

Suffolk PRS MEES Project

Introduction:

The 5 Local Authorities across Suffolk were successful in working together as a consortium to receive £248,282.00 in funding from BEIS to tackle properties which were not complying with The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.

The above regulations have made it unlawful to let a property on a new tenancy from 1 April 2018 with an EPC rating of F or G (unless a valid exemption has been registered) and from 1st April 2020 this has also applied to existing tenancies.

The Domestic Premises (Energy Performance) Bill plans to make it a legal requirement for domestic properties to have a minimum energy performance rating of C. The average energy rating and score for a property in England and Wales are D (60), therefore it is likely a large proportion of properties will need to consider taking more energy efficiency measures in the future.

Previous to the project, MEES enforcement had been pushed to a low priority due to the intensive work needed to identify non-compliant properties and landlords; and had lost out to other enforcement activity.

Suffolk Councils have a 'Suffolk Energy Action' partnership with the aim to tackle fuel poverty and bring Suffolk Housing to zero carbon emissions. The aspiration is to achieve this by 2030 in our own portfolios and influence other activities in their areas to do likewise; therefore, the partnership was ideally placed to take on the MEES compliance and enforcement brief to complement its operational work and take it forward beyond the project as the standards and legal compliance gets more stringent.

The Process:

Finding resources to seek out non-complaint MEES landlords across Suffolk is hugely challenging. With this funding, a data mining company was instructed to create an up to date list of screened local rental properties that do not comply with MEES.

As Local Authorities, we do not have ready access to such screened data as this requires numerous separate data sources which need to be cross matched and is a very resource intensive process. Using a private company to do this, it was hoped to allow ready access to Suffolk specific data.

Data including:

- List of known or suspected rental properties
- Cross matched with other local authority held rental data
- List of properties with EPC rating E, F & G
- An additional list/ data on properties with EPC ratings A-G to assist with KPI reporting
- Identity of the property owner
- Details of any entries in exemptions register.
- Copies of lodged exemption documents to check compliance

As part of this project it was envisaged;

- To develop a Countywide MEES intervention strategy with training to ensure consistent compliance and enforcement

- Send correspondence to landlords and commence intervention using the available template letters
- Contact Local Estate and Letting agents to ensure they are also encouraging their Landlords to comply.

The data mining company appointed was unable to fulfil the full brief and did not meet our objectives. Therefore, as a consortium, working together a master data set was produced by checking the EPC register, exemption register, and internal records.

A two-week high profile publicity campaign to target private landlords, letting agents and private tenants with F or G rated home was run at the start of February 2022. This laid the foundations to increase awareness and encourage individuals to engage before enforcement action needed to be investigated.

The publicity campaign used a range of communication channels including a facebook campaign with targeted ads where F & G rented properties are, and a successful radio campaign consisting of 124 x 30 second Radio commercials reaching 46,000 Heart Suffolk listeners.

Landlords and letting agents of non-compliant properties were mail dropped to raise awareness of MEES. Landlords were made aware of their obligations, and those not acting, were the primary target for further action by sending Compliance notices to establish the facts before penalty notices are considered.

