

**Manchester City Council
Report for Resolution**

Report to: Neighbourhoods and Environment Scrutiny Committee – 6
December 2016

Subject: Selective Licensing - Outcome of Public Consultation

Report of: Deputy Chief Executive (Growth and Neighbourhoods)

Summary

The purpose of this report is to provide a progress report to Committee on the implementation of the pilot Landlord Selective Licensing (SL) scheme approved at Executive on 29 June 2016. In addition the report provides detailed feedback on the extensive consultation exercise completed in an area within Crumpsall to establish whether the declaration of a SL scheme is required.

Recommendations

Scrutiny is recommended to;

1. Comment on the consultation findings and the public support for the introduction of selective licensing for privately rented properties in the identified area of Crumpsall.
2. Note the area detailed in the map (appendix one) for designation, together with the licence conditions (appendix two) under the Housing Act 2004 Part 3 Selective Licensing.
3. Note that, following the decision to introduce a selective licensing scheme, a statutory public notification period of three months is required prior to the implementation of the scheme.

Wards Affected: Crumpsall, Moston, Rusholme, Old Moat

Manchester Strategy outcomes	Summary of the contribution to the strategy
A thriving and sustainable city: supporting a diverse and distinctive economy that creates jobs and opportunities	Good quality and professionally managed private rented homes will contribute to the sustainability of neighbourhoods, ensuring residents have a settled and stable platform to contribute and thrive.
A highly skilled city: world class and home grown talent sustaining the city's economic success	The existing homes and improved neighbourhoods will be well connected to employment opportunities and schools

A progressive and equitable city: making a positive contribution by unlocking the potential of our communities	Increasing the supply of good quality affordable homes for private rent will provide the opportunity for Manchester residents to raise their individual and collective aspirations
A liveable and low carbon city: a destination of choice to live, visit, work	The right mix of quality energy efficient housing is needed to support growth and ensure that our growing population can live and work in the city and enjoy a good quality of life.
A connected city: world class infrastructure and connectivity to drive growth	This approach recognises the importance a balanced housing offer plays within a well connected city and the neighbourhoods within it. It seeks to create neighbourhoods where residents will choose to live and their housing needs and aspirations are met

Full details are in the body of the report, along with any implications for

- Equal Opportunities Policy
- Risk Management
- Legal Considerations

Financial Consequences – Revenue

The initial required budget for the consultation process and administration of the scheme was expected to be approx £30,000 - £50,000 in total for the 4 areas. The pilot to date has highlighted costs of approximately £50,000 to develop the necessary ICT system that will enable online applications and payments to be submitted for all four areas.

Costs in relation to the administration, management and licence processing of the scheme will be fully recovered via the licence fee subject to the scheme proceeding. If the designation did not go ahead some of these costs will need to be funded by the Council.

Financial Consequences – Capital

There are no direct capital consequences to the Council arising from this report

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Background documents (available for public inspection):

The following documents disclose important facts on which the report is based and have been relied upon in preparing the report. Copies of the background documents are available up to 4 years after the date of the meeting. If you would like a copy please contact one of the contact officers above.

- Draft Residential Growth Strategy, Executive, 4th November 2015
- Manchester Market Rental Strategy, Executive, 15th January 2015
- Manchester Residential Growth Strategy and 2016/17 Action Plan, Executive, 2nd March 2016
- Selective Licensing Consultation Report – Executive, 29th June 2016

1.0 Introduction

1.1 The report to executive on 29 June 2016 outlined the context of the private rented sector in Manchester as a rapidly growing sector, where about a third of homes in the City are rented through private landlords. This is likely to rise to about 40% in the next ten years on current forecasts.

1.2 Most private rented sector homes are good quality and available at a reasonable rent. However, this is not always the case. The private rented sector remains fragmented in ownership terms with 70% of landlords owning 3 or less properties. This leads to inconsistent management standards and some neighbourhoods suffer from having a lack of 'ownership' and feel neglected.

1.3 There are a small number of neighbourhoods with very poor quality landlords, crime and high levels of deprivation. In some instances these operators receive significant sums of public finance in terms of housing benefit, representing very poor value for money for the public purse. The Manchester Market Rental Strategy sets out how we will work to improve standards and manage growth and one of the measures seen to be able to assist with this priority is the introduction of locally focussed Selective Licensing (SL) schemes.

