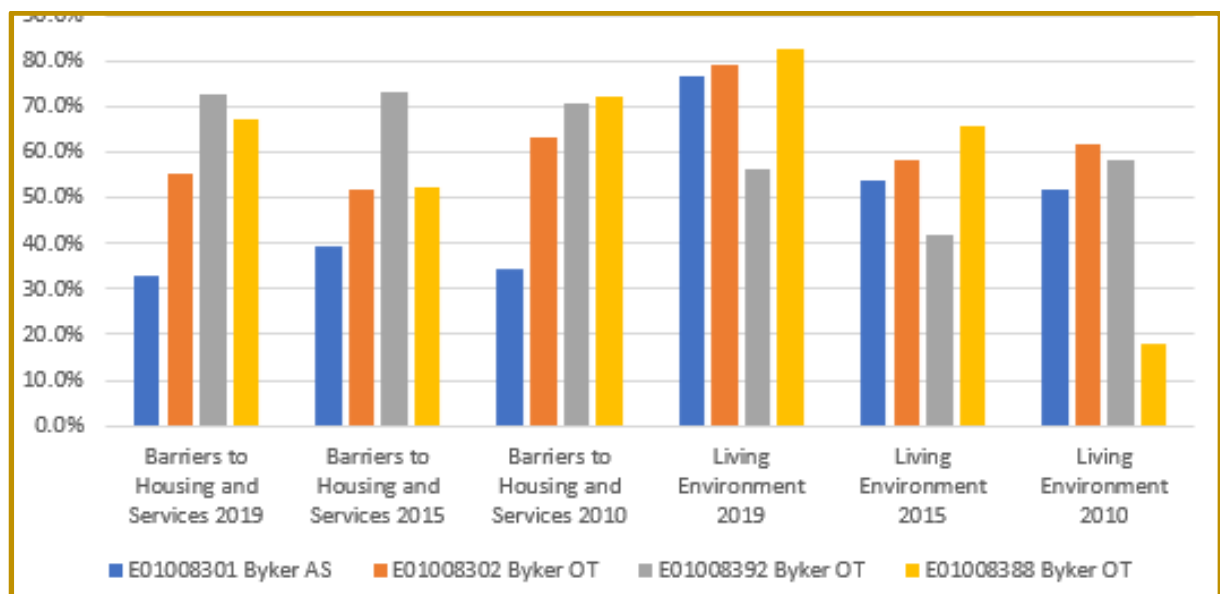


Figure 42 Byker- IMD domains

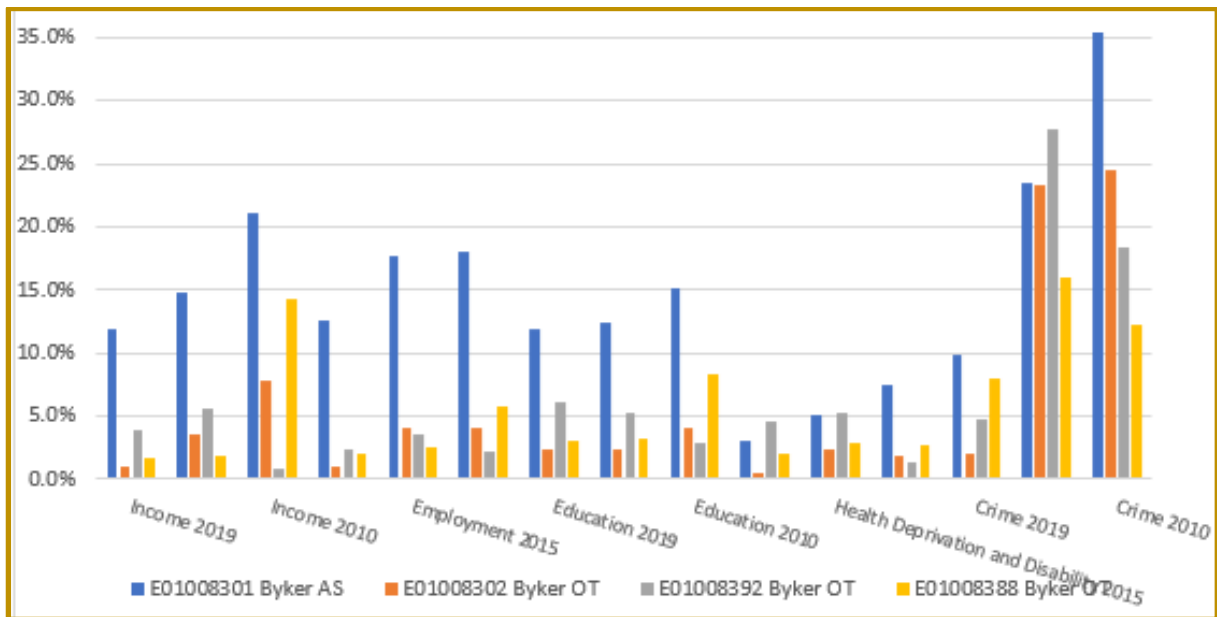


Figure 43 Byker- IMD domains

In the majority of the other domains we have seen a slight worsening, which reflects the overall IMD scoring that show the areas are ranked lower than in 2010.

