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Consultation on Private Sector Housing Policy 2016 – 2019



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Introduction

1. This report provides the findings of the consultation carried out as part of the draft Private Sector Housing Policy 2016 – 2019. It sets out the responses and key findings of the 8 week consultation which started on the 18th February 2016 and concluded on the 15th April 2016.

2. This report should be read in conjunction with the Private Sector Housing Policy 2016 – 2019, attached to the main CEB report as Appendix 1.

Background

3. Oxford City Council has a strong record of successful interventions in the private rented sector. In recent years the focus has primarily been on regulating the HMO market in the City due to the high priority placed on the need to improve the management and property conditions in that sector. However, the demand for housing and the substantial growth in the private rented market as a whole in Oxford has introduced new challenges and a fresh policy is required to set a direction of travel for the next three years.

4. More people now rent rather than own their home in Oxford. The private rented sector (PRS) has increased in size by 50% in ten years and is now substantially larger than the social housing sector.

5. There appears to be no slowdown in sight for the growth of the PRS, despite government pledges to increase housebuilding and some tax changes introduced to make buy to let less profitable. It is interesting to note that in an era of deregulation there have been several pieces of new legislation introduced by the government in relation to regulating the worst excesses of the PRS. It is therefore clear that it is a sector that needs improvement.

6. The Draft Private Sector Housing Policy sets out the principles and practices that the Council will apply to ensure that the PRS is adequately regulated and improved as necessary. The headlines for the priority areas identified are:

HMO Licensing

7. The National Award winning Additional HMO Licensing Scheme forms a substantial part of the Council's approach to regulating and improving the worst housing in the City. This is set to

continue, with the scheme being further refined and improved and a greater focus on dealing with unlicensed HMOs.

Regulation and Improvement of Dwellings Occupied by Families or Single Occupants

8. Continuing and extending the proactive work being carried out in the non-HMO rented sector, targeting rogue landlords and using EPC data to identify properties in poor condition.

9. Identifying and introducing a Selective Licensing Scheme to deal with poor management and property conditions and address anti-social behaviour associated with non-HMO privately rented properties.

Unlawful developments

10. Dealing with unlawful developments being used as substandard accommodation and ensuring that “beds in sheds” do not become an accepted feature of the PRS in Oxford.

Providing housing assistance

11. Continuing to help the most vulnerable people in Oxford by providing facilities to enable them to live in their own homes with dignity and ensuring support to get people home from hospital.

12. Enabling funding for home improvements for owner-occupied properties in the poor condition.

A robust approach to enforcement

13. The policy also clarifies the enforcement approach that will be taken to ensure that minimum statutory standards are met.

Development of the Policy

14. The policy has been developed by Environmental Health with input from Housing and Property, Planning Policy, Building Control and Environmental Sustainability.

Consultation Process

15. Throughout the eight week consultation period the Policy was available on the Council website and was also available for comment through the on-line consultation page. A press release and posts on social media were made at the start and throughout the consultation.

16. Direct invitations to comment were sent to the following stakeholders:

- Residents Groups
- Landlords and letting agents (newsletter)
- Oxfordshire County Council (Fire Service, Social Care, Public Health)
- Student representatives
- Shelter
- Public Health England

Key Findings from the Consultation

Questionnaires

17. The Council adopted a range of techniques for this consultation including questionnaires, focus groups, road shows, tenants and resident group meetings and stakeholder meetings and the results from questionnaires are as follows:.

18. In total the Council received 58 questionnaires, 48 online and 10 completed face to face during focus groups. A summary of the key findings for the two approaches are set out below.

- The respondents included 23% who were home owners living in Oxford, 17% landlords, 6% letting or managing agents, 38% tenants who were renting in the private sector in Oxford, 2% social tenant and 15% other.
- 78% of respondents agreed that the Council should proactively regulate the private rented sector and use all of its powers such as licensing and proactively targeting criminal landlords.
- 22% of respondents believe that the Council should leave landlords and letting agents to manage themselves and only get involved when something goes wrong.

- 69% agreed or strongly agreed that the Council's highest priority in the policy should continue to be to improve Houses in Multiple Occupation.
- 13% remained neutral that the Council's highest priority in the policy should continue to be to improve Houses in Multiple Occupation while 15% disagreed or strongly disagreed.
- 67% strongly agreed or agreed that the Council should introduce licensing to improve conditions in all of the private rented sector.
- 15% remained neutral that the Council should introduce licensing to improve conditions in all of the private rented sector, while 16% disagreed or strongly disagreed.
- 63% agreed that if the Council introduced stronger powers such as Selective Licensing to improve conditions in the private rented sector that licence fees should be paid for by landlords.
- 4% believe that Selective Licensing should be paid for by the tax payer while 33% believe that it should be paid for by a combination of both landlords and the tax payer.
- 44% strongly agreed and 35% agreed that the Council should continue to focus on improving energy efficiency and reducing carbon emissions in homes and addressing fuel poverty as a priority.
- 13% remained neutral that the Council should continue to focus on improving energy efficiency and reducing carbon emissions in homes and addressing fuel poverty as a priority while 8% disagreed or strongly disagreed.
- 79% strongly agreed or agreed that the Council should actively seek out 'beds in sheds' and take any necessary enforcement action.
- 62% agreed that the proposed enforcement approach detailed in the policy is about right.
- 11% believe that the proposed enforcement approach detailed in the policy is too tough while 28% believe it should be tougher.

Methodology

19. To offer as many people the opportunity to put forward their views about the impact of the Policy the Council used a range of consultation techniques.

20. A questionnaire was developed to determine the status of the person responding and included a series of statements and questions focusing on the following key areas:

- Status of respondent
- Did the policy provide sufficient information?
- Is the policy clear in its objectives and targets?
- Should the Council pro-actively regulate the private sector or only respond when needed?
- Should the highest priority be the continued regulation of HMO's?
- Should the council introduce further measures to regulate other private rented tenures?
- How should any further measures be funded?
- Should the Council focus on raising standards of energy efficiency in dwellings?
- Should the Council actively seek out unlawful dwellings?
- Levels of enforcement
- Anything that the policy does not cover that should be included

21. Respondents were asked to indicate on a range of levels and scores about these areas. The questionnaire was made available on Oxford City Council's website and on websites in the neighbouring authorities.

22. In addition to the online questionnaire a series of 'road show events' were carried out by officers throughout the City. Details are provided in Table 1 below.

Table 1 – Consultation session locations

LOCATION	DATE
East Oxford – Community Centre	16 th March 2016
Blackbird Leys Outside Library	17 th March 2016
Headington Library	18 th March 2016
Summertown Library	22 nd March 2016

23. In total the Council received 10 completed paper questionnaires from the Road shows. Many people turned up to comment, however, the response did not reflect this as most took a leaflet away and wanted more time to read the policy.

24. Targeted consultation of stakeholder groups was also carried out to capture the views of specific interest groups, namely landlords, agents and students.

25. A Landlord Information Exchange (LIE) was held on the 22nd February 2016 at the Town Hall and around 80 landlords and agents attended. The event generated a handful of paper questionnaires.

26. The Council was committed to ensuring that the consultation was targeted to a wider audience as possible and used a variety of methods to promote the project and encourage responses. Poster and flyers were distributed to all agents across the City during February and March and these were also made available in the University schools, student welfare and union offices. Posters were also distributed to other key external agencies such as Shelter, Crisis, Police and Oxfordshire County Council. All emails sent out by the Environmental Health teams had signature banners promoting the consultation. Social media was used to advertise the online consultation. A full set of these have been provided at Appendix 2.

27. A series of adverts were also placed in the free local newspapers providing details of where to find the policy online and where to obtain a copy if there was no internet access. Details of these have been provided at Appendix 3.