1.4 The Housing Act 2004 gives the council the power to introduce the licensing of private rented homes within a designated area, with the aim of improving the management and condition of these properties to ensure they have a positive impact on the neighbourhood. One of the main themes of the Council's Market Rental Strategy is to support the professionalisation of the Private Rented Sector by improving property and management conditions. In an area subject to Selective Licensing, all private landlords must obtain a license and if they fail to do so, or fail to achieve acceptable management standards, the local authority (LA) can take enforcement action issuing a fine of up to £20,000 or, in extreme cases, assume management control of the property.

1.5 Officers have used neighbourhood and local intelligence (as outlined in the report to executive) and to identify areas that meet the criteria to designate a selective licensing area; this can include low housing demand linked to property condition and high levels of antisocial behaviour, crime and deprivation. The Executive approved the piloting of Selective Licensing in 4 identified areas of the City, beginning with an area within the Crumpsall Ward.

1.6 The consultation period for areas highlighted in Crumpsall ran from 19 August 2016 to 31 October 2016 (ten weeks). The questionnaire which was available online and at both of the drop-in events attracted a total of 40 responses from landlords & managing agents and 93 responses were received from residents. A further 8 representations were made directly including those from national landlord's associations. Overall 70 % of resident respondents expressed support for the designation in Crumpsall, compared to 82% landlord and managing agent respondents who disagree or strongly disagree with the proposal to introduce selective licensing.

1.7 This report presents the findings of the consultation and details how the

designation will be considered based on the responses, comments and representations that have been made during this process.

2.0 Consultation

Process and Method

2.1 Current legislation requires a consultation period of 10 weeks to gauge public opinion and gather feedback before a designation can be considered. The Council has successfully delivered a consultation exercise from 19 August to 31 October 2016 using the methods as detailed in the Executive report on 29 June 2016.

2.2 The consultation process completed in Crumpsall has included:

- Contacting residents, landlords letting agents and business directly via letter, explaining what SL is, how it could improve the neighbourhood, how it would operate and how they may be affected
- Consultation with local ward members
- Creation of a selective licensing email inbox so written representations or any queries can be directly forwarded to the relevant team
- An online consultation page and questionnaire to obtain views
- Two local drop-in events at community centres, which were advertised in the local press and social media. This provided an opportunity for landlords, managing agents and residents to have face to face contact with officers to discuss the proposals
- Meetings with national and regional landlord agencies who support and advocate for a number of private rented sector landlords across the country.
- Email to community guardians and partner organisations
- Consultation launch coverage in the local paper, three radio stations and social media (Twitter)
- Messages posted out to social media including Facebook and Twitter

Consultation Evaluation – Key Findings

2.3 Following the closure of the consultation period the responses to the questionnaire have been evaluated, and can be viewed in detail in appendix three (Consultation Evaluation Report). This will also be published on the Council's website as part of the designation process. In summary the key findings to the questionnaires are as follows:

Responses from Residents

2.4 93 residents responded, of which 81% were from the local area. The majority of responses from residents were owner occupiers with 20% responses from residents renting property in the area.

2.5 Residents were asked to state which of the following issues affected the local area. Crime, anti-social behaviour, rubbish or fly tipping, poor house condition, poor property management, and high turnover/transience.

2.6 Most of the responses highlighted poor property condition/management, people moving in and out of the area often (i.e. transience) and rubbish or fly tipping. Other issues reported were poorly kept gardens, people congregating in certain streets and issues with parking.

2.7 60% of respondents had been directly affected by poor condition of their house or a neighbouring house, anti-social behaviour, lack of suitable bathroom or kitchen, overcrowding, property management or a lack of tenancy agreement.

2.8 The most frequently reported issue for private rented tenants was property condition and anti social behaviour, and 32% reported problems relating to property management. Other issues raised include problems with the alley-gates and high levels of noise at night. This correlates directly to the data we analysed prior to the consultation where it was found that this area suffered from a higher rate of antisocial behaviour and crime than other areas in Manchester.

2.9 68% of all respondents said they strongly agreed, or agreed with the area identified for selective licensing. Just 12% (11 respondents) disagreed with the chosen area.

2.10 79% of respondents agreed/strongly agreed that the Council should have more control over how private landlords look after their tenancies, 70% agreed or strongly agreed we should introduce selective licensing into the area.