Overall, there has been no significant change in the IMD for both the licensing area with all the LOSAs are in the 10% most deprived in the country. Licensing primarily effects the living environment and this domain does show a significant improvement but as it makes up only 9.3% of the total IMD score the improvements have little impact on the overall score.

Part 11 – Operating Model of the Schemes

Application Process

Licence applications will be made on-line, and the application process will determine what type of licence, if any, is required. The first part of the fee will be required at the time of application together with supporting documentation.

A desk-top assessment will be carried out to determine if the proposed licence holder is fit and proper and the length of the licence to be granted. It may be appropriate in some cases to carry out a property inspection before the licence is issued. The objective will be to issue the licence efficiently so that priority is given to ensuring compliance with the licence conditions. The licence conditions place a duty on the landlord to be proactive in the management of their properties, including having documented procedures.

Key delivery principles

The licensing scheme key delivery principles are:

- * An online application form which is easy to complete and provides licence holders access to a web portal to manage their applications.
- * Applications will be processed quickly and efficiently.
- * To provide a clear set of licensing conditions setting out obligations under the scheme.
- * Reduce ASB.
- * Work with police and partner agencies to tackle landlords and managing agents who facilitate crime and/or ASB from privately rented properties.
- * Work with police and partner agencies to tackle ASB and crime in privately rented properties.
- * Work with police and partner agencies to support victims of ASB and crime in privately rented properties, included those exploited to perpetrate the crime and ASB.
- * Inspections to:
- * Identify unlicensed properties
- * Carry out a range of enforcement action, as necessary and appropriate.
- * To support licenced landlords to manage their tenancies with landlord support and advice services, a dedicated tenancy sustainment officer and ASB officers.
- * To promote the licensing standards to ensure tenants understand their rights and responsibilities.

- * Compliant landlords will be allowed to manage their properties without hindrance and will benefit from the actions to tackle and if necessary, remove problem landlords from the Newcastle private rented market.

Compliance and Enforcement Strategy

Licensing aims to use licence conditions imposed under the Housing Act 2004 in combination with other measures, as mentioned earlier in this report, to contribute to a reduction in ASB.

We will target enforcement activity to ensure we focus on landlords who are acting unlawfully and exploiting vulnerable tenants. This approach is cost effective and will reduce the burden on good landlords.

We will undertake property inspections and desk-based audits of licence holders' management standards. Priority will be given to higher risk licenced landlords and properties.

We will focus on seeking out and undertaking unannounced inspections of unlicensed properties and those most likely to be in breach of legislation. We will also coordinate with Police, HMRC and Immigration on joint operations to support partners' objectives.

There will be additional support through dedicated legal assistance to ensure a consistent approach built through experience.

To meet the overall objectives, the licensing scheme will link with existing mainstream services and initiatives in the city. This will ensure actions are coordinated and demand is controlled. It will also help to identify and develop additional support.

A Support Team will include dedicated Tenant Support and ASB Officers, whose roles will be to help resolve issues before they become unmanageable. They will provide advice and support to both landlords and tenants, and where appropriate signpost to other relevant support services. For example, for tenants this will include debt advice, conflict resolution, and social services. For landlords this will include training and advice to improve management practices.

A well-resourced licensing team with strong links to existing services will also seek to change consistent poor behaviour. By raising awareness of licensing, tenants will have a clear understanding of the minimum licensing standards and encourage tenants to report issues of non-compliance or mismanagement to their landlords and/or the licensing team. Where tenants are abusing their rights or causing ASB, licence conditions will be enforced to prevent them from simply moving from property to property and repeating inappropriate behaviour

A comprehensive two-staged communications and marketing strategy will be developed: an early awareness campaign encouraging landlords to apply and supporting tenants to

understand the principles of the scheme. This will be followed with regular updates on progress and success of the scheme. There will be a continued theme of empowering tenants, and for tenants and landlords to take responsibility for their actions.

Cause for concern test.

Under Parts 2 and 3 the Housing Act 2004 the local authority may issue licenses for privately rented properties for a term of 5 years or less. Newcastle City Council will generally grant a licence for the maximum period. However, there may be circumstances where the Council has cause for concern and as a result determine a licence will be granted for a shorter period, such as 1 year.

Cause for concern would arise in circumstances where there is evidence that the persons involved have contravened housing, landlord and tenant law or other law and such contraventions conflict with the objectives of the licensing scheme.

In these situations, licence applications will be considered on a case by case basis with full consideration of the relevant facts. In reaching any decision particular regard will be had to circumstances where there is a continuing breach of housing law or planning regulations.

Shorter licence periods may for example;

- * allow the Council to monitor conditions and the management of a licence holder's property,
- * enable the licence holder to seek regularisation of planning permission or building regulations approval.