28. An email newsletter was sent out in March to 827 landlords and agents and this also promoted the consultation.

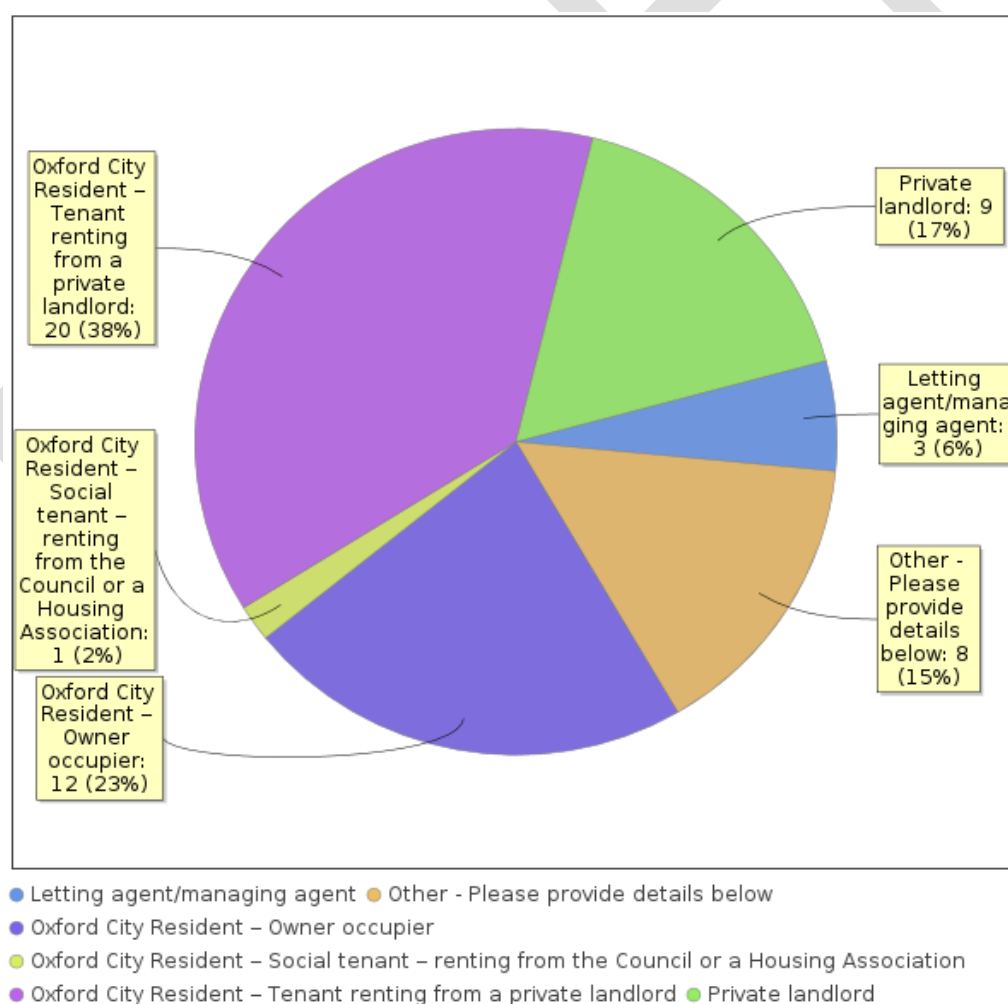
Consultation Results: Private Sector Housing Policy 2016-2019

28. The following provides the results from all of the submitted questionnaires

Q1. This survey relates to privately rented and privately occupied houses in Oxford. Please indicate which category best describes you?

Figure 1: This question required people to determine the status of people responding. The majority of respondents, (38%) are residents of Oxford renting from a private landlord. This is not surprising given that the large concentration of privately rented properties in the city. A broad cross section of owners, residents and landlords responded. The majority of other respondents were those who lived outside the city but worked in the city.

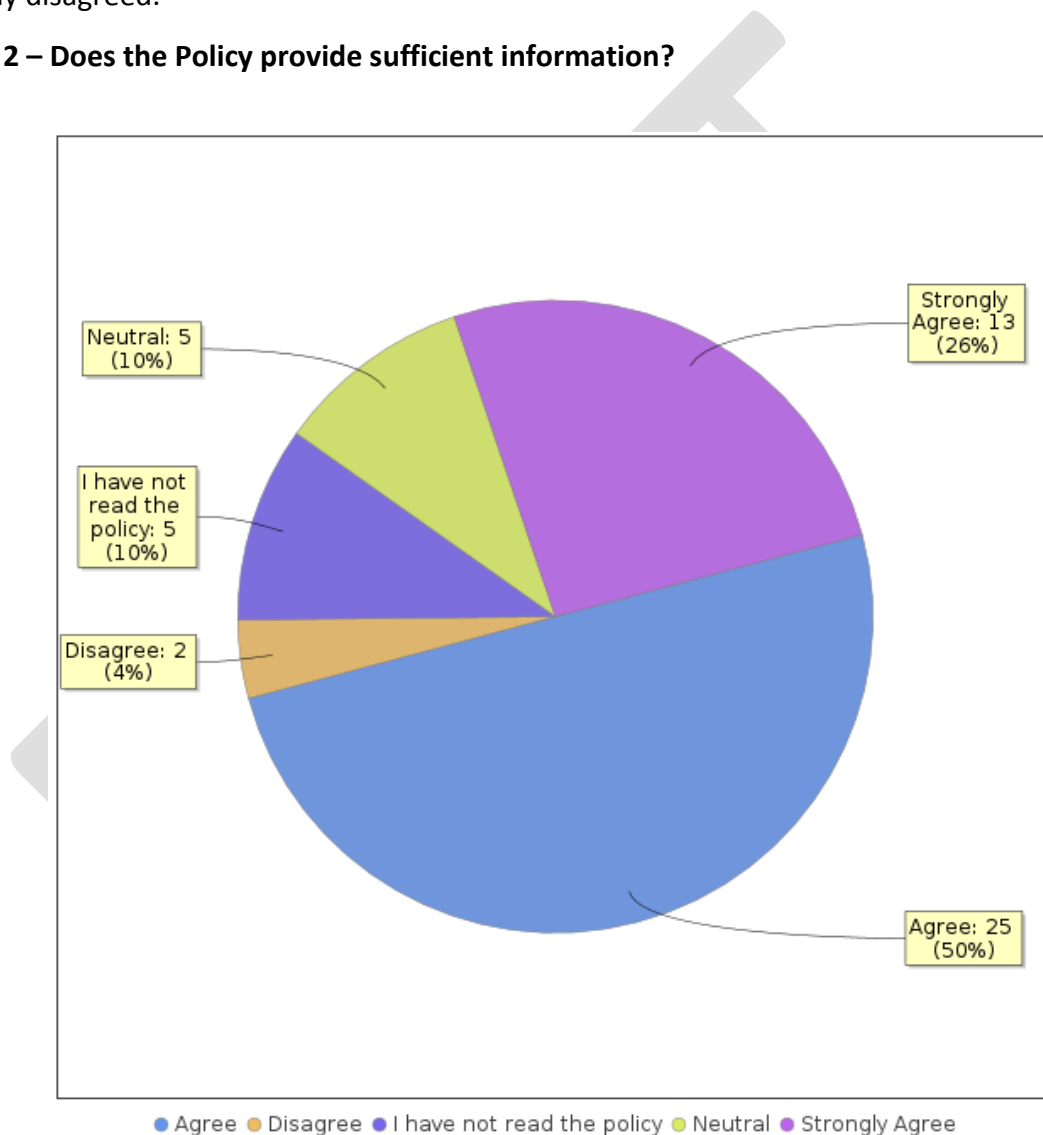
Figure 1 – Which category best describes you?



Q2a. The draft policy provides sufficient information to enable me to form an opinion on private sector housing in Oxford.

Figure 2: To gauge the content of the policy, question 2a requested whether participants agreed whether they could form an opinion of the private sector. The majority of people, 38%, agreed or strongly agreed that the policy provided sufficient information to form an opinion on private sector housing. 10% remained neutral, 4% disagreed and 10% had not read the policy. No-one strongly disagreed.