2.11 Some residents provided the following statements as part of the online questionnaire:

“All councils have powers to make the physical and social environment safe for everyone. Many councils already use them effectively, so this action is long overdue. Rogue landlords exploit by overcrowding, and failure to maintain. A dirty physical environment and constant tenant turnover destroys any hope of social cohesion, and causes great distress to permanent residents, many of whom are elderly, and feel threatened by the behaviour around them. Research by London boroughs has shown high correlation between poorly maintained housing and anti social behaviour.”

“There is a need for tight controls to ensure properties are kept in good order and the tenants respect the area which we live in.”

“The system needs to cease to be based on reaction to complaints, and instead to provide for a tight licensing arrangement with a duty on landlords to comply and then to levy the substantial fines allowable in law.”

Responses from Landlords & Agents

2.12 40 completed questionnaires were received from the landlord’s consultation - of which 38 were from landlords or letting agents, one from a related business and one from a professional body.

2.13 Of the responses 17 were from landlords or agents who did not have properties in the proposed licensing area. The majority of respondents had less than 10 properties in the area, and 9 had just one property.

2.14 The issue most landlords felt was an issue in the area was rubbish and fly tipping. Other issues mentioned by landlords included concerns regarding damp to their properties and litter on the street.

2.15 Landlords were asked whether any of their properties had been affected by ASB, finding tenants and getting references, rent arrears and overcrowding. The most frequently mentioned issue was rent arrears – less than 5 respondents said their properties were affected by the other issues. Other comments included problems with fly tipping and housing benefit being paid directly to tenants.

2.16 33 out of the 40 landlord respondents (82%) disagree or strongly disagree with the proposal to introduce selective licensing (of which 27 strongly disagree). 91% of landlords with properties in Crumpsall disagree with the proposal.

2.17 The most frequent comment from respondents to why they did not support the proposals was that it was unfair to good landlords, the cost would be passed on to tenants increasing rents and that it would stigmatise Crumpsall as a bad area and make it less attractive to landlords and tenants. The most frequently mentioned service or support was that the council should make use of existing legislation and penalties for non compliant landlords.

2.18 Some landlords and managing agents provided the following statements as part of the online questionnaire:

“Licensing would garner much more support if it can be shown to have material results and not just a tax on tenants.”

“Lots of drink and drug problems in the area “

“Remove Harrow Street as this is predominantly owner occupiers”

“It would be fairer to charge a one off fee to become licensed (proving that the landlord knows their responsibilities) at say £250 and then £100 per property per annum to be inspected.”

“Responsible landlords already strive to keep their property in good order and are not displaying antisocial behaviourthere is a lack of support from councils for landlords to deal with these problem tenants...It is the unscrupulous landlords that you need to seek out, and not tar us all with the same brush, assuming that all landlords are rogues... energies may be better invested in supporting improvements to community projects, education and youth schemes and other such positive support for all the residents of the area”

Written Representations by National Landlords Associations

2.19 Further to meetings with national, regional and local landlord organisations, including the National Landlords Association, Residential Landlords Association, North West Landlords Association and Manchester Student Homes, written representations have been encouraged and received. In summary queries were made in relation to:

- *Landlords authority to deal with matters related to anti-social behaviour (ASB)*
- *Request for evidence or link between recorded housing crime and private rented sector*
- *Further displacement of problem tenants in the Manchester area*
- *Funding arrangements to support the licensing*
- *How will the Council prevent malicious ASB claims being made that could potentially result in tenants losing their tenancies?*
- *Cost of the licence*
- *How will good landlords be recognised in the process and supported*

Written Representation 1 – 26 Harrow Street / 1 – 19 Westbury Rd / 2 – 32 Delaunays Road

2.20 Written representations were also received from three prominent landlords in the area outlining a case for the removal of 2 - 32 Delaunays Rd, 1 - 19 Westbury Rd, and 1 – 26 Harrow St from the proposed designation. They also attended the drop in events and spoke to council officers at length about the potential designation.