Such matters would then be taken into consideration when determining the duration of any future licence.

Intense regulation, enforcement and landlord support will in place for the duration of a reduced licence period. This will allow the local authority to help improve management standards and ensure the necessary property and management requirements are being met.

Part 12 - Licence fees

The licence fee will be ring-fenced, and has been set up to take into account all of the Council's costs in administering and enforcing the licensing scheme, including:

- * Administration – the actual cost of producing the licence.
- * On Costs – accommodation, supplies and services, IT services and equipment, finance and legal costs, recruitment costs.
- * Enforcement & compliance costs – staffing costs, travel, property inspections, enforcement action including against landlords operating without a licence.

The fee will be split into 2 parts. The first part payable at the time of application, and the second part to be paid once the licence has been granted. No discounts are proposed in the fee structure. The impact of Covid-19 will be taken into consideration when determining if alternative payment arrangement will be made available.

Landlords who fail to apply or have a history of non-compliance will be issued a 1-year licence. This will ensure non-complaint landlords are more closely regulated. A full fee will be required each year when a licence is renewed.

Selective Licence Fee	
Part 1 element (application & processing)	£175
Part 2 element (enforcement)	£475
Total licence fee	£650

Table 23 – Selective Licence Fee

Other Fees and Charges	
Temporary Exemption Notice (TEN)	£0
Variation of an existing licence e.g. change of address, mortgagee etc	£0
Change of licence holder to a new manager who is the most appropriate person to hold the licence and the property owner remains the same	£80

Table 24 – Other fees and charges

Financial Presumptions

Staffing levels are based on an assumed time taken to carry out relevant activities such as: processing applications; compliance inspections; targeting of unlicensed properties; compliance activities; tenant & landlord support and specialist support such as communications, legal advice and IT support. This is all additional resource to solely deliver this scheme and does not replace existing activity.

The first part of the fee (application and processing) includes all costs associated with processing the application such as staffing, a proportion of IT equipment and training. The second part of the fee (enforcement) covers the cost associated with property inspections, dealing with complaints and compliance enforcement.

The fee is calculated on the presumption that approximately 90% of the premises we think require a licence will be licensed within the 5-year period. The 10% allows for properties not actually requiring a licence or for properties which may not be identified during compliance and enforcement checks. Only assuming 90% helps mitigate the risk of needing to increase fees mid-scheme to cover expenditure.

The level of fees received does not take into account any one-year licences, as this is unpredictable and potentially leaves us at risk of needing to increase fees mid-scheme. Should there be a substantial number of one-year licences issued, the fees received will be used for enforcement activity for those properties along with support to those Landlords to improve.

There is an assumed level of staff required for what we believe the scheme will entail, the anticipated expenditure and the level of licences granted. To minimise the risk of needing to increase fees mid-scheme, the level of staff will be either reduced or increased accordingly to ensure the scheme covers the costs of delivery only.

No discounts are offered. This is partly to simplify the fee structure. It ensures the fee structure is fair and transparent for all licence holders, throughout the lifetime of the scheme. It also works on the presumption that all landlords are compliant, with financial penalties in place for those landlords who fail to comply.

Activity	Total Cost over 5 Years
Employee and Related Costs including phones, accommodation, transport etc	£500,233
IT Investment	£2,500
Equipment & Supplies & Services	£5,502
Training including IT for the new software.	£1,300
Total Costs	£509,535

Table 25 – Financial Presumptions

Appendix 1 – Proposed Selective Licensing Conditions

Permitted Occupation

1. A new resident must not be permitted to occupy the house or any part of the house if that occupation:
 - * exceeds the maximum permitted number of persons for the house as detailed in the schedule of permitted occupation below
 - * exceeds the maximum permitted number of households for the house as detailed in the schedule of permitted occupation below
 - * exceeds the maximum permitted number of persons for any letting as detailed in the schedule of permitted occupation below

A new resident means a person who was not an occupier of the house and/or the specific room at the date of the issue of the licence

2. If gas is supplied to the house, produce to the local housing authority annually a gas safety certificate obtained in respect of the house within the last 12 months.
3. Keep electrical appliances and furniture made available in the house in a safe condition.
 - * Supply to the authority, on demand, with a declaration as to the safety of such appliances and furniture.
4. 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, (including a bathroom or a lavatory).
 - * keep each such alarm(s) in proper working order.
 - * supply the authority, on demand, with a declaration as to the condition and positioning of such alarms.
5. Ensure that a carbon monoxide alarm is installed in any room in the house (including a hall or landing) which is used wholly or partly as living accommodation (including a bathroom or a lavatory, hall or landing) and contains a solid fuel burning combustion appliance
 - * Keep any such alarm in proper working order.
 - * supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm
6. Supply all occupants of the property with a written statement of the terms under which they occupy it.