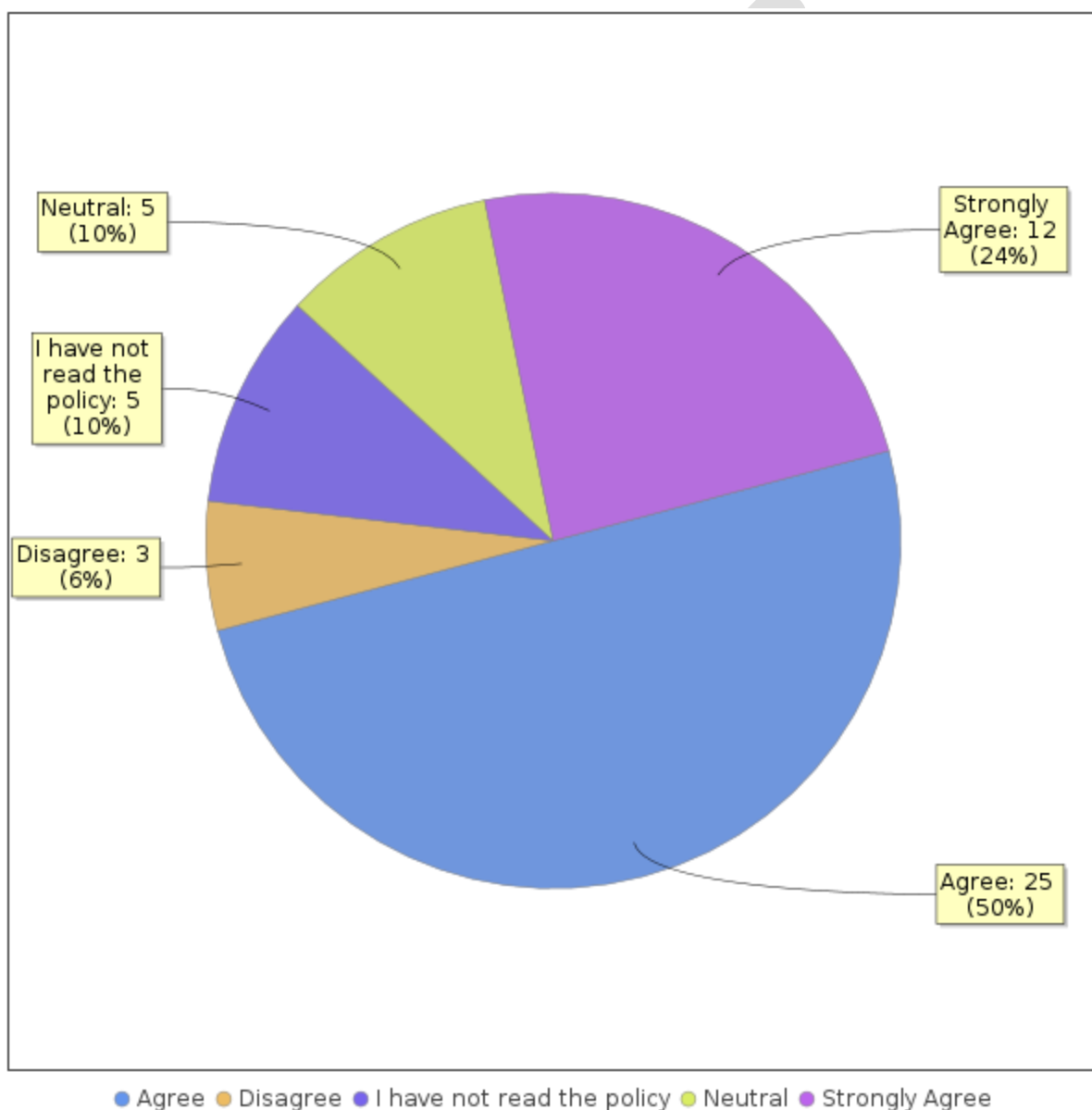
Figure 2 – Does the Policy provide sufficient information?



Q2b. The draft policy is clear on what actions the Council is proposing to take.

Figure 3 – Question 2b required people to indicate to what extent they agreed or disagreed with whether the policy was clear and concise with proposed actions. The majority of people, 74%, agreed or strongly agreed.

Figure 3 – Is the Policy written in a clear on actions?



Q3. On a scale of 1 to 10, please rank the following statements with 1 being 'strongly disagree' and 10 being 'strongly agree.'

Participants were asked the following:

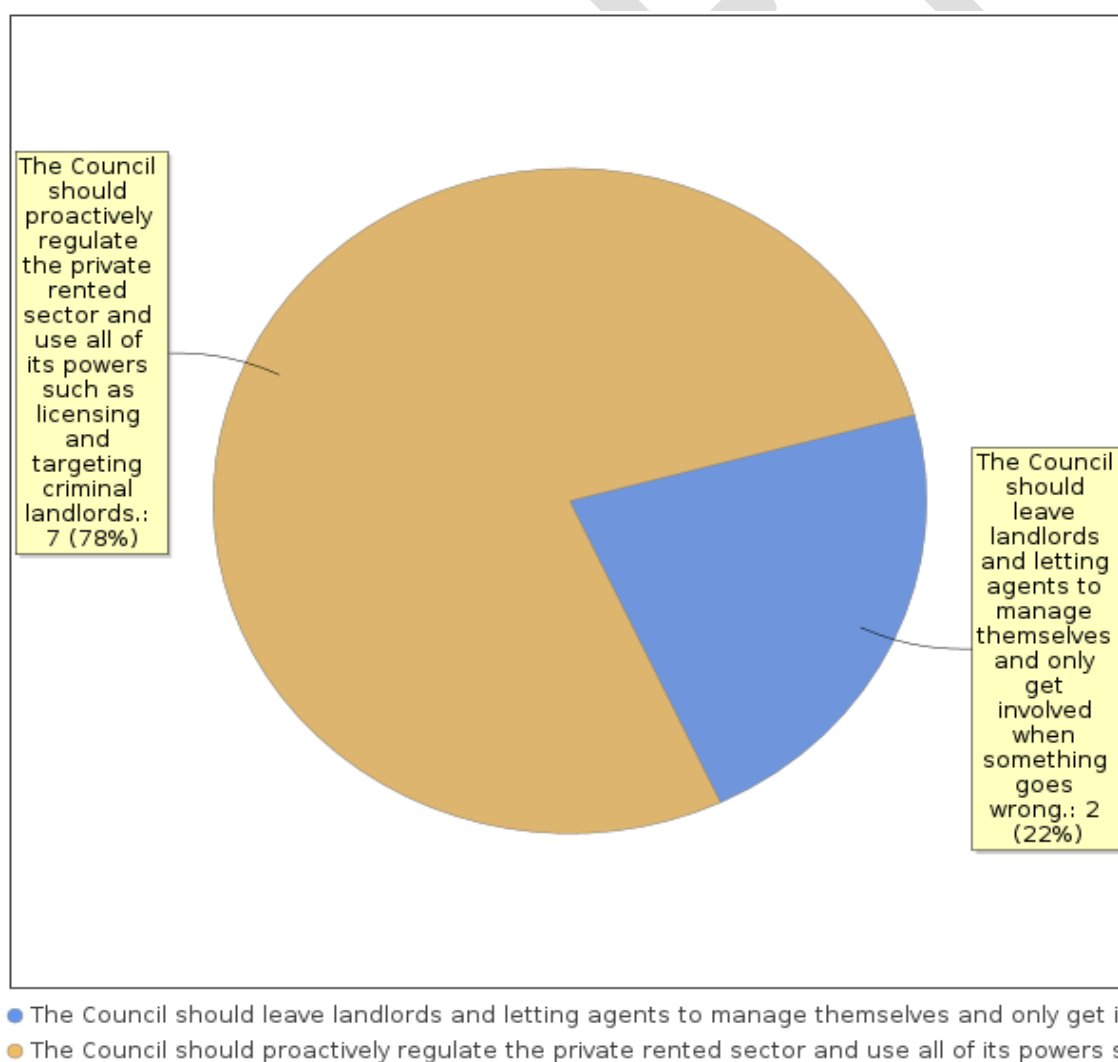
The Council should proactively regulate the private rented sector and use all of its powers such as licensing and targeting criminal landlords.

or;

The Council should leave landlords and letting agents to manage themselves and only get involved when something goes wrong.