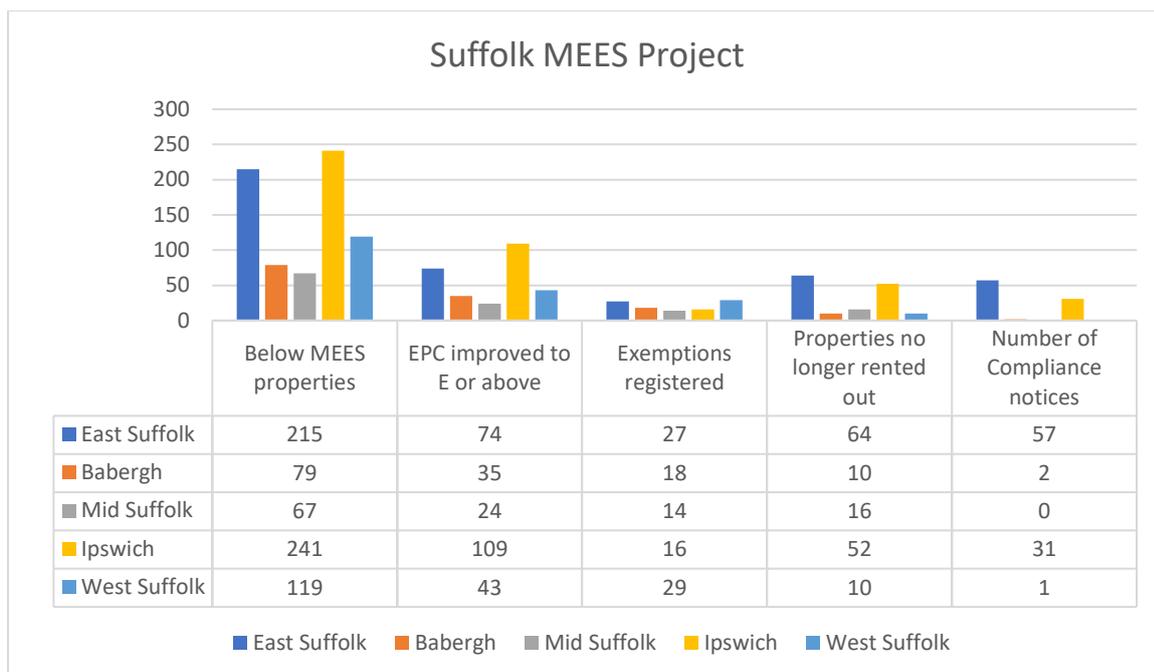
Staff were upskilled by undertaking a number of different trainings offered, including an Advanced Private Sector Housing regulation course, a domestic energy assessor course, and day training from a specialist barrister.

A best practice toolkit was set up after examining the resources provided by BEIS and evaluating the Local Authorities processes so far.

In July 2022, the Suffolk consortium ran a digital conference open to other Local Authorities to attend free of charge. There were a range of speakers covering a variety of topics, such as, how our project was progressing, a barrister discussing the regulations, a design and conservation point of view as well as Media Managers who helped run our publicity campaign.

Results:

The aim of the project was to improve properties with an EPC rating of F or G, to become compliant with The Energy Efficiency (Private Rented Property) (England and Wales) Regulations 2015.



The above graph shows the number of Below MEES properties compared with each area, the number improved to EPC rating E or above, the number of exemptions registered for each area, the number of properties which are no longer rented out and the number of Compliance notices served.

Ipswich Borough Council had the biggest number of below MEES properties, and therefore, saw the most improved to an EPC rating of E or above.

East Suffolk Council served the greatest number of Compliance notices to establish the facts to be checked in a formal manner. This was due to further information being required or some Landlords failing to engage in the education part of the project.

Babergh, Mid Suffolk and West Suffolk all served a small number of Compliance notices. Part of this was down to different Enforcement policies within the areas and further steps will be taken in a different format to ensure properties are brought into compliance.

Evaluation of the project:

Collectively across Suffolk, the below table has been created with the strengths and lessons learned of the project:

Strengths	Weaknesses/ Improvements
Weekly catch ups enabled all Local Authorities to report on progress and to keep momentum going.	Difficult to manage communication between admin officer and Energy officers when working in two different LA's (different software etc). Learning point – all 3 officers to be employed by same LA/office to enable closer communication.
A shared TEAMS site allowed easy access to our master spreadsheet, weekly catch up minutes and notes.	Data Mining Company: Learning point: better contract to be put in place allowing more control of the contract and gaining