2.21 The consultation process has allowed officers to gather information in relation to their representations and review the data specifically relating to these streets. These observations include:

- One of the 10% internal inspections was completed along Harrow Street, and identified no hazards at the property. The external inspections did not identify any issues either. In response to this a door knocking exercise was completed by officers along Harrow St to encourage residents to complete the consultation questionnaires to ensure their representation is formally considered. Upon speaking to a number of residents there appeared to be a mixed response to the proposals.
- The majority of the properties identified in the representation along Delaunays Rd appear to be well presented and have been described as setting a bench mark for private rented properties in the area. There have been no issues reported to MCC in the last 12 months relating to these properties. One of the 10% internal inspections was undertaken at Delaunays Rd (5 flats) and there were no hazards identified in the property. The external inspections did not identify any issues either.
- The area is made up of 92 units including flats, of which 11 are unoccupied and the assumed tenure break down based on council tax information is 44 private rented, 27 owner occupied, and 10 social rented
- 32% of the households are in receipt of Housing Benefit - slightly above the 30.1% in the whole consultation area
- The crime and ASB captures incidents within 100m of the specified areas and therefore goes outside the boundary making it difficult to be specific about such a small area, but street level information from GMP indicates that ASB is around typical for the area but Victim Based Crime is significantly lower - less than 5 incidents in 2015
- In the last 12 months 6 requests for service have been made in this area, relating to noise and untidy private land, domestic waste issues, and housing disrepair which were all resolved informally and did not require formal enforcement action.

2.22 After listening to the views of the landlords and residents within this area and considered the additional data and further inspections we have recommended that this area be omitted from the designation and will be monitored over the next 12 months.

2.23 If written representations will receive a response, and a transcript of this will be available on line as part of the consultation outcome process.

Summary of drop in events

2.24 The following common queries were noted at the consultation drop-in events and these will be added to the frequently asked questions for future consultations.

2.25 9.09.2016 - St Matthews with St Marys, Delaunays Rd, Crumpsall

- Will people with lodgers need to obtain a licence?
- Will HMOs be excluded?
- Cost of the licence and will this be passed onto the tenant?
- What services will be available to landlords (e.g. previous MLIS etc)?
- Comments about changes to bin services
- If people are from abroad, how will they provide references?
- One resident stated they did not receive a letter

2.26 6.10.2016 – Abraham Moss Library

- Will people with lodgers need to obtain a licence?
- Where there is a property with three flats, will a licence be required per flat?
- What support services are available to landlords from MCC?
- If people are from abroad, how will they provide references?
- A number of neighbourhood management and planning issues were reported for Mossbank.
- Reports of landlords not providing alleygate keys

3.0 Internal and external inspections

3.1 In addition to the neighbourhood data provided in the Executive Report dated 29 June 2016, a series of internal and external inspections have been completed on the private rented buildings as a bench marking exercise and this will assist the Council to monitor the impact of the licensing scheme.

3.2 235 external inspections (100% of the total licensable properties) were completed which included buildings with multiple flats or apartments, and identified the majority of the properties as being in good repair, where either no issues were present or extremely minor issues. 5 properties were deemed as being in extremely poor condition, with a further 33 properties where improvements were required. The inspections were broken down into further categories including: structure (fabric of the property) and gardens & waste (boundary walls, rubbish in gardens and overgrown gardens). Structural issues - 6 properties were deemed to have structural issues and a further 34 where improvements were required. Gardens and waste issue, surprisingly 90% of all properties had either no or very low issues. 2 gardens were in poor state and a further 7 which needed attention. The officers however did advise that they were unable to view the rear gardens due to high garden walls. It is also noted the local neighbourhood team have undertaken proactive neighbourhood management in relation to waste and recycling issues in the area.

3.3 34 internal inspections (approximately 10% of the total licensable

properties) have been completed in the proposed Crumpsall Selective licensing area between December 2015 and September 2016

3.4 The results of the internal inspections are as follows:

Summary	Total
Category 1 Hazards	4
Category 2 Hazards	17
No Hazards	13
Grand Total	34

3.5 The housing health and safety rating system (HHSRS) is a risk-based evaluation tool to help local authorities identify and protect against potential risks and hazards to health and safety from any deficiencies identified in dwellings. The HHSRS assesses 29 categories of housing hazard. Each hazard has a weighting which will help determine whether the property is rated as having category 1 (serious) or category 2 (other). Councils have a duty to deal with hazards which are assessed as category 1 under HHSRS, and discretionary powers to deal with Category 2 hazards

3.6 In response to the hazards identified the officers took the following actions:

Summary	Total
Improvement notice plus demand notice	6
Hazard awareness notice plus demand notice	7
Hazard Letter	10
No Action	11
Grand Total	34

4.0 Conclusion

4.1 The result of the consultation exercise demonstrates residents support the proposals for selective licensing whilst landlords disagree. 68% of all resident respondents said they strongly agreed, or agreed with the area identified for selective licensing. 79% of resident respondents agreed/strongly agreed that the Council should have more control over how private landlords look after their tenancies, 70% agreed or strongly agreed we should introduce selective licensing into the area.