Figure 4 – An overall majority of participants agreed that the Council should proactively regulate the private rented sector.

Figure 4 – Should the council proactively regulate or only intervene when necessary?



Q3 by status of respondent - The Council should proactively regulate the private rented sector and use all of its powers such as licensing and targeting criminal landlords.

Table 2 shows in more detail the extent to which different respondents rated the need for proactive regulation. Generally, all sectors rate highly that the council should be using all powers to available to target criminal landlords.

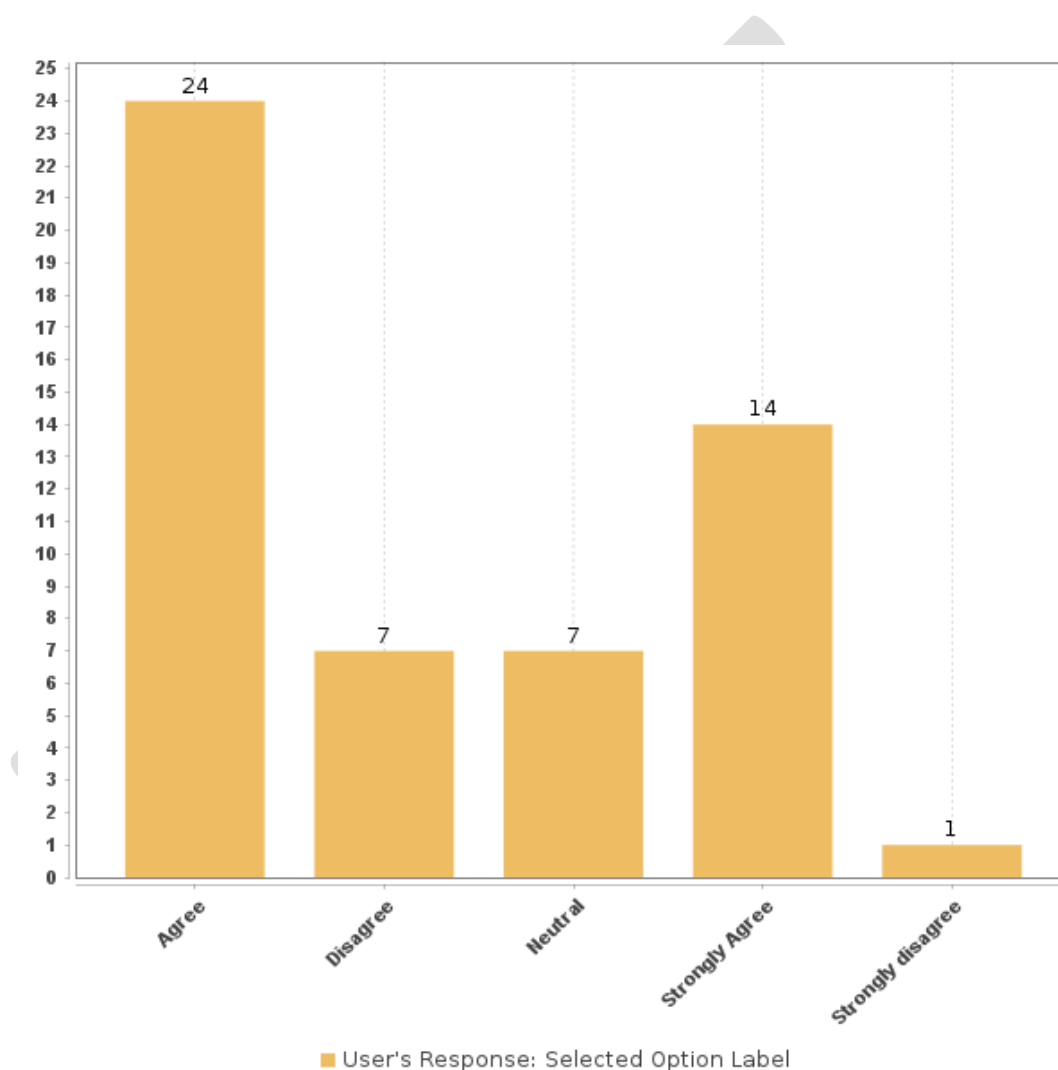
Table 2 - The Council should proactively regulate the private rented sector and use all of its powers such as licensing and proactively targeting criminal landlords

	Private Tenant	Social tenant	Owner occupier	Private landlord	Letting /managing agent	Estate agent	Other	No answer	Total
1			1						1 (2%)
2									
3									
4				1					1 (2%)
5		1							1 (2%)
6	1			3	1				5 (9%)
7	2		1	1					4 (7%)
8	2		2	1	1				6 (11%)
9	1		3	2			1		7 (13%)
10	13		5	1	1		7	1	28 (51%)
No answer	1							1	2 (4%)
Total	20 (36%)	1 (2%)	12 (22%)	9 (16%)	3 (5%)		8 (15%)	2 (4%)	55

Q4. The Council's highest priority in the policy should continue to be to improve Houses in Multiple Occupation.

Figure 5 – 69% of the respondents to the question, agreed or strongly agreed that the council should continue to treat HMO's as a priority in the city.

Figure 5 – Should the council priority be to regulate HMO's?



Q4 by status of respondent- The Council's highest priority in the policy should continue to be to improve Houses in Multiple Occupation.

Table 3 shows the extent to which different respondents depending on their status of tenure within the city agree or disagree with the highest priority to continue to improve Houses in Multiple Occupation. The status, with the most people who disagreed or were neutral were those who privately rented in the City.

Table 3 - The Council's highest priority in the policy should continue to be to improve Houses in Multiple Occupation.