Property management

7. Ensure that inspections of the property are carried at least every 6 months to identify any problems relating to the condition and management of the property. The records of such inspections should include details of who did the inspection, the date, and any issues raised and then kept for the duration of the licence. In the event a payment of rent is missed, a visit must be made to the property no later than one month from the date the payment was due, to ensure that the property is secure and has not been abandoned.
8. Ensure that any complaint made in writing about disrepair or pest infestation is actioned and any necessary works carried out. As far as is reasonably practical, emergency works required to protect the security of the property should be carried out within 24 hours. Ensure that all repairs to the house or any installations, facilities or equipment within it are to be carried out by competent and reputable persons and that they are completed to a reasonable standard.
9. The property must have an EPC certificate with a minimum E rating for energy efficiency. If a rating of E or above is not possible, a valid exemption must be registered. The Licence Holder must ensure that all such tenants are provided with a copy of the EPC and that the Authority is provided with a copy of the same on demand.
10. If the Authority has reasonable grounds for believing the electrical installation may need repair or upgrading it may demand a Periodic Electrical Report carried out by a suitably qualified electrical contractor who must be registered/member of an approved body such as NICEIC, NAPIT, etc. or registered to undertake electrical works in accordance with Part P of the Building Regulations. This report must be no more than 5 years old and deem the electrical installation to be in at least a satisfactory condition.
11. Ensure the fire detection system is tested and maintained in accordance with manufacturer's instructions and BS 5839-6:2019.
12. Ensure, as far as is reasonably practical:
 - * the exterior of the house is maintained in a reasonable decorative order and in reasonable repair.
 - * all outbuildings, yards, forecourts and gardens surrounding the house are maintained, in repair and kept in a clean, tidy and safe condition and free from infestations.
 - * No refuse shall be kept in the front or rear garden or yard other than in an approved storage container for that purpose
13. Ensure that the Authority is informed in writing, within 14 days, the following changes:

- * Any change in ownership or management of the property
 - * Any change in the licence holder or management contact details
14. Ensure that all monies in respect of the licence fee are paid to the Council within 28 days of a licence being issued.

Tenancy Management

15. Ensure tenants are provided with:
- * A copy of the licence and conditions
 - * Written information about arrangements in place to deal with repair issues and emergencies should they arise, including name of the licence holder or managing agent with contact details (include an emergency contact telephone number) and the expected timescales for a response.
 - * Written information on arrangements for the storage and disposal of waste to include specific detail about bins, collection days and information about the disposal of bulky items such as furniture.
 - * Copies of manuals/instructions for installations and equipment provided including any burglar alarm.
 - * Copies of the gas and electrical safety certificates and the EPC
16. Demand references from persons who wish to occupy the house before entering into any tenancy, licence or other agreement. The reference must be kept for the duration of the licence.
17. Ensure that the tenants right to quiet enjoyment of the property is respected. If entry is required to the property, the tenant should receive at least 24 hours' notice in writing explaining why the entry is required.
18. The licence holder shall protect any deposit taken under an assured short hold tenancy by placing it in a statutory tenancy deposit scheme. The tenant must be given prescribed information about the scheme being used at a time when the deposit is taken.

Managing anti-social behaviour (ASB)

19. Take all reasonable and practicable steps for preventing and dealing effectively with antisocial behaviour, including ensuring that any future written statement of the terms and conditions on which the house is occupied contains a clause holding the occupants responsible for any anti-social behaviour by themselves and/or their visitors. The Licence Holder must ensure that all occupants are aware of the existence of this clause.

20. The Licence Holder and/or his manager are required to undertake an incremental process of investigation of any complaints which have been made either directly to them, or via the Local Authority, regarding their occupiers. For the purposes of these conditions, anti-social behaviour is taken to comprise behaviour by the occupants of the house and/or their visitors, which causes or is likely to cause harassment, alarm, distress, nuisance or annoyance to other occupants of the house, to anyone who visits the house, including communal areas, or to persons residing in, visiting or working in the locality of the house.
21. Copies of warning letters sent / notices of seeking possession served on the tenants of the property for breaching tenancy agreements and causing anti-social behaviour should be kept for the duration of the licence.
22. The Licence Holder must have written, detailed, tenancy management arrangements in place to prevent or reduce anti-social behaviour by persons occupying or visiting the property.
23. If the licence holder or agent has reason to believe that the ASB involves criminal behaviour, they shall ensure the appropriate authorities are informed.
24. Where the licence holder is specifically invited, they should attend any case conferences or multiagency meetings arranged the Council or the Police.