4.2 Both residents and landlords agree there are issues in the area including poor property conditions, transiency, rubbish or fly tipping, and each group had been directly impacted by anti-social behaviour or non-payment of rent. This directly correlates to the data that had been analysed prior to the consultation, with higher than average crime and antisocial behaviour and issues with rubbish and fly tipping a major problem within the area.

4.3 Selective Licensing will enable a resourced, targeted and systematic approach to addressing the issues that have been identified during the consultation

process, data analysis and discussion with local neighbourhood teams and ward members. The licensing scheme will deliver measurable improvement objectives in the following areas:

- ***Anti-social behaviour – also linked to environmental and waste management***
The outcome of the scheme will be a reduction in, or elimination, of anti-social behaviour (caused by tenants in the private sector) in the designated area.
- ***High levels of crime***
The outcome of the designation (together with the other measures) will lead to a reduction in crime in the area.
- ***Poor property conditions – 50% inspection of all private rented properties***
The outcome of the designation will be a general improvement of property conditions in the designated area within the lifetime of the designation
- ***High level of deprivation***
The outcome of the designation will be (together with other measures) a reduction of the problems with housing in the private rented sector contributing to the high level of deprivation.

4.4 Having followed a robust consultation process, and considered all the feedback and representations we have received, the Director of Housing and the City Treasurer in consultation with the Deputy Leader who is the Executive Member with responsibility for Housing and the Executive Member for Finance and Human Resources wish to exercise delegated authority to formally designate a Selective Licensing area within Crumpsall commencing 12 December 2017.

4.5 The standard licence fee will be approximately £650 (*£550 for subsequent properties*) and an introductory fee of £400 will be awarded to landlords who apply within the three month statutory public notification period. Landlords will be encouraged to sign the Market Rental Pledge and consider accreditation through local, regional or national professional landlord bodies. Please note the licence fee for future designations may vary to take into consideration the size and scale of the designation area.

4.6 The Council is legally required to undertake the following steps to notify the public and all those affected by the designation

4.7 **Within 7 days** after the date on which the designation was confirmed or made

- (a) Place the public notice on a public notice board at one or more municipal buildings within the designated area, or if there are no such buildings within the designated area, at the closest of such buildings situated outside the designated area

(b) Publish the notice on the internet site

(c) Publish the public notice in at least two local newspapers circulating in or around the designated area (6 editions)

4.8 **Within 2 weeks** after the designation was confirmed or made the local housing authority must send a copy of the notice to

(a) Any person who responded to the consultation conducted

(b) any organisation which, represents the interests of landlords or tenants within the designated area or represents managing agents, estate agents or letting agents within the designated area; and c) every organisation that provides advice on landlord and tenant matters, including law centres, citizens' advice bureaux, housing advice centres, and homeless persons' units.

4.9 Landlords will have up to three months to apply for a licence; failure to comply may result in legal enforcement action being taken against them.

4.10 Executive approved three further areas for selective licensing consultation in Rusholme, Moston and Old Moat. The process for the next three areas is being developed using the evaluation and lessons learnt from the pilot scheme in Crumpsall. ICT has been working with the Service to ensure that the technical solution meets the business requirements, provides value for money and is scalable. However, the pilot has highlighted technical constraints in delivering the on-line application which is having an impact on the delivery timescales of future phases. As soon as the project team are able to confirm committed timescales and milestones, a final timetable will be produced for the delivery of the remaining 3 pilot areas.

5.0 Key Policies and Considerations

(a) Equal Opportunities

5.1 The approach to consultation will enable engagement of a diverse range of local communities; through appropriate consultation it will give all stakeholders opportunities to engage in the development of locally focussed SL scheme.

(b) Risk Management

5.2 The reduction of risk will be managed via the project risk register, and risk areas will be mitigated and managed through the governance arrangements associated with Market Rental Sector Board.

(c) Legal Considerations

5.3 The delivery of the consultation has taken into account the legal consultation and designation process. The project team have worked closely with colleagues in the legal department and communications team to ensure all requirements are satisfied.

SELECTIVE LICENCE CONDITIONS

The licence holder (or their nominated agent where specified) must adhere to the following licence conditions in Schedule I and II. These conditions will be monitored by the Council and inspections will be carried out to ensure these are being complied with during the period of the licence.