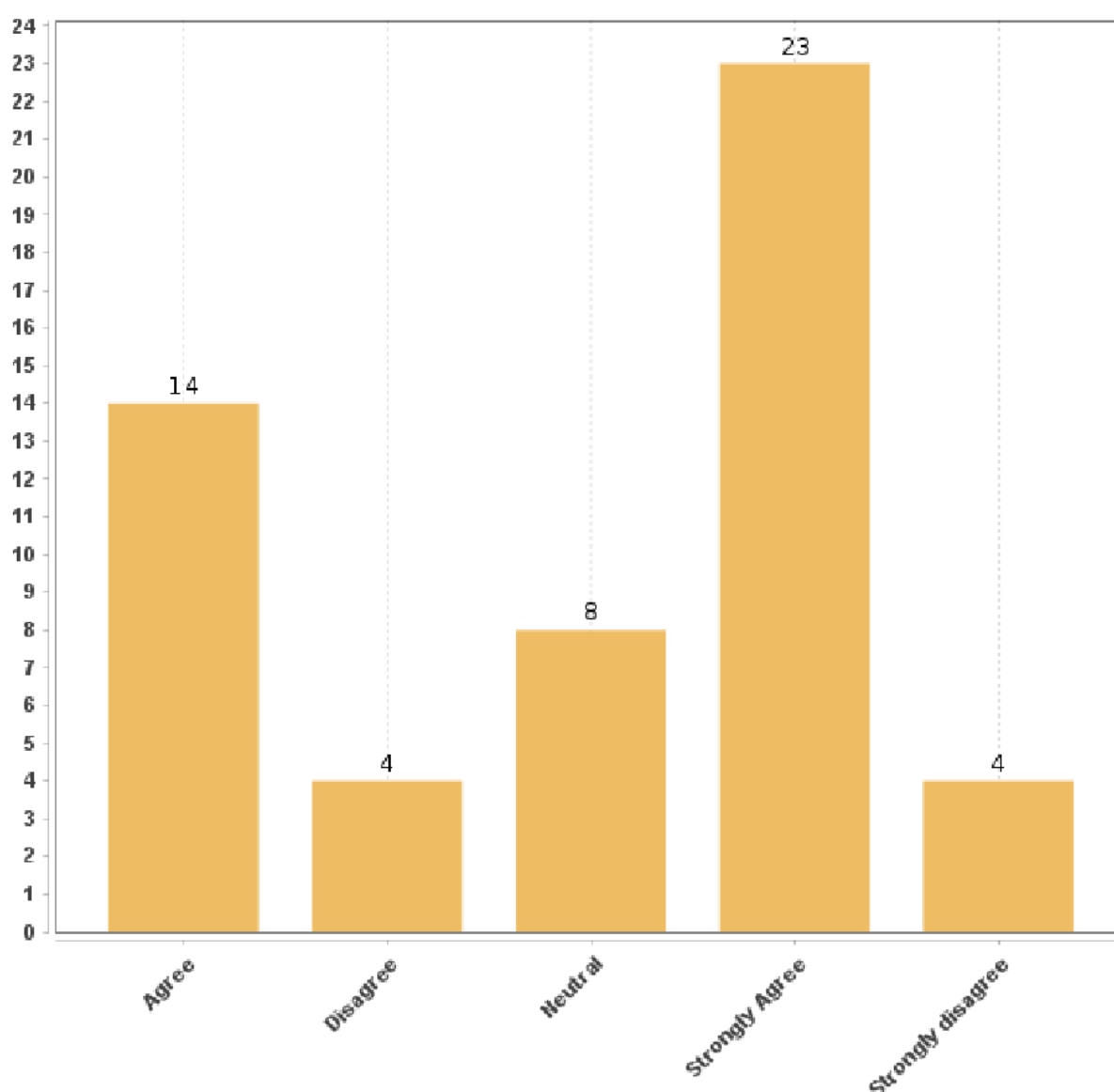
	Private tenant	Social tenant	Owner occupier	Private landlord	Letting /managing agent	Estate agent	Other	No answer	Total
Strongly Agree	6		3	1			3	1	14 (25%)
Agree	4	1	7	6	2		4		24 (44%)
Neutral	5		1				1		7 (13%)
Disagree	5		1	1					7 (13%)
Strongly disagree				1					1 (2%)
No answer					1			1	2 (4%)
Total	20 (36%)	1 (2%)	12 (22%)	9 (16%)	3 (5%)		8 (15%)	2 (4%)	55

Q5. The Council should introduce licensing to improve conditions in all of the private rented sector.

The council does not currently license houses that are let to families, couples or single people. The participants were asked to state whether they agreed or disagreed with the proposed introduction of licensing of other tenures.

Figure 6 – Significantly, 67% of respondents to the question strongly agreed or agreed that further regulation should be considered.

Figure 6 – Should the council introduce selective licensing?



Q5 by status of respondents, The Council should introduce licensing to improve conditions in all of the private rented sector.

Table 4 shows that there was more of a spread of responses to the introduction of the introduction of wider licensing to improve conditions in the private rented sector. Private tenant in the City gave more of a mixed response.

Table 4 - The Council should introduce licensing to improve conditions in all of the private rented sector.

	Private tenant	Social tenant	Owner occupier	Private landlord	Letting /managing agent	Estate agent	Other	No answer	Total
Strongly Agree	13		3				6	1	23 (42%)
Agree	2		4	4	2		2		14 (25%)
Neutral		1	4	3					8 (15%)
Disagree	2			2					4 (7%)
Strongly disagree	3		1						4 (7%)
No answer					1			1	2 (4%)
Total	20 (36%)	1 (2%)	12 (22%)	9 (16%)	3 (5%)		8 (15%)	2 (4%)	55

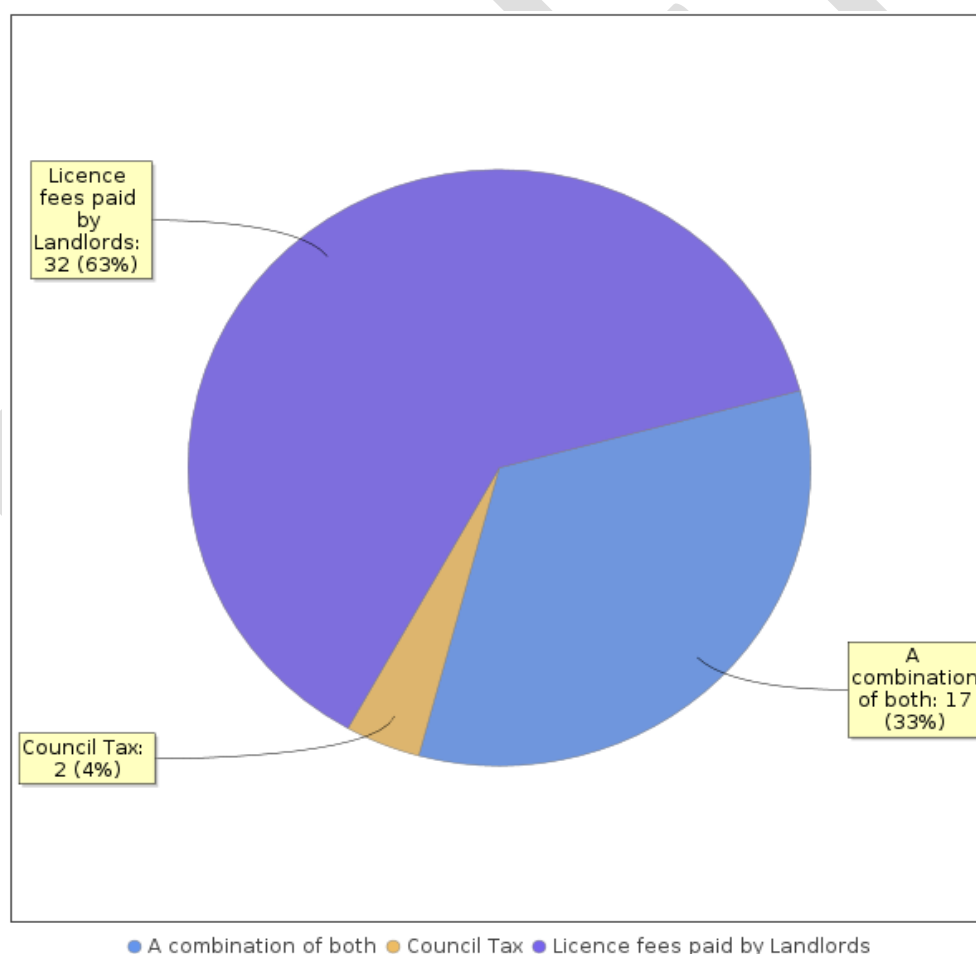
Q6. If the Council decides to introduce stronger powers such as Selective Licensing (requiring a licence for every privately rented property and not just HMOs) to improve conditions in the private rented sector, how do you think these should be paid for?

The HMO licensing scheme is self-funded through fees paid for by landlords when applying for an HMO licence. The purpose of this question is to determine whether respondents considered fees should be paid for in any of the following ways:

Council Tax payers/Paid for by landlords/A combination of both

Figure 7 – Significantly, 63% of respondents agreed that further regulation should be paid for by landlords. 4% responded that the fees should be paid for by tax payers and 33% responded that it should be a combination of both.

Figure 7 – How should selective licensing be funded?