	<p>early legal input. Contract was inadequate for the work the Data mining company produced. Suggestion: Central clauses available for contract writing in regard to Gov grants/funding.</p>
<p>Comms project – Media Managers used an innovative approach which was extremely successful and would be used again.</p>	<p>Comms project – Early input is needed as communication was slow at the beginning between Comms teams, resulting in publicity campaign not airing until Jan/Feb time.</p>
<p>Training delivered by Mallard was extremely beneficial. Suggestion: Have this training delivered earlier on in the project.</p>	<p>Thoroughly explore the information and results we would like to deliver – Tenancy Deposit Scheme and Energy Savings Trust could have produced more beneficial results instead of the Data mining company; with tight turnaround to start the project (initially only 6 months long) meant other organisations were not fully investigated.</p>
<p>Additional training allowed upskilling of staff. Courses such as the DEA course and the Advanced Private Sector Housing regulation course was worthwhile. Energy officers benefitted from HHSRS training.</p>	<p>Early guidance on data management may have helped recorded data and results in an easy manner which was less time consuming.</p>
<p>Conference: The content was good and thought provoking. Having a digital conference allowed a higher attendance than in person conference. Working off a successful first conference, in future gaining more exposure would be the next step.</p>	<p>Conference: For the amount of input we put in, the costs were high. Suggestion: Investigate using a different platform?</p>
<p>Strong collaborative working; sharing of tasks between different LA's. Working together with Landlords who spanned across LA areas. Strong leadership and drive. Fair delegation of tasks.</p>	<p>The difference in Enforcement policies. Meant consistency around enforcement varied. One example is gaining delegations from Trading Standards where a property does not have an EPC – some LA's gained these delegations, whereas other LA's were unable.</p>
<p>Outcomes: The awareness around MEES has been significantly improved with Landlords, Letting Agents and tenants. A difference has been made by engaging with both Landlords and tenants. Large estates have rolled out long term programmes to improve all properties above the EPC E standard.</p>	<p>Difficulty in appointing staff in the beginning – factors considered such as salary amount and the expertise in field.</p>
<p>Good senior management support. The timing fitted nicely with Net zero agenda and the profile of the project. Appealing project to be part of.</p>	<p>Exemption register/guidance – found it difficult to engage with, very unfriendly and backtracked on initial guidance. Seemed limited help available.</p>
<p>Good Multi agency links – working with Trading Standards and Heritage teams.</p>	<p>EPC register not 100% suitable for project – some EPCs don't show the reason why the EPC was completed and in some case it may have not been done for Private rented sector. Instances of tenure being recorded incorrectly (e.g. private rented when owner occupied). All property</p>

	information to be linked with a registration number would be helpful.
Toolkit provided was extremely beneficial.	The time spent cleansing data could have been minimised. A property portal would remove this and could allow smoother reporting on properties in an area.
	Legislation around MEES is not straight forward and has some complexities. Learning these took some time. More guidance on Listed building as there is a lot of confusion around this with both Landlords and professional bodies. Hard to work with Landlords who have already been misadvised by other organisations.

Conclusion:

The project was successful in ensuring a large number of EPCs were improved to an E rating or above across Suffolk; the majority of Landlords improved their properties to D or above.

The project was able to promote education before enforcement and resulted in positive engagement from the majority of Landlords which in turn improved their properties without the need for enforcement action. The end result was improved homes for tenants.

The project significantly enhanced knowledge of the MEES regulations; this was achieved by upskilling officers, Landlords, Letting agents and tenants.

While there was a lot of positive outcomes from the project, there is still more work to complete within Suffolk. Each Local Authority will be following up leads within their own area to ensure all properties are compliant with the law.