Fit and proper persons – licence holders and managing agents

25. The Licence Holder and his managing agent must inform the licensing team of the authority within 7 days of any changes in their circumstances as follows:
 - * Details of any unspent convictions not previously disclosed to the Local Authority that may be relevant to the Licence Holder and/or the property manager and their fit and proper person status and in particular any such conviction in respect of any offence involving fraud or dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003;
 - * Details of any finding by a court or tribunal against the Licence Holder and /or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business;
 - * Details of any contravention on the part of the Licence Holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her;
 - * Information about any property the Licence Holder or manager owns or manages or has owned or managed which has been the subject of a control order under

section 379 of the Housing Act 1985 in the five years preceding the date of the application; or any appropriate enforcement action described in section 5(2) of the Act;

- * Information about any property the Licence Holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the Licence Holder breaching the conditions of his/her licence;
- * Information about any property the Licence Holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004;

26. The licence holder must improve and maintain their knowledge and competency by keeping up to date with current housing issues and regulation to enable the effective management of their property and tenants. It is expected that licence holders will complete at least five hours training per year. Evidence of this must be available to the Authority upon request and could include attendance at:

Notes

"Authority" refers to the local housing authority, namely Newcastle City Council.

All records referred to in the conditions must be provided to the Authority on demand within 28 days.

Appendix 2 – Letter of Support from Northumbria Police

www.northumbria.police.uk
facebook.com/northumbriapolice
twitter.com/northumbriapol



Mrs. Gwen Smith
Team Leader
Public Protection & Neighbourhood
Newcastle Civic Centre
Newcastle Upon Tyne
NE1 8QH

Central Area Command
Area Command Headquarters
Serious & Organised Crime Team
Etal Lane Police Station
Etal Lane
Westerhope
Newcastle upon Tyne
NE5 4AW

Dear Sir's/Ma'am's,

Re: Organised Criminality and Selective Licensing Scheme.

The purpose of this letter is to inform Cabinet Members of the ongoing work between the Serious & Organised Crime Team and Newcastle City Council, specifically the Public Protection and Neighbourhood team and provide support to the selective licensing scheme, giving an overview of the successes we have jointly had over the previous 12 months.

Background

Newcastle Upon Tyne is home to 12 Organised Crime Groups (OCG's) with 150 + individuals as part of those groups which operate as part of a transnational network who look to exploit the most vulnerable within our communities. Nationally, this criminality costs the UK economy in excess of £37 billion per year* and accounts for 84% of Newcastle's most serious and violent crimes*. (*Statistics from the National Crime Agency).

As part of our ongoing intelligence development work with stakeholders, including NCC, we have established that a significant number of our mapped organised crime groups have access or control of an extensive property portfolio which they will use further enable their criminality.

The core business of these OCG's is drug supply which generally involves the recruitment/trafficking of vulnerable individuals to sell their commodity. We have also witnessed over the last 12 months an increase in 'Modern Day Slavery' offences which has generally consisted of organised crime groups from outside the UK trafficking vulnerable persons to Newcastle to work in the sex trade.

We were able to identify a number of landlords across the city who were acting as 'enablers' for OCG members and who we believe were complicit in allowing such criminality for financial gain.

Successes

In September 2019 the Serious & Organised Crime Team, in partnership with NCC Public Protection and Neighbourhood Team launched Operation Monaco, this an overarching operation that looked to relentlessly target persons linked to licensed properties (and premises) where intelligence indicated that they were enabling crime linked to vulnerable persons. Due to the advantages of Council powers around the 'Selective Licensing Scheme' we targeted premises that fell within that area.

The operation has a number of strands:

- **Intelligence/Information Sharing** – A clear point of contact between members of the police and NCC where any slow-time and time critical intelligence could be lawfully shared. This has included co-working, where members of the police work at NCC alongside housing/trading standards/enforcement/licensing teams at the Civic. It also includes regular meetings with staff at all levels to ensure a synergistic approach of any problem solving.

Since the inception of the operation, hundreds of items of intelligence have been passed between both organisations for a wide range of incidents, including serial fly-tippers to firearms offences.

- **Joint Visits** – Once we have intelligence on a premises and have developed that intelligence we look to carry out a visit to gather further intelligence/information around any criminality with a view to safeguarding of vulnerable persons as well as to identify opportunities to prosecute and disrupt persons ‘enabling’ and allowing such criminality.

During a week of activity in early 2020, the joint team identified a number of brothels with sex workers. Officers were able to provide safeguarding and evidence and intelligence was collected to support future prosecutions.


Summary

From a policing perspective, the selective licensing scheme has allowed the police to accompany council officers on a number of joint visits where criminality has been identified. It has allowed the police and NCC to provide an effective proactive response to criminality and ASB around premises.

It has further allowed the police to safeguard vulnerable persons and protect them from criminal exploitation. It would encourage rogue landlords to adhere to the standards set and provide a safe and well managed property for their tenants.