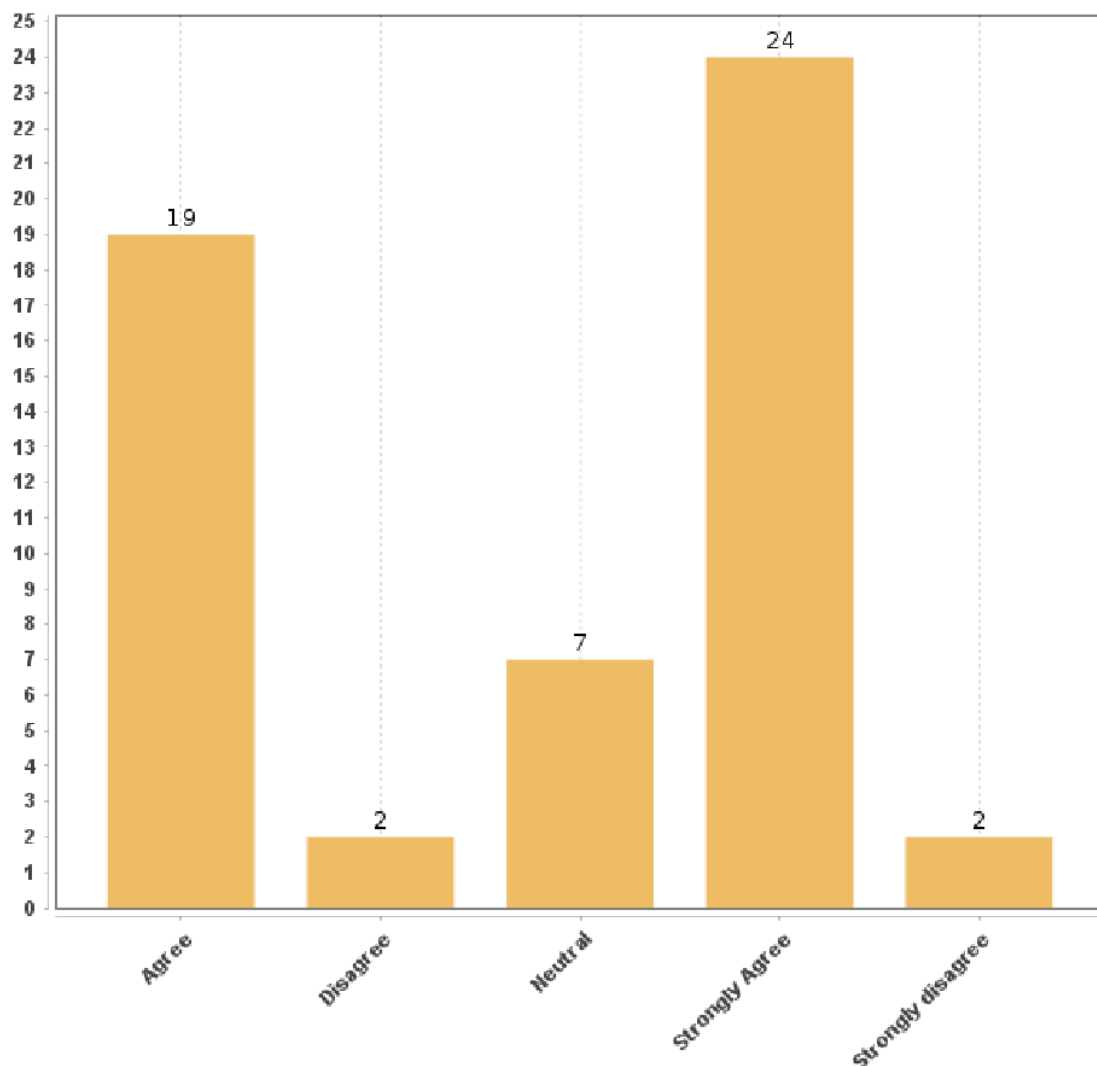


Q7. The Council should continue to focus on improving energy efficiency and reducing carbon emissions in homes and addressing fuel poverty as a priority.

Over the last three years, much emphasis has been placed on the improvement of energy efficiency in the private sector. The focus has been targeted at the worst performing properties, predominantly those with Energy Performance ratings of F and G to address fuel poverty and to reduce carbon emissions. Energy efficiency is included as an action in three of the four priority areas in the policy. The purpose of the question is to determine whether respondents considered that the council should continue focusing on this initiative.

Figure 8 – 80% of respondents strongly agreed or agreed that focus on energy efficiency should continue.

Figure 8 – Should the focus on improving energy efficiency continue?

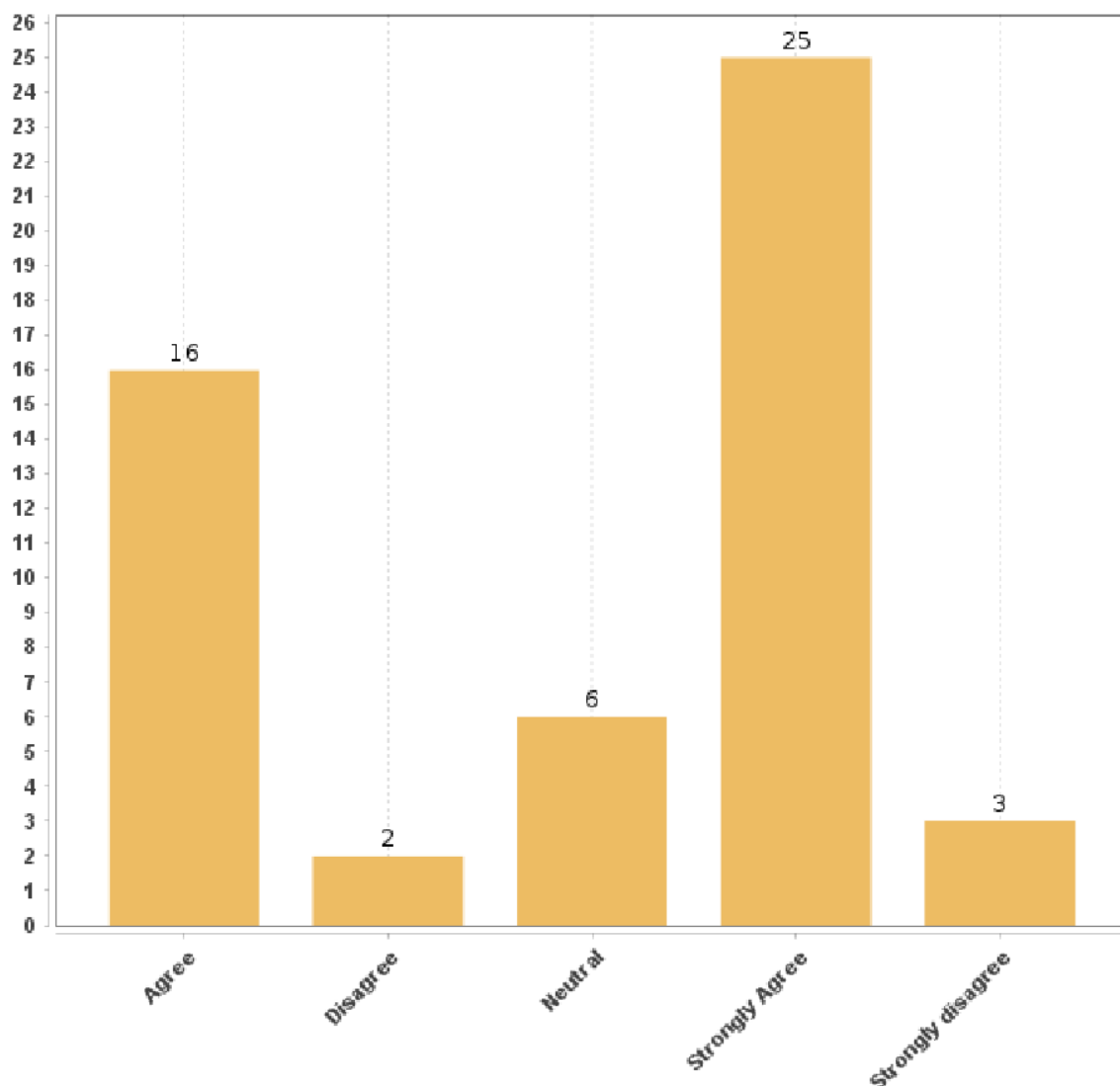


Q8. The Council should actively seek out 'beds in sheds' and take any necessary enforcement action

The Council has estimated that there are approximately 300 unlawful dwellings or “beds in sheds” in Oxford where people are living in outbuildings built without planning permission or garages converted into living accommodation.