Appendices:

Appendix A: Final project data

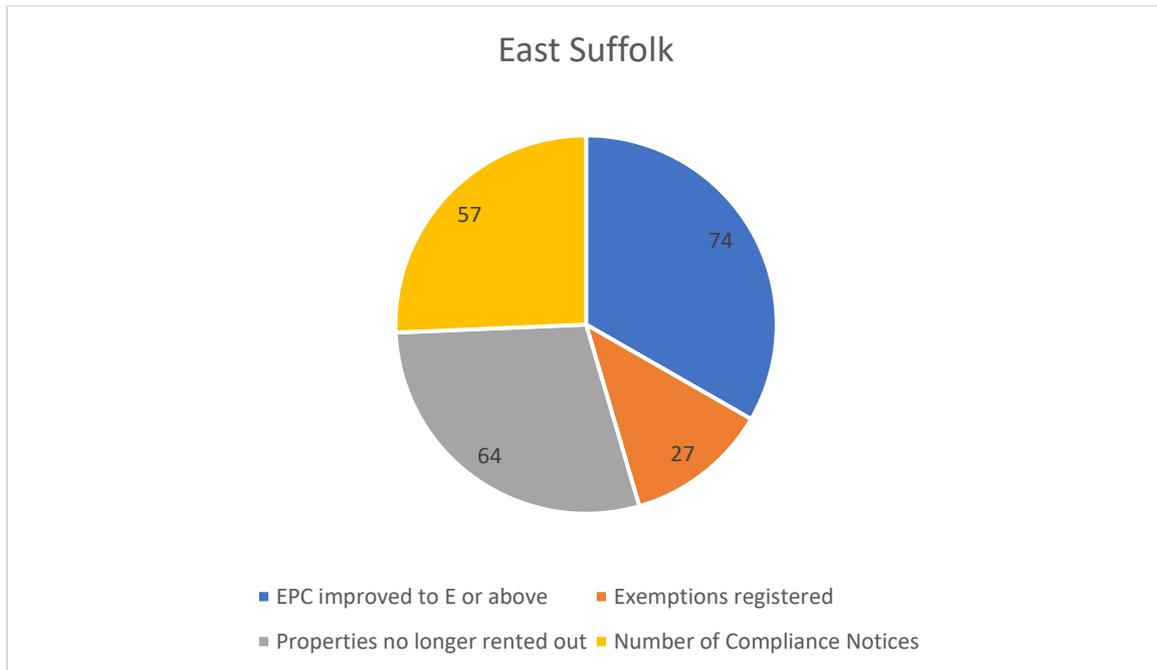
End of Project Data 2nd December	East Suffolk	Babergh	Mid	Ipswich	West		Total
Number of properties with EPC F&G	215	79	67	241	119		711
Number of properties targetted with first letter	185	60	65	241	118		668
Number of properties no longer rented out	63	10	16	52	10		148
Number of properties where EPC improved to E or above	74	35	24	109	43		285
Number of properties where no EPC and new EPC provided	0	0	0	3	0		2
Number of exemptions registered*	27	18	14	16	29		104
Number of exemptions checked	26	18	12	15	29		96
Number of letting agents visited/contacted							40
Number of properties where second letters sent out	96	36	31	118	57		338
Number of properties visited	53	9	9	39	25		130
Number of properties visited and not compliant	22	7	5	24	15		71
Number of properties with no contact received	27	8	5	29	11		78
3rd letters sent	N/A	23	23	N/A	N/A		44
Number of Compliance notices	57	2		31	1		91
Number of penalty notices served	10 drafted and being reviewed	0	0	0	0		10 drafted and being reviewed

Value of penalty notices	N/A	N/A	N/A	N/A	N/A		0
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Appendix B:

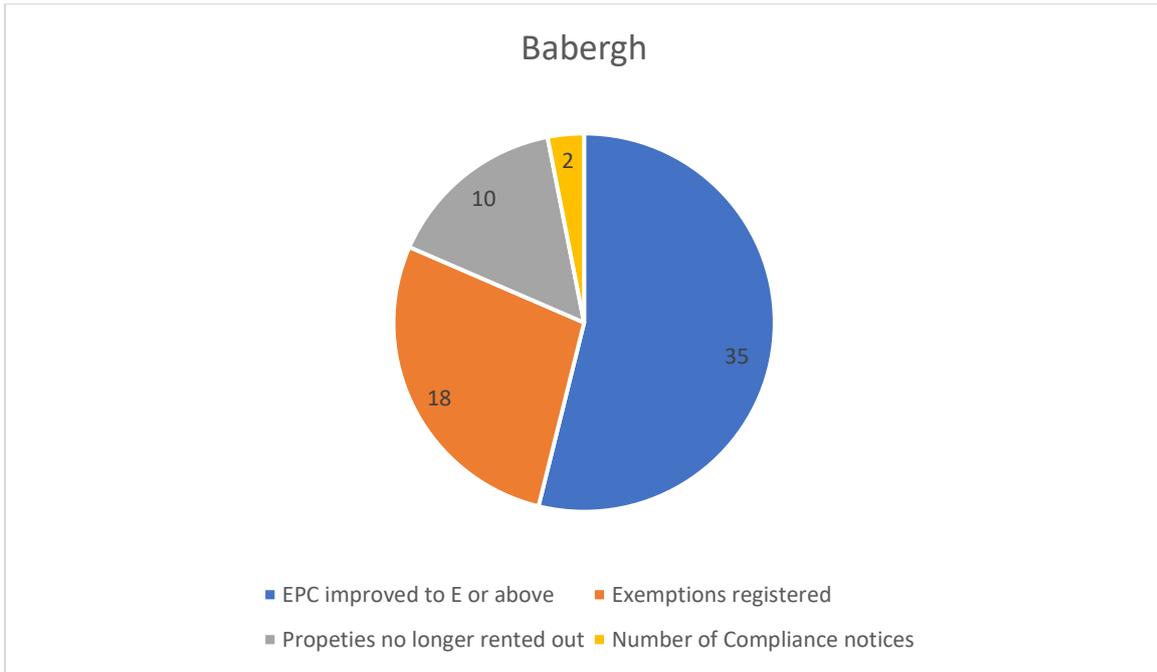
East Suffolk Council:

From the below pie chart it highlights over a quarter of properties were improved to an EPC E or above without further action being taken. There were just over a quarter where Compliance notices were served to establish the facts.



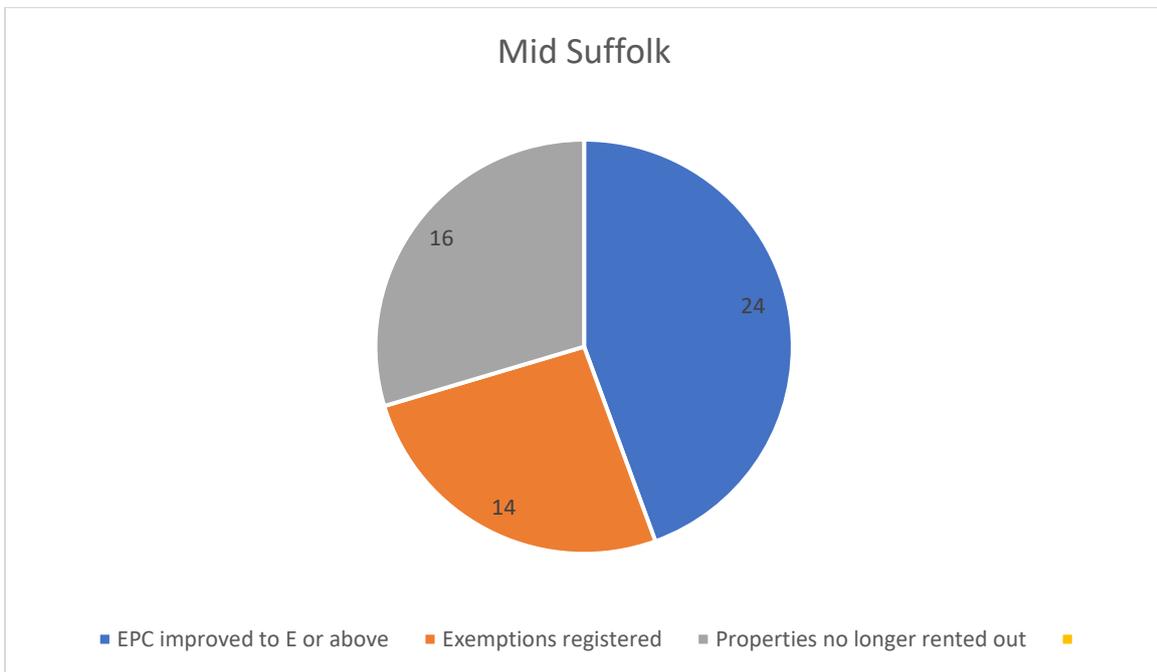
Babergh:

The below pie chart illustrates how over 50% of properties improved the EPC rating to E or above without further action needing to be taken. Overall, only 2 Compliance notices were served.



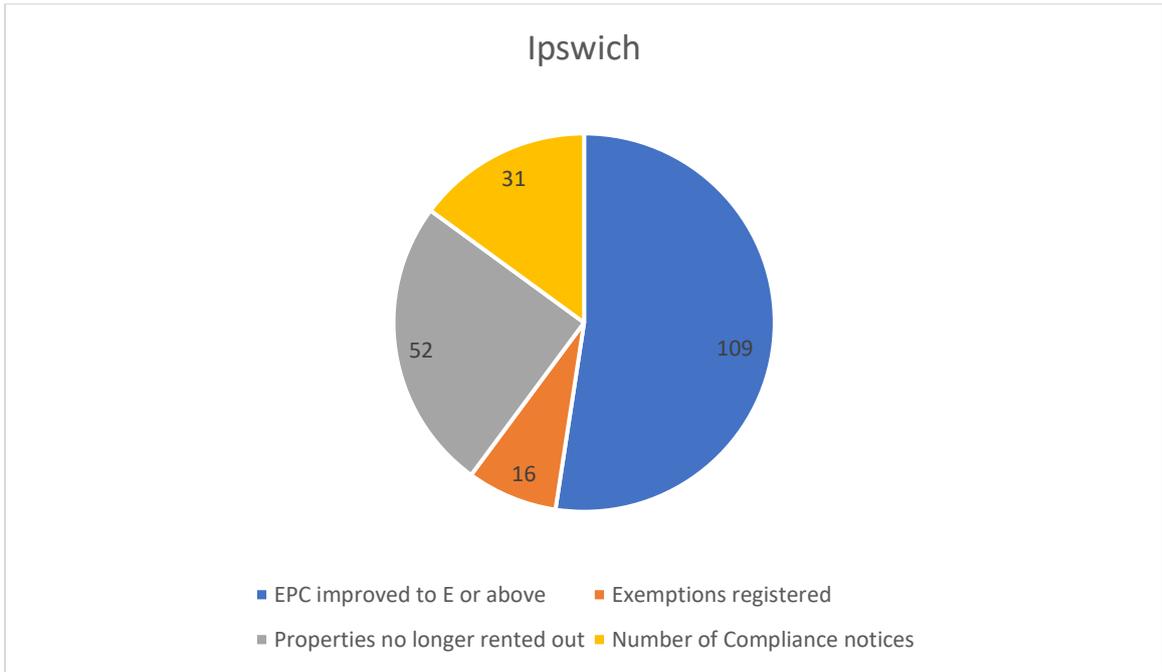
Mid Suffolk:

The below pie chart illustrates how nearly 50% of properties improved the EPC rating to E or above with no further action needing to be taken. There were no compliance notices served in Mid Suffolk.



Ipswich:

The below pie chart shows that over 50% of properties have improved the EPC rating to E or above, resulting in less than a quarter needing Compliance Notices to establish the facts.



West Suffolk:

The below pie chart shows more than 50% of properties EPC ratings were improved to E or above. Similarly to Mid Suffolk, only 1 Compliance notice was served.