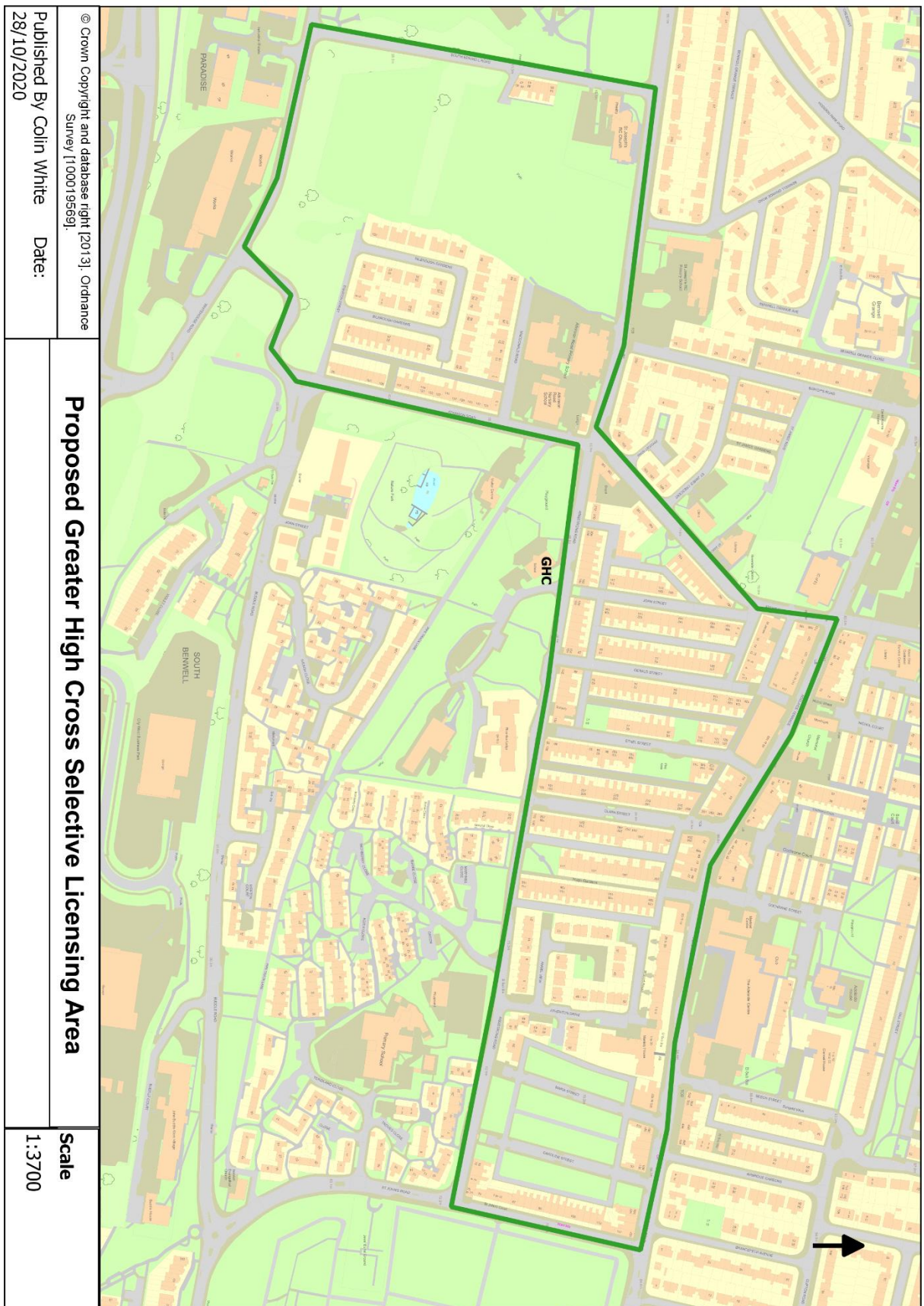
The police would support the continuance of the scheme and encourage its wider roll out to other areas across the city.