Failure to adhere to one or more of these licence conditions could result in formal proceedings against you, with an unlimited fine and/or the loss of your licence. The Council may also consider whether it is appropriate to make a Management Order to take over management of the property.

Compliance inspections will be carried out to ensure the property is safe, free from disrepair and well maintained by using the Housing Health and Safety Rating System. Any issues found will be dealt with via the enforcement means available under the Housing Act 2004 and other relevant legislation.

SCHEDULE I

Statutory conditions in Schedule 4 Housing Act 2004

1. If gas is supplied to the licensed premises the licence holder must produce annually to Manchester City Council (the Council) for their inspection, a gas safety certificate obtained in respect of the house named on the licence within the last 12 months.
2. a) The licence holder must keep electrical appliances and furniture supplied by him in a safe condition
b) The licence holder must supply to Council, on demand, with a declaration by him as to the safety of such appliances and furniture.
3. a) The licence holder must 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, and keep each such alarm in proper working order (*Note: For the purpose of this condition a bathroom or lavatory is to be treated as a room used as living accommodation.*)
b) The licence holder must supply the Council, on demand, with a declaration by him as to the condition and positioning of such alarms.
4. a) The licence holder must ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; and to keep any such alarm in proper working order; (*Note: for the purpose of this condition a "room" includes a hall or landing and a bathroom or lavatory is to be treated as a room used as living accommodation.*)
b) The licence holder to supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm.
5. The licence holder must supply to the tenant/occupiers of the house a written statement of the terms on which they occupy it.
6. The licence holder must obtain references from persons who wish to occupy the house.

SCHEDULE II

General Conditions Applicable to all Selective Licences

1. The licence holder must ensure that the property and its grounds are in a clean, safe and habitable state prior to new occupiers moving in.
2. The licence holder must supply to the Council an original of the following documents:
 - Electrical Installations Inspection Certificate on demand (this should be carried out every 5 years)
 - Portable Appliance Test (P.A.T) Certificate on demand where electrical appliances are provided
3. The following information must be included in the written statement of terms under which the premises is occupied :
 - The amount of rent payable and the mechanism for any rent increases
 - Tenancy start and end dates
 - The details of any deposit required and the deposit scheme in which it is held
 - Details of what the deposit covers and arrangements for the return of the deposit
 - The frequency of payments
 - The details of any utilities or other charges included in the rent
 - The responsibility for payment of the Council Tax
 - The responsibility for the payment of utilities and arranging for the provision of such
 - Tenants responsibilities in regard of the use, occupation and condition of the licensed premises
 - Notice periods for ending the tenancy/ licence to occupy
 - Clauses relating to nuisance and/or anti social behaviour
 - The location of any stop taps
4. Where the property is alley gated the licence holder is responsible for providing the key to the tenant free of charge at the start of the tenancy.
5. The licence holder must remove any 'To Let' hoardings or signs of any kind advertising the availability of accommodation, within 14 days of the property being fully let.
6. The licence holder must ensure occupiers are aware of behaviour that may constitute nuisance and/or antisocial behaviour, what is acceptable use of the property and what the likely consequences of causing nuisance or ASB may be.
7. The licence holder must take all reasonable steps to deal with nuisance and/ or antisocial behaviour perpetrated by occupiers and/ or visitors to the property. This includes taking proactive action (e.g. warnings, legal action) as soon as the licence holder becomes aware of a problem and by co-operating fully with the relevant agencies e.g. MCC or GMP.

8. The licence holder must provide the occupants of adjoining properties with direct contact details in case of an emergency or to enable them to inform the licence holder of problems affecting their properties.
9. The licence holder must ensure occupiers are aware of how to report any faults or disrepair to the landlord and provide anticipated timescales for undertaking repairs when reported.
10. The licence holder must give the occupiers reasonable notice of arranged access requirements to carry out work to the property. Save in the case of an emergency, a minimum of 24 hours notice must be given in writing and as far as practicable access will be arranged at a convenient time for the occupier.
11. When necessary, the licence holder must provide suitable alternative accommodation for occupiers when carrying out major works to the licensed premises for the period during which the works are being undertaken.
12. The licence holder must ensure that the property has adequate security measures on all exit doors and windows and that all keys are provided to occupiers. Where a burglar alarm is fitted to the property, the licence holder will change the code at the onset of each new period of occupation.
13. The licence holder must ensure that the full range of recycling and refuse bins are available at the start of a tenancy.
14. The licence holder must ensure that the occupier is made aware of the arrangements for the collection of refuse and bulky goods and that the occupier is requested to return the refuse containers within the boundary of the property on the day of collection. The licence holder must co-operate with the Council to address problems caused by occupiers failing to dispose of refuse in the correct manner
15. The licence holder must make adequate checks during a tenancy and during void periods to ensure that the property and anywhere within the property boundary is being kept in a clean condition and all refuse is disposed of in an appropriate manner.
16. The licence holder must make appropriate arrangements for the disposal of any waste at the end of a tenancy and produce waste transfer notes for inspection on request.

Consultation on Proposed Selective Licensing of Private Rented Homes in Crumpsall.

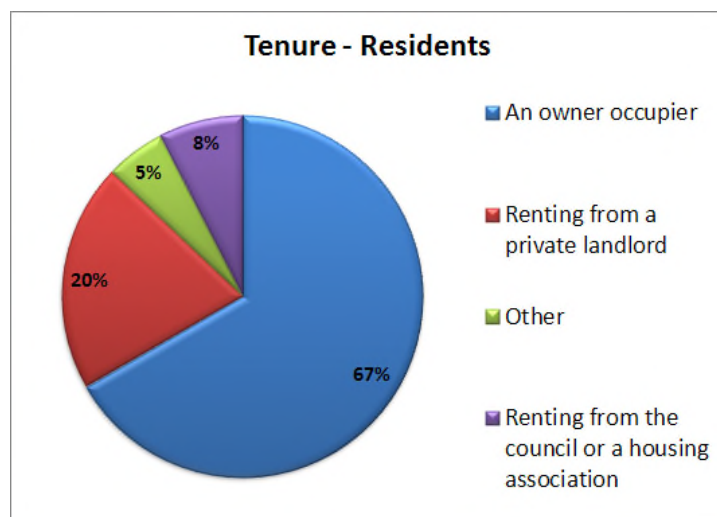
Public consultation for the proposed Crumpsall Selective Licensing area took place via an online survey on the Council's website between 19 August and 31 October 2016. Details of the scheme and the proposed area and streets to be covered were provided and views were invited from local residents and landlords or letting agents with property in the proposed area (with different survey questions for each group).

A total of 40 responses were received from Landlords and Managing agents and 93 responses were received from residents. The survey was voluntary, and self-selecting so is not a truly random sample of the whole population. It should be treated as indicative of the residents and landlords who took part in the survey, but not necessarily that of all residents or landlords in the area.

1. Responses from Residents

93 residents responded, of which 87 were from the local area which is around 13% of households. The majority of responses from residents were Owner Occupiers with only 20% responses from residents actually renting property in the area. Approximately 54% of the area is Private Rented so the consultation is somewhat under-representative of private tenants in the area.

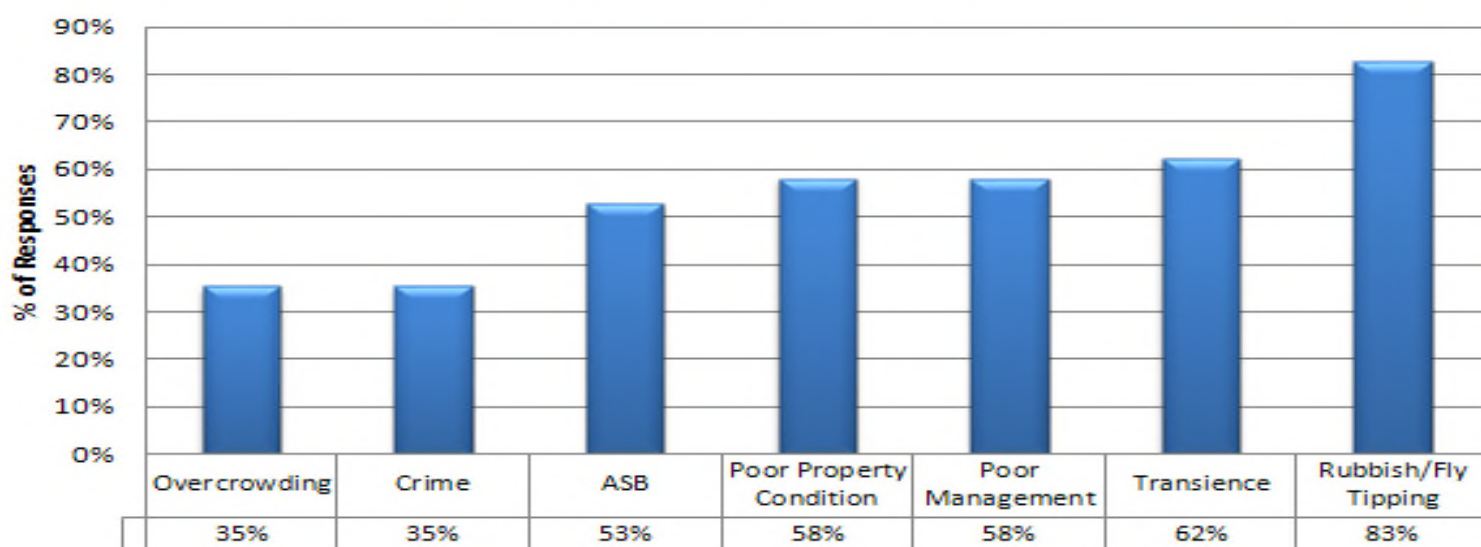
Note that all apart from 6 respondents also live in the local area and 5 of the respondents also owned a business in the local area.



1.1. Issues affecting the local area

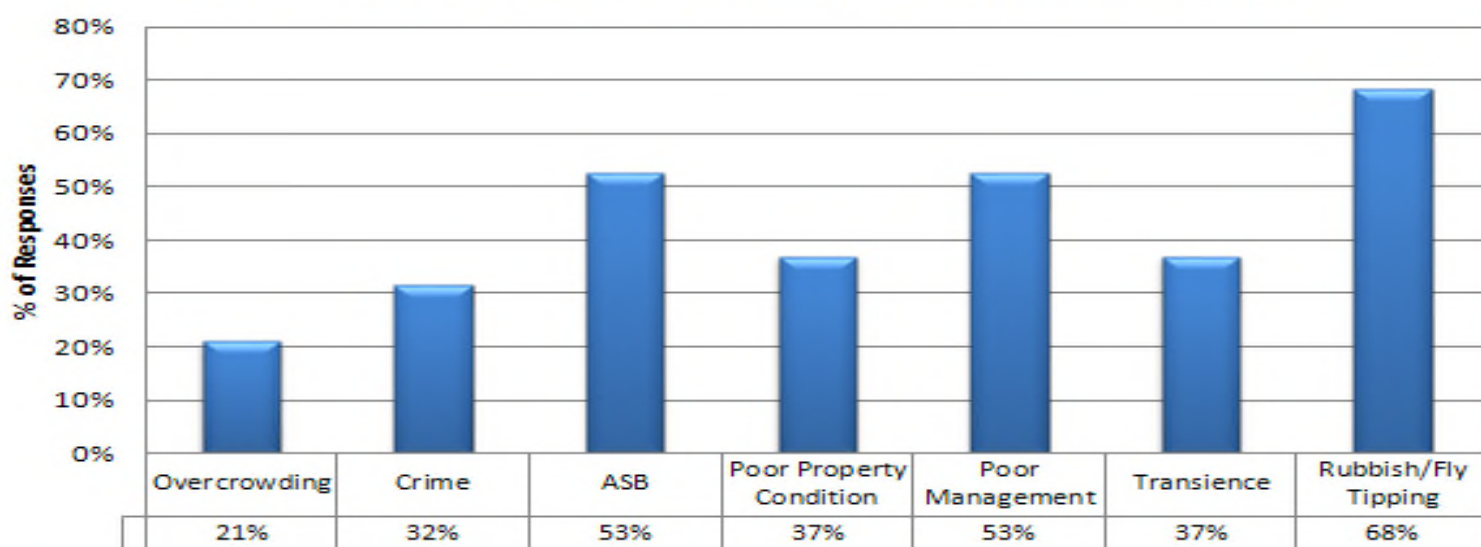
Residents were asked to state which of the following issues affected the local area. Crime, anti-social behaviour, rubbish or fly tipping, poor house condition, poor property management, and high turnover/transience. The most frequently ticked issues were poor property condition/management, people moving in and out of the area often (i.e. transience) and rubbish or fly tipping. 6 respondents did not pick any of the issues. Other issues reported were poorly kept gardens, people congregating in certain streets and issues with parking.

Issues in the Area



Note that of the 20 private rented residents who responded – the levels were broadly similar albeit with fewer concerned about transience and less concern about property condition.

Issues in the Area - Private Rented Tenants