Figure 9 – There is strong support for continued enforcement action in this priority area. 79% of respondents strongly agreed or agreed that the council should actively seek out 'beds in sheds' and take any necessary enforcement action.

Figure 9 – Should the council continue to actively seek out unlawful dwellings?



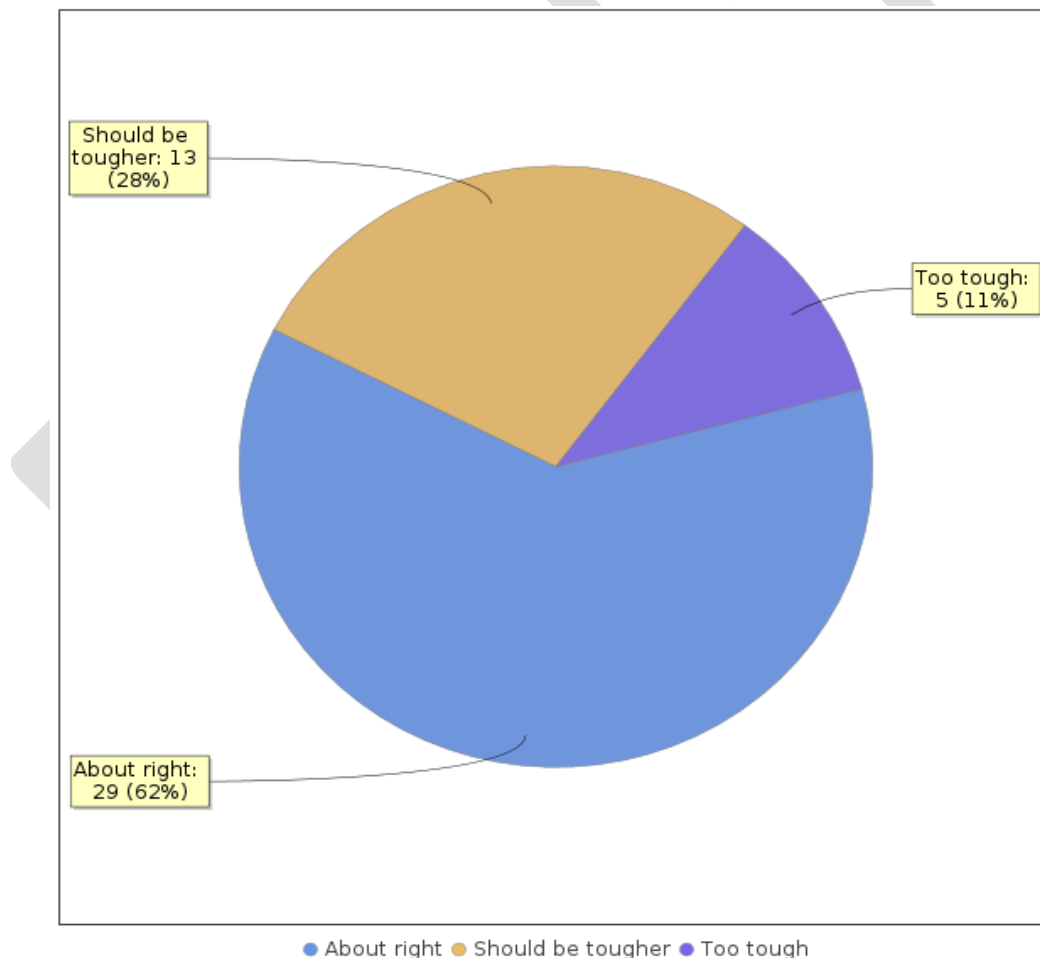
Q9. The Council has a strong record of enforcement in the private rented sector. In your opinion is the proposed enforcement approach in this policy:

The council has a zero tolerance policy on landlords or agents who disregard basic legislative requirements and will take appropriate enforcement measures where necessary. The purpose of this question is to gauge the respondents view on the council's enforcement approach. They were asked whether the councils approach is:

Too tough/About right/Should be tougher

Figure 10 – The majority of respondents thought the council's proposed enforcement approach was about right.

Figure 10 – Proposed enforcement approach in the policy.



Q9 by status of respondents, The Council has a strong record of enforcement in the private rented sector. In your opinion is the proposed enforcement approach in this policy too tough?

Table 5 shows none of the landlords or letting/ managing agents thought the approach in the policy should be tougher and although most private tenants thought the enforcement approach was about right, eight thought it should be tougher.

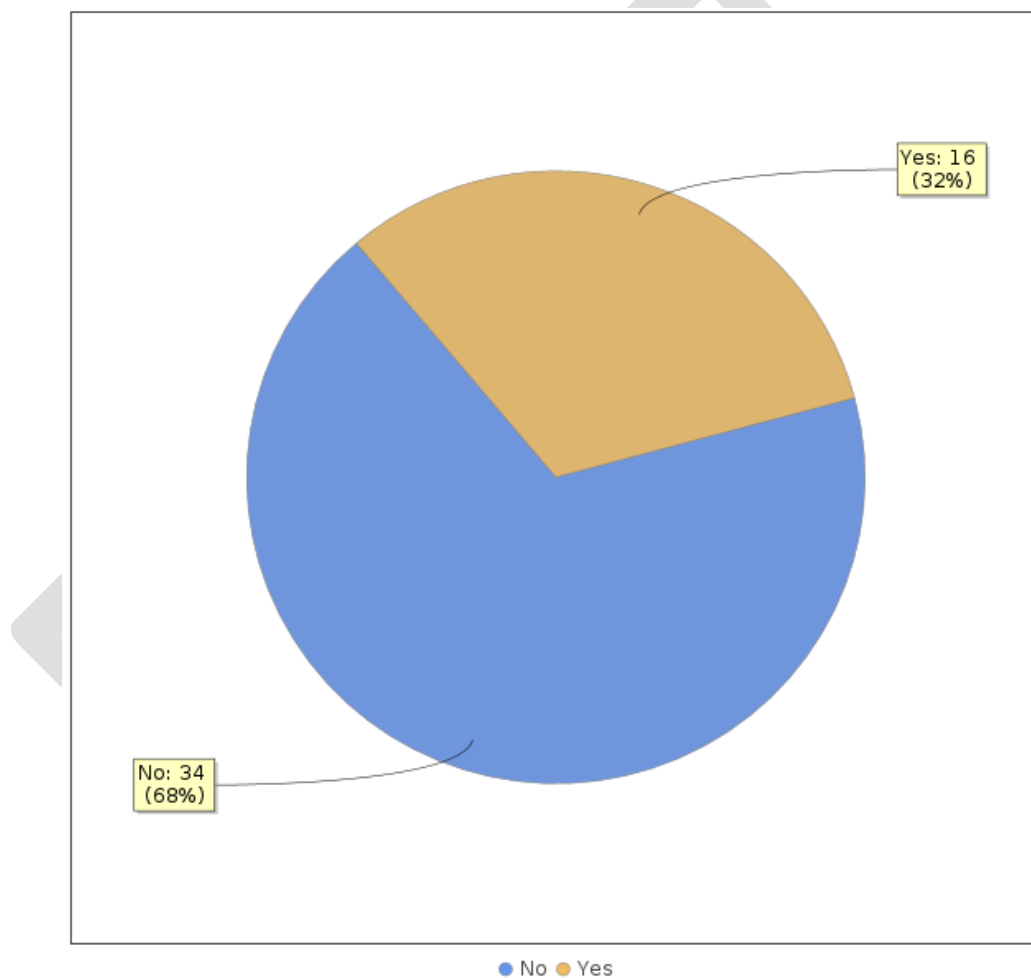
Table 5 - The Council has a strong record of enforcement in the private rented sector. In your opinion is the proposed enforcement approach in this policy too tough?