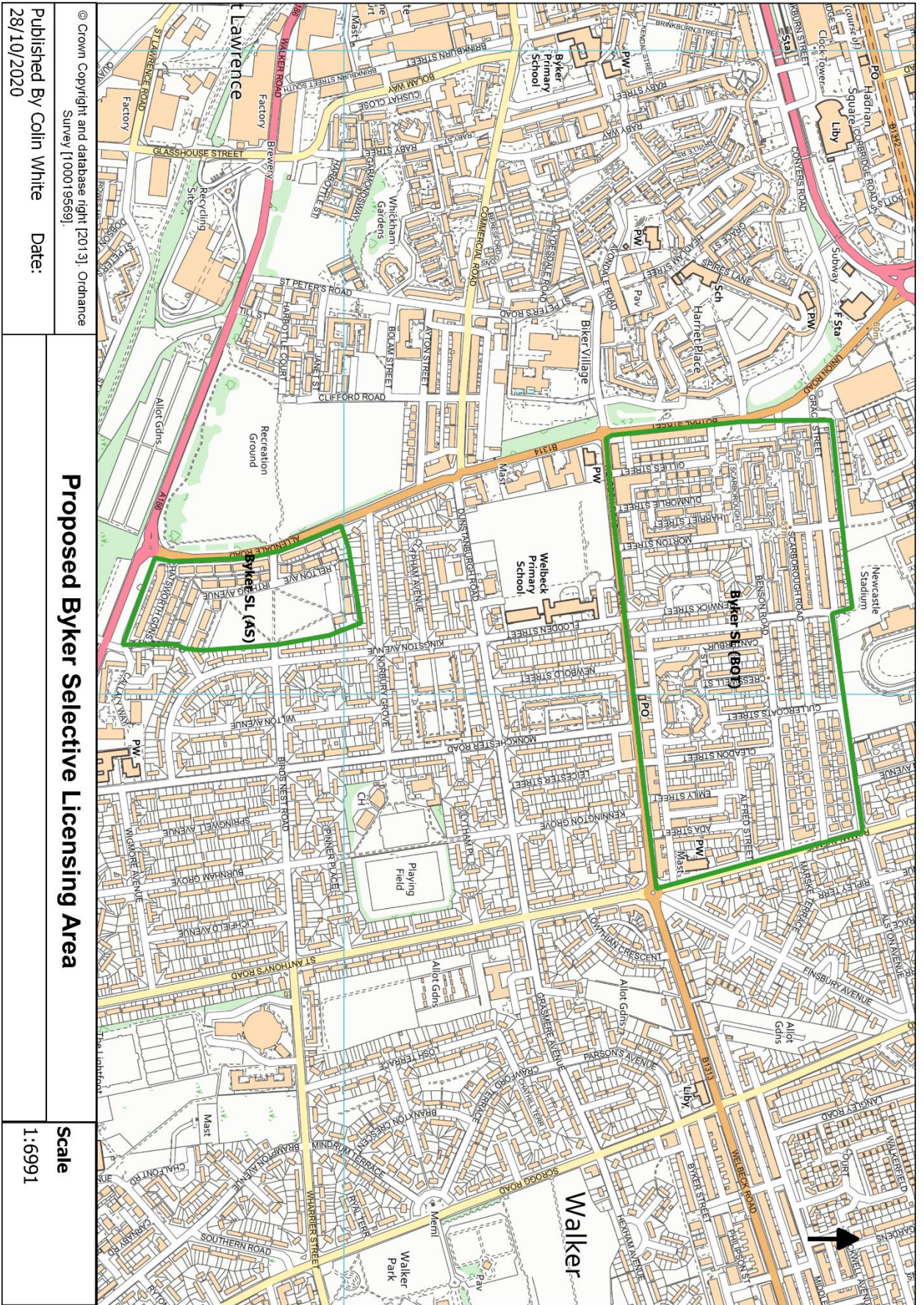
Yours sincerely,



Anthony Kirkbride
Acting Police Sergeant 3974
Central Serious & Organised Crime Team (SOCT)

