

## Appendix 2 – Consultation Responses

Table 1: Housing Policy Consultation Responses

Respondent	Policy Clear and Understood	Agreement with policy	Amendments	Actions/ Response
Resident	Y	Y	<p>Section 5 phrase below doesn't win a plain English award. "North Tyneside has some areas which display issues related to deprivation and some areas of prosperity, such as St Mary's and Monkseaton North. Areas such as Chirton, Riverside and Wallsend have been identified as being within the most deprived areas of the country."</p> <p>Suggest "North Tyneside has a diverse mix of areas. The council wards of St Mary's and Monkseaton North are among the least deprived in the country, whereas Chirton, Riverside and Wallsend have been identified as being within the most deprived areas of the country."</p>	Amendments made
			<p>Section 27</p> <p>A national database of rogue landlords and property agents has been created by the Secretary of State for Housing, Communities and Local Government.</p> <p>Highly unlikely the Secretary of State has created the database by inputting data - suggest referring to Ministry of Housing, Communities and Local Government (MHCLG)</p>	Section 28 of Housing and Planning Act 2016 gave secretary of State powers to establish a database of rogue landlords.

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Respondent	Policy Clear and Understood	Agreement with policy	Amendments	Actions/ Response
Resident (SR)	y	Y	<p>I agree wholeheartedly with the new legislation and hope this brings about all the necessary needs of tenants in private housing as well as removing the blight of ugly neglected properties especially in older building areas. I agree wholeheartedly with the new legislation and hope this brings about all the necessary needs of tenants in private housing as well as removing the blight of ugly neglected properties especially in older building areas.</p> <p>Hopefully in the not too distant future there might be legislation to adapt neglected shopping areas and introduce a new look into town centres where people can choose to live near shops and transport. Many town centres and suburbs could be greatly improved and brought up to date with new colourful modern buildings making a more pleasant environment for all and providing housing to suit single persons in need or for short term lets for visitors.</p>	Comments noted
Resident	y	y	That properties are not used for overcrowding of one or more families.	legislation protects against overcrowding and a new minimum space requirement has been set for HMOs.

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Resident	y	y	I do not think private landlords should be able to evict tenants without good reason which is happening a lot lately. Also some do not do repairs which tenants ask for	There are safe guards in legislation against illegal evictions and eviction notices would not be enforceable if issued within 6 months of issuing of category 1 improvement notice for disrepair.
Resident	y	y	<p>Does the Council have a robust policy to deal with disputes between the parties and are all parties have knowledge of how to access this assistance? I presume that when a dispute occurs then two officers should attend the disputed premises and take note of all findings so that a peaceful resolution can be found. Both Landlords and Tenants need to feel assured that quick and fair arbitration can occur so as to give all parties faith in the system.</p> <p>Private Landlords are an essential part of public housing at this time and void properties are to be avoided whenever possible, but not at any cost.</p>	<p>Policy advises how we would progress a complaint based on risk and a stepped approach from informal to formal actions.</p> <p>Disagreements can be considered under the corporate complaint process or via housing tribunal.</p>

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Resident Chair	y	y	<p>Thank you for sending the draft proposals put forward by North Tyneside Council as regards Private Landlord Enforcement which I firmly believe will provide much needed support especially for low- income families who are currently at risk from poorly maintained and potentially dangerous properties within the borough.</p> <p>As Chairman of the Northumberland and Newcastle Society I would also like to take the opportunity to suggest that the Council’s Planning Department should also be mindful of any current and future applications to convert existing buildings for residential use. As a matter of general principle, the Society welcomes and supports planning applications where approval is sought for conversion from commercial / retail use to dwellings for vacant sites in all our local authority areas. It is our belief that such change of use should be encouraged as part of the generic desire to revitalise both urban and semi-rural communities where the proposed developments will sustainably deliver good quality living accommodation created sympathetically from redundant buildings especially on brown field sites.</p> <p>However, we are aware that promoters of some developments often have little regard for prospective occupants of these dwellings and provide inadequate floor areas allocated to individual units within buildings of multi-occupancy which will certainly not be compliant with forthcoming Government minimum standards for floor space. We all have recognised during the current pandemic the importance of personal space in our homes which is often at a premium. Permitting poor quality densely packed developments by any of our local authorities sends completely the wrong message and in the case of North Tyneside Council would be counter-productive in view of the welcome initiative to encourage and enforce continued improvement of properties let out by private landlords. What we do not need is the creation of slums for the future.</p>	<p>Comments noted. Agreed</p>
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Resident	Y	N	<p>Firstly I welcome the framework to establish clearly a policy and accompanying and complementary set of civil enforcement powers.</p> <p>Secondly I don't believe the prescribed measures are adequately clear, or fair, or are ample in their scope. I'll elaborate. Nothing is more fair than three strikes. In the first instance landlords found responsible for defects, frauds and refusals should expect a fair and proportionate response. Mistakes happen and lessons must be learned. Thus they should be aware that instead of a gradual increase in penalties for serial offences that, instead, the first will be monetarily proportionate to the offense, plus an significant fine owed to the council. This should only be allowed to happen twice, with the second fine drastically more punitive to reflect the landlord's unacceptable conduct.</p>	Comments noted. Civil penalty fines are determined by severity of risk and harm and culpability of landlord. The final sanction against landlord can be the removal of his right to rent by Banning order.
Resident	Y	Y	A really good initiative - much needed no doubt - well written and with good decision making systems and criteria and appropriate proportionate actions suggested.	Comments noted.
Resident	Y	Y	General comments regarding their experiences with poor landlords and importance of good housing.	Noted

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Resident			Query if response time is working day or inclusive of all days. Pg20 query if who approves appeal from lower to upper housing tribunal.	Timescales are inclusive of all days of week. An appeal from lower to upper tribunal would be agreed by the lower housing tribunal amendments made.
Resident	Y	Y	Excellent presentation, agree with policy. How will it be implemented and how will poor workmanship be dealt with?	Work will be reactive or intelligence lead. Poor workmanship may lead to landlord failing to meet the requirements of Notice.
Resident	y	Y	Thorough policy. Query how derelict garages and empty homes deal with regard to spoiling the enjoyment of the amenity	Issues regarding visual appearance of properties would be addressed by planning legislation on visual appearance.

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Resident	y	y	Agrees that there is a need for stricter laws to ensure landlords accountable	Introduction of civil penalties and guidance on fines ensures proportionate to landlords' culpability and seriousness of offence.
Resident	y	y	Agrees with policy but concerned about staffing.	The policy will give staff tools to address rogue landlords and any finds will be directed on private sector housing.
Resident	y	y	Format of policy could not be improved, clear and understandable. How will tenants be made aware of policy	The policy has been publicised to charities and citizen advice groups who support tenants as well as being made available on council website
Resident	y	y	Repetitive but very through, everything covered	noted

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Resident	y	y	Agree with policy but queries support for landlords for bad tenants	North Tyneside Website links to useful sites for support.
Resident	Y	Y	Good policy	noted
Resident	Y	Y	Good policy	noted
Independent Body	y	y	<p>Citizens Advice broadly welcome the civil penalties policy that empower local authorities to tackle bad landlords and letting agencies in the Private Rented Sector by giving the local authority powers to issue civil penalties. This may deter offenders as its likely more civil penalties will be issued as the alternative was a criminal prosecution. However, it appears that the local authority will not be able to prosecute for the same offence if they have issued a civil penalty.</p> <p>We welcome changes including: Rent Repayment Orders; Banning Order and a local database of 'rogue' landlords. We understand that much of the implementation will be on a case by case basis and look forward to observing how this works in practice.</p>	Comments noted.