

## **MINUTES OF THE PLANNING AND ENVIRONMENTAL COMMITTEE HELD ON 2<sup>nd</sup> OCTOBER, 2018**

Present: Councillor D McKenna (Chair) E Bell,  
Mrs J A Bell, Mrs K Brace,  
S P Colborn, S Cudlip, Mrs S Forster,  
Ms R M Gratton, G N Hepworth,  
Mrs L Kennedy, Mrs S Pratt, K Shaw,  
T Shepherd, B Taylor, R Whitehead,  
Miss L Willis.

Observer: Mrs G Bleasdale

Apologies: Councillors Mrs B E Allen, R Arthur,  
D Cummings, Mrs V Cummings,

*Prior to commencement of the meeting the Chair advised members of this Committee and members of the public that in line with the amendment to 'the public bodies (admission to meetings) act 1960', which came into force in August, 2014, parts of this meeting may be recorded by photographic, video and audio means.*

### **1. DISCLOSURE OF INTERESTS**

Members were reminded prior to the start of the meeting of the need to disclose any interests, prejudicial or personal, in accordance with the Code of Conduct.

### **2. MINUTES OF THE MEETING HELD ON 4<sup>th</sup> SEPTEMBER, 2018**

RECOMMENDED the Minutes of these meetings, copies of which had been previously printed and circulated to each Member, be approved and signed as a correct record by the Chairman.

### **3. PRESENTATION FROM PRIVATE SECTOR HOUSING TEAM, DURHAM COUNTY COUNCIL (HOUSING SOLUTIONS)**

Councillors Mrs G Bleasdale and K Shaw declared an interest and took no further part in the discussions thereon.

The Chair welcomed Ms Caroline Siddall and Ms Clare Storey to the meeting.

Ms Siddall stated that she was a Private Sector Initiatives Officer from Durham County Council and leads on the Private Landlords Accreditation Scheme and Ms Storey stated that she is the lead for empty homes and bringing them back into use across County Durham.

Ms Siddall stated that they are attending the meeting tonight to let everyone know what the team does and who they are and how everyone can work well together.

Ms Siddall gave some background information on where the team sits within the Local Authority. The team sits within Housing Solutions which is traditionally the team that assists with homelessness. There is a housing advice line which is a first

port of call for anyone ringing into the Local Authority. There are Homelessness and Prevention Officers, Family Intervention Team, Housing Regeneration, Strategic Support, Gypsy Roma Site Management and also the Home Improvement Agency which deals with Disabled Facility Grants and keeping people in their own homes for as long as possible.

There is a Private Landlord Accreditation Scheme and the Empty Homes Team. The team works with tenants and landlords to have properties that are of a good standard. The team manages a selective licensing designation which is in Wembley at Easington. The team work with the Police, Anti-Social Behaviour Team when there are issues with private rented properties and they can also take enforcement action depending on the issues and also work in multi-agency teams.

There is approximately 16% of the housing market in County Durham private rented which has grown by around 78% since 2001-2011 according to census data and there are approximately 6,000 long term empty properties.

Ms Siddall stated that the Accreditation Scheme is a voluntary scheme for private landlords and managing agents and the Local Authority asks them to sign up to a Code of Practice which covers things like management standards which means having tenancy agreements and references which the team can assist landlords with. The team do go out and inspect 10% of every members portfolio to make sure they are making the correct standard and they will work with any landlord whose properties fall below the standard. The team also asks the landlords to declare that they are fit and proper and that they have no convictions for violence or harassment or anything similar. Outside of the scheme the team will also work with landlords who need help or support with issues.

Ms Storey stated her role was mainly dealing with empty homes across Durham and as mentioned there are approximately 6000 empty properties across Durham. The team rely on members of the public to report any problematic empty properties to the team so they can identify which properties will need intervention. The team will visit any empty properties that are referred into the team within a 14 day deadline and to prioritise if this is something that the team will need to deal with. The team work on 3 matrix priorities which is low priority the team will look at every 3 months, medium priority which the team will look at monthly and high priority properties are looked at every two weeks. The team tries to engage with the owners to sort out the properties and offers the landlords support to sell, renovate or rent the properties and also offers financial assistance to landlords who are part of the Council's Accreditation Scheme. Ms Storey stated that there are also a number of deceased estates across County Durham which the team carries out searches on such as probate searches and death records to try and identify who is responsible for some of the empty properties.

The team work alongside the Police Force, Fire Service, and Town Councillors on area based projects. The team liaise with Police over anti-social behaviour and serious crime as well as liaising with the landlord and the tenant. The team can also look at taking enforcement action against empty home owners when they do not comply with the Council's requests.

Across the SR7 postcode there are approximately 260 properties that are long term

empty. Ms Storey stated that there are not many properties which are reported into the Council so if anyone knows of a problematic property and people are unsure if the Council know about it then they are requested to report it in to the team either via email, contact forms or a local Councillor can report it in.

Ms Siddall stated that in terms of Accreditation across the SR7 postcode there are 97 properties accredited with 13 landlords.

Members were then invited to ask questions.

1. A Member questioned how much it costs to become accredited?

*Ms Siddall stated it is on a sliding scale, so anyone who has between 1 and 10 properties the cost is £150 per year.*

2. A Member questioned if she found an empty property and decided to buy it could she become accredited and then request some financial assistance?

*Ms Storey stated that you couldn't get help to buy the property but you could get help towards renovations to bring the property up to a decent standard. The Council do not lend money for owners to buy properties.*

3. A Member stated he was interested in the Accreditation Scheme and in many other areas it is compulsory for landlords to register through the Accreditation Schemes to provide a safety net for the private tenant and the costs in those other areas appear to be significantly more than the costs identified here. Is your scheme voluntary?

*Ms Siddall stated that the scheme is voluntary at Durham and it is not to be confused with selected licensing which it is legally deemed that any landlord operating in an area has to have a license which is from the Secretary of State.*

The Member stated he was referring to where Councils have made the decision themselves to compulsory require as part of the Accreditation Scheme that landlords will be required to apply for license and obtain that and it is quite a rigorous process.

*Ms Siddall stated that Durham do operate a selective license and it is selective licensing what you are referring to. Sometimes the two go hand in hand and some members of Durham Accreditation Scheme also hold licenses.*

The Member stated that he found it rather disappointing that there are only 97 properties on Seaham which are accredited when Members know there are a number of local landlords who own a large number of properties in Seaham where Members would have hoped that they would have registered voluntarily to work with the Council and to obtain a reputation as a good landlord and their properties are inspected. In some areas Councils are charging £500 for a license.

*Ms Siddall stated that Durham charge £450 for the selective licensing. This is a different scheme and that is part of the reason they are in attendance today to try and get the message out about the Accreditation Scheme. The Council tries to identify landlords and engage with them.*

4. A Member questioned whether it could be made compulsory for landlords to have to register?

*Ms Siddall stated that it was going through parliament at the moment for a second reading to look at a compulsory registration scheme for landlords across the whole of the country and that will be a parliamentary decision.*

*Ms Storey stated that has been supported by Durham County Council and The Police Crime Commissioner, it would be great if this went through.*

A Member suggested that the Town Council should support Durham County Council in this and that there should be compulsory registration.

5. A Member questioned what powers Durham County Council have to enforce the standards of a private landlord given that you state there are only 97 properties and 13 landlords in Seaham which are part of the scheme? Does the fact that so few landlords and properties have signed up give you any pause to wonder why others haven't signed up, is it because the standards are not high enough? Also you stated there are 6000 empty properties across Durham how many people are on the relevant waiting lists for housing?

*Ms Siddall stated that as part of the Code of Practice the Council asks landlords to sign up to property conditions which are higher than legally required is called the Decent Homes Standards which Environmental Health work to. If there are any concerns with properties Environmental Health do have enforcement powers to inspect, put notices on properties to make them comply with a certain standard and if there are tenants in the property the Council works closely with them to move tenants on where properties aren't suitable. The Council ask landlords to reach the highest standards and it is voluntary.*

A Member asked if that was the same standards that social landlords have?

*Ms Siddall stated that the Accreditation Scheme standards are actually higher than social housing standards. The Council will work with landlords to help them achieve these standards. There is a lot of costs for landlords at the moment in terms of changes to the "Buy to Let" mortgages and how landlords are taxed. Some landlords are struggling at the moment and the Council can help them with legal notices. A lot of landlords do sign up to the scheme as it is seen as a badge of honour that landlords are doing what they should be doing. The Council will speak to any landlord whether they are part of the scheme or not. There has been a lot of legislative changes over the last 2 years for private landlords.*

*Ms Storey stated that the Council tries to contact landlords to promote the scheme and the feedback is very positive from landlords when they join the*

*scheme. The Council waiting list which was mentioned as part of the question the numbers referred to are actually privately owned houses not social housing and the people on the waiting list are predominately waiting for social housing not private housing. People on the list can be offered privately owned accommodation and the landlords are registered onto Durham Key Options which is the social housing and they can be matched up to accredited landlords.*

The Member stated the reason he asked about the properties was because if people can't get on the social housing side they could then be referred to a private landlord for housing.

*It works well that people can bid for accredited properties also. It is also easier as private landlords don't go through the priority banding that social housing do. Private landlords may also offer decorating and carpets with the properties which is also a help to some people.*

6. A Member asked whether there was a law where the Council could take properties which have been left for over 3 years and the rent would be passed onto the landlords and in the meantime the money could be used to bring the property up to a decent standard, was this law ever brought in?

*Ms Storey said there is empty property management orders which is a 7 year leasing scheme. It can look at the Council taking the property from the owner but this has to go through a formal legal process and the Council can apply for an empty dwelling management order to renovate the property and rent it out. The Council would repay their own renovation costs and anything left over would be repaid to the owner. However, this is extremely costly to the Local Authority and the LA has to engage with the owners in the first instance to try and find an alternative to resolve things before going through that process. The tribunal will not hear any case where the LA has not tried to engage with the owner. Durham County Council is very good at engaging with owners and getting properties brought back to standard without using the enforcement routes.*

7. A Member stated that a few years ago the Council was giving grants to landlords to renovate their properties, some up to £7k about 4-5 years ago and it was quite common that some of the works were being done on the houses but it wasn't £7k worth.

*Ms Storey stated that in 2012 the Council put forward a bid to the Government for Empty Homes Cluster Fund and the Council were successful in receiving that pot of money but it wasn't for grants it was for repayable interest free loans and the Council got secure charges on the properties, however there wasn't anything paid out that the Council didn't go out and inspect to ensure that the quality of work was carried out. Anything that goes into a private property is 100% repayable. That recyclable pot of money is still used today to bring empty properties back into use. The landlord also has to sign up to the Accreditation Scheme for the full term of the loan so the Council can manage the property standards, that is a condition of the loan.*

8. A Member asked if the Council had a list of all of the landlords in the area and have the Council met with them all to inform them how good the scheme is?

*The Council don't have a full list of landlords and there is no requirement for them to register. A County wide event has taken place and was attended by over 100 landlords to find out about what the scheme is about. There is no current database of landlords but the Council are working on that.*

9. A Member asked what the Council does about problem tenants?

*Ms Siddall stated that if there are issues landlords can self-refer and joint visits to the tenants can be carried out and tenants are informed of the consequences. If other residents report tenants to the Police the Police then pass this information on to the Anti-Social Behaviour Team.*

The Member stated that a couple had left 11 cats in a property and she had never seen filth like what was left by the tenants. The Environmental Health Team came out and the landlord was contacted could your team help with issues like that.

*Ms Siddall stated that yes the team could help as they can liaise with any private landlord and can refer them to the most appropriate people to deal with any issues. It was also noted that Environmental Health also liaises and refers to the team as the two teams work closely together. There are three Private Landlord Officers who carry out joint visits with the Police. The team can also assist with issues such as rent arrears. Legislation is geared up to protecting tenants but if they refuse to move the team can manage moves with the support of the Police across the County.*

The Chair thanked Ms Siddall and Ms Storey for attending the meeting and keeping Members informed.

#### 4. **PLANNING ISSUES**

##### a) **Monthly List**

RECOMMENDED the list of planning applications referred to all Councillors since the last meeting, namely 5554 to 5560 as circulated be noted.

#### 5. **TRANSPORT AND HIGHWAYS ISSUES**

##### a) **Neighbourhood Services – Highways**

RECOMMENDED that Members note the information.

##### b) **Temporary Road Closure Notice**

RECOMMENDED that Members note the temporary road closure at Hill Crescent on Sunday 14<sup>th</sup> October, 2018.

**6. DOG FOULING ON SEAHAM BEACHES**

This item had been deferred from the previous meeting so Members could hold further discussion on the matter. A Member stated that he felt there shouldn't be a total ban on all beaches for dogs. A Member stated that not all owners pick up after their dogs and if a child playing on the beach gets dog faeces in their eyes this could blind them. The Member suggested that there could be a ban between the months of March to September when children are more likely to be playing on the beaches.

A Member noted that this situation was raised 2-3 years ago and there was a strong bid to have a seasonal banning of dogs on beaches including the slope beach. Seaham is the only place where dogs can come every day as Sunderland have banned dogs from the beaches. There was a high Facebook opposition to the ban and the consultation was defeated even though this Council wanted a ban. The Member suggested a seasonal ban from May to September between the Slope beach and the Hall beach. A Member stated a ban from the start of the promenade at the Hall to the Slope. There would still be a long run for dog walkers between the Hall and Ryhope Beach.

A Member questioned how this could be policed. A Member stated that this would have to be one step at a time. Durham County Council would administer the policing of the beaches via their Wardens. If the ban is ignored then people would be fined.

A Member stated that they were extremely disappointed that Durham County Council were phased by a Facebook Campaign. Those areas need to be protected for our own residents as well as visitors. There are plenty of other places to take dogs such as North of the Hall or Noses Point. This needs to be taken to Durham County Council.

A County Councillor noted that this was picked up by Easington District Council prior to 2010 but this was lost in the local government reorganisation. There were 140 people who registered their opposition. Seaham has nearly 25k people and it wasn't just Seaham residents who voted.

A motion was proposed and seconded to ask Durham County Council to hold a public consultation on the banning of dogs from the Slope Beach to the start of the promenade at the Hall steps between May and September. It was requested to have a named vote:

Voted For: Councillors T Shepherd, Ms R Gratton, Mrs J Bell, E Bell, Mrs L Kennedy, G N Hepworth, K Shaw, S Cudlip, Miss L Willis, Mrs K Brace, R Whitehead, Mrs G Bleasdale, Mrs S Forster, D McKenna

Voted Against: 0

Abstained from Voting: Councillors B Taylor, S Colborn

**RECOMMEND** that Durham County Council are requested to hold a public consultation on the banning of dogs from the Slope Beach to the start of the promenade at the Hall beach between May and September.

**7. PRESS OPPORTUNITIES**

RECOMMENDED that the Acting Town Clerk contacts the Sunderland Echo to update them on the Seaham Lodge Road Campaign and that the planning applications have been suspended until further surveys are carried out.