Appendix 3 – License Area Location Maps





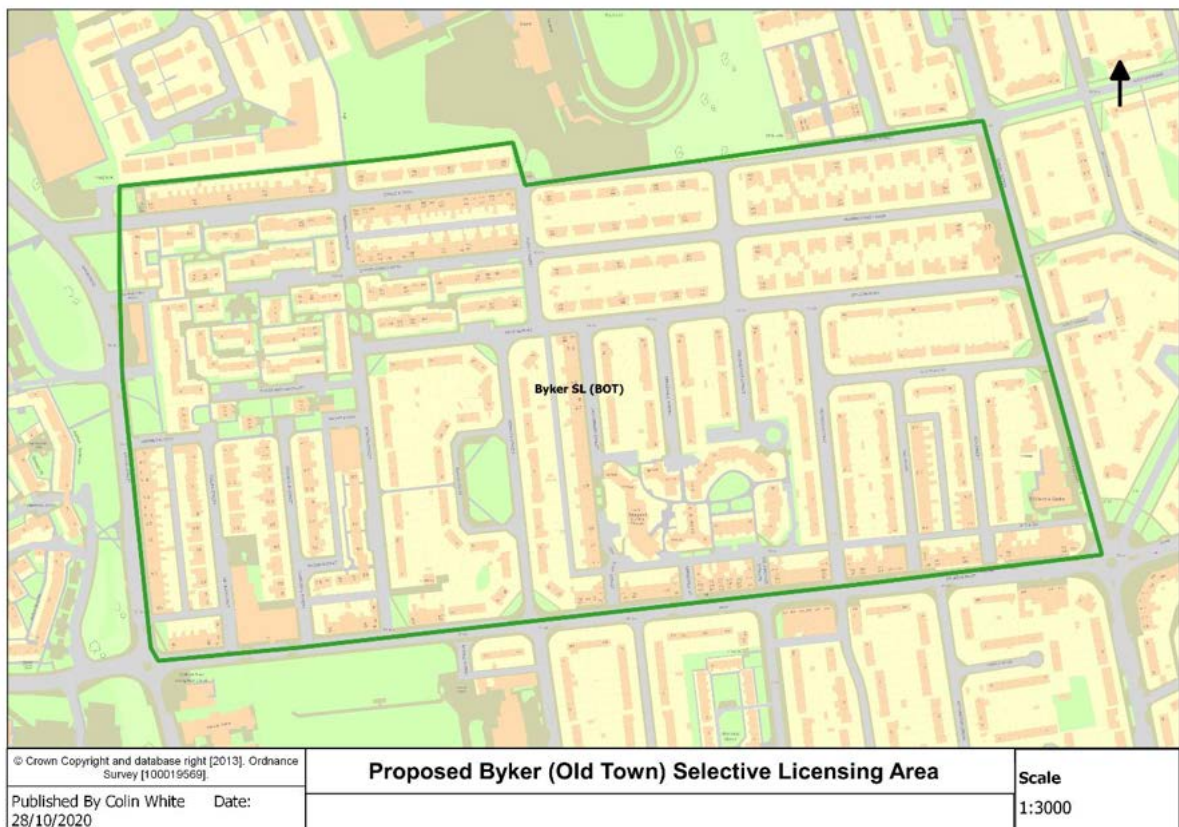
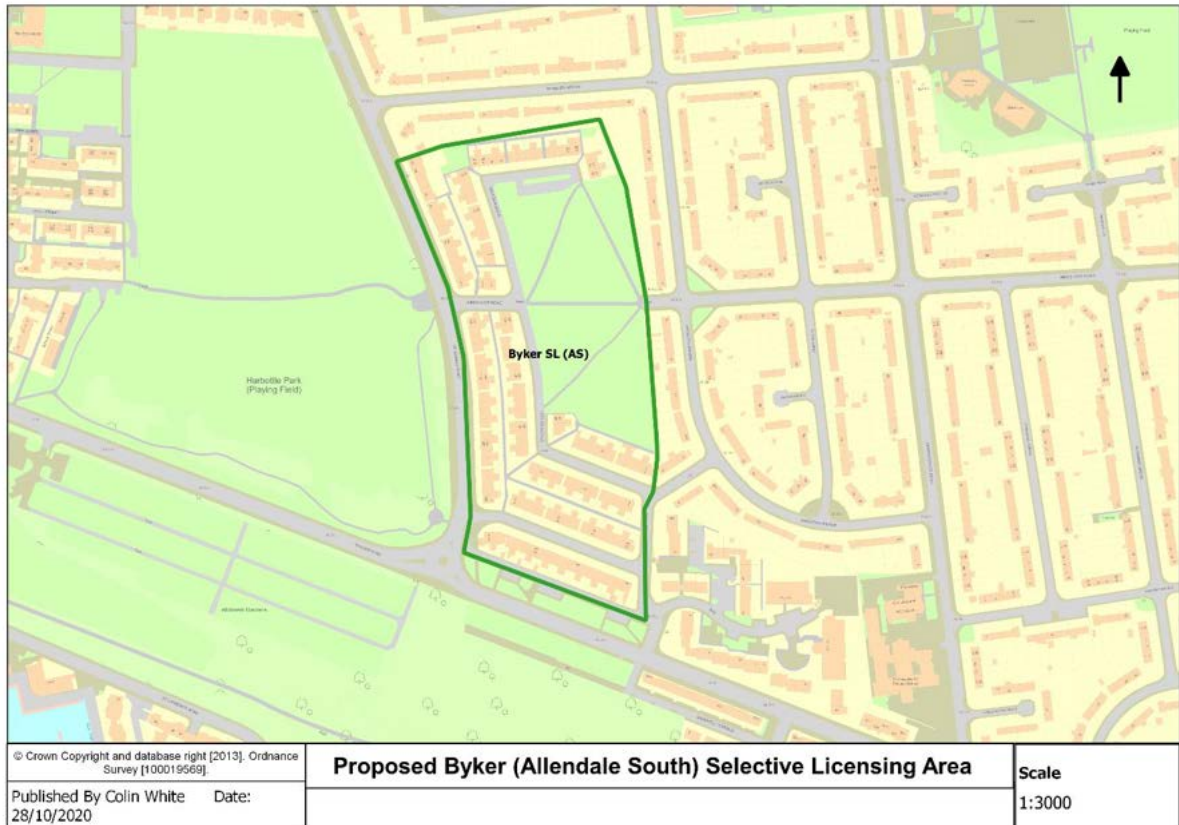


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¹ Other Core Cities are Liverpool, Manchester, Bristol, Leeds, Nottingham, Birmingham & Sheffield.

² ONS Regional Gross Value Added (Income Approach) by Local Authority in the UK

³ Newcastle City Council Tax July 2018

⁴ Council housing & Registered Providers housing combined

⁵ Table 100 Dwelling stock by tenure and district England 2016

⁶ Table 104 Dwelling stock: by tenure1, England (historical series) 2016

⁷ <http://www.ons.gov.uk/ons/guide-method/method-quality/specific/labour-market/annual-survey-of-hours-and-earnings/index.html>

⁸ Know Newcastle. March 2014

⁹ Census 2011

¹⁰ Figure provided by Newcastle Revenue & Benefits, March 2016