	Private tenant	Social tenant	Owner occupier	Private landlord	Letting /managing agent	Estate agent	Other	No answer	Total
Too tough	2		1	2					5 (9%)
About right	10	1	5	6	2		5		29 (55%)
Should be tougher	8		2				2	1	13 (25%)
No answer			2	1	1		1	1	6 (11%)
Total	20 (38%)	1 (2%)	10 (19%)	9 (17%)	3 (6%)		8 (15%)	2 (4%)	53

Q10. Is there anything that you consider the draft policy does not cover that you would like added?

Figure 11 – To allow respondents to add comments, the final question offered the opportunity of providing details of what they consider was not covered and what they believe should be added to the policy. 32% of respondents stated yes and commented on the policy, these can be found below.

Figure 11 – Is there anything in the policy that is not covered?



General Comments

29. Below are the comments made by participants in response to question 10. On balance, the responses are a positive critique, however there are a number of perceived issues raised that are beyond the scope of the policy. Two significant issues are raised around the shortage of homes and the high cost of renting in the city. Another issue raised is the appearance of HMOs and the need to ensure that they are managed properly and that tenants and landlords alike play their part in ensuring the street scene is not damaged by poorly maintained HMOs.

- What would help families, who may never own a home, to live in Oxford
- You really should revise the greenbelt in Oxford, and relax the building planning policy to make it easier to build houses in Oxford!!!! That is the key!!! Anything else is *****! Now Oxford housing market is heavily damaged by NIMBISM! (things like save the port meadow....) People don't want houses to be built near them, BUT THEY HAVE TO BE BUILT!
- I think there need to be more stringent enforcement checks on social housing where RSLs are the landlords. I've seen some pretty shocking conditions that would never be allowed in HMOs. Oxford City Council is the honourable exception to the bad social landlords.
- Policy covers strategy for raising standards in the PRS but fails to address the shortage of affordable housing, how to increase the supply of affordable rental properties and how to slow down the increase in rental prices. When the demand for rental properties is so high, landlords can get away with letting sub-standard properties. If demand fell then the quality of rental properties would have to improve. As stated in the policy, the high rental costs and high deposits needed for a house are preventing young people from buying a house and houses in Oxford are well above the national average and the most unaffordable in the UK compared to average income. What strategy does the council have for tackling these issues over the next five years?

There also needs to be a more robust framework in place to prevent rogue landlords from letting out property and a crackdown on poor letting agencies.

- Covers all aspects relevant to an Oxford resident
- It doesn't say how it is going to stop or regulate the private rental prices from increasing without control. The Council should state a maximum % increase per annual year according to the % of increment of the National Living Wage and closer to the average national rent

- I do not think this paper has at all addressed the impact on our city of investors who are pouring money in to buy up high end property which is then left empty for extended periods. How to limit the number of properties being bought for short let 'luxury' or business visitors that changes communities. Or people buying properties that they ostensibly use to visit during school terms but rest of time let for short stays/air bnb. How can you limit this. Perhaps take note of what St Ives is doing right now to limit second homes. or at least limit the number of properties people can have. I have been told of several individuals from overseas who are investing heavily in numerous properties to rent because of instability in home country.....with distorting impacts

I have another comment. There has been an increase in housing demand from in migration..I believe that some of this can be attributed to the fact that some low level jobs are now done by several people whereas they might have been done by only one person in the past. therefore for one job you now have 3 or more people seeking to form households therefore distorting demand on property

- Just a comment about the ever rising rent. Who is going to do menial work in Oxford? Nobody will be able to afford to live here and who would commute in each day to do these jobs?

My wife and I and our young daughter live and work in Oxford and find it a struggle to get by each month. We are on zero hours contracts at the workplace and when student numbers are down, it is a struggle indeed. We don't own a car, neither of us smoke and rarely drink these days.

I am afraid that Oxford is doomed if rent keeps on rising because my pay hasn't risen since January 2015 and when it did, it rose by 35 pence an hour. My rent rose by £50 a month last year. It just doesn't add up!

- Fair rents, maybe a rent cap as they are far too high

This should be titled the City Council HMO policy. As this is 100% of the focus of the paper. Although admirable this is does not encompass the whole of the Private Rented Sector and the associated issues here in Oxford.

I feel strongly that the Council has a duty to its residents in the PRS to ensure that tenants are better supported with objective advice and also that the Council should support actions and campaigns for rent stabilisation measures in the City. This aspect is entirely missing from your draft policy.

In addition, there is no mention to housing need and where new PRS options will be delivered from. The draft policy should outline where new PRS properties are going to be supplied and a strategy for their delivery.

- The policy seems to focus on disrepair within the property. I think a major issue with HMOs is also the disrepair and neglect outside. This really impacts the nature of a street/neighbourhood, and gives Oxford its lowbrow, trashy look and feel in so many areas. The policy should ensure that landlords keep the frontage of houses in a good state of repair, painted, etc, and that gardens are well kept, instead of the usual weed infested/rubbish strewn gardens that Oxford seems to excel in
- I would like rents to be regulated in some way and also longer tenancies available in the private sector but not sure this is in the power of LA
- More suitable housing for all.
- oxford needs homes for people earning £20,000 per ann. lanlords must not be allowed to offer substandard homes for rent
- please provide affordable housing/ good quality like Birmingham & Mnachester
- Tenant's rights, Rent Capping
- (1) Build more homes and rent or sell
(2) the aim of ensuring 70 people are helped by the Home form Hospital scheme 2016-19 is totally inadequate. the numbers should probably be in the 100s.
- A very well written document that covers a very wide range of topics
- I understand the wider picture that City Council want to do, but it won't work (as the HMO does not work as it was planned for) too. HMO just made more rules to those landlords who kept and keeping in order their properties, but made in very difficult who does not have very big family or not married but a couple.
Because of HMO me and my partner for example I can say that we were forced to move into an agency managed house where the owner is living abroad (Saud-Arabia). We did not want to pay an extra fee for them, but we did not find any property with two bedrooms where we could live with a friend. As we are A couple we do not need TWO rooms but many agencies did not let us to live three of us. This is silly, and just because of the HMO. We used all of our savings to pay to the Agency which is IN the deposit scheme!!
Nonsense!
Many couples friends who don't have this "extra money" are struggling and have to live in "grey-zone" and not pay council tax as they are living in double rooms only because the landlord do not let them to register otherwise they could go wherever they could (literally, nowhere!).
I believe there are plenty of properties in Oxford where would be lots of places/rooms for people if the HMO would not be so strict. Two bedroom house = two people maximum????
Nonsense!

On the other hand there are "bad landlords" too who do not care about the HMO licence. Unfortunately we lived in a house, where we should have lived only four of us. When the number increased to 11 people, we did not have other choice just to escape from that HMO Licenced house.

The problem is not the 1-2-3bed house with, but more bedrooms, especially where the owner is not British/White background.

Students / NHS workers

Why they do not pay Council Tax? Are they not living in Oxford? Are they do not making tons of rubbish each week/year? What is the difference when a rich student come to the UK and spend £9000 for a year?

Think, please. Best regards, Sz.

- Incentive for building new houses and apartment blocks.

Conclusion

30. The consultation for the Policy overall was well received with many of the respondents in agreement with the proposals for the future steer with regards to the priorities and targets detailed in the Policy. A number of amendments have been made to the document to reflect this, but overall the main body of the document remains unchanged.

Limitations

31. Over the life of the policy there will inevitably be certain limitations around new requirements of regarding new regulations coming into force, placing the Council in the situation whereby a number of policy amendments may have to be made. For this purpose it is anticipated that the policy is reviewed every twelve months or sooner if legislative changes occur.

Enforcement

32. The Council has always taken a proactive approach to carrying out the enforcement of legislation relating to the private sector. This has resulted in it taking more prosecutions than most other authorities across the country, only the larger metropolitan and London Borough authorities have taken more.

33. The Council will continue to investigate situations where there are clear breaches of the legislation and will undertake enforcement action in accordance with its enforcement policy and the requirements set out in the various legislative frameworks.

Appendices

Appendix 2a – E-mail signature

Appendix 2b - Flyer and Poster

Appendix 2c - Social Media

Appendix 2d – Local Newspaper adverts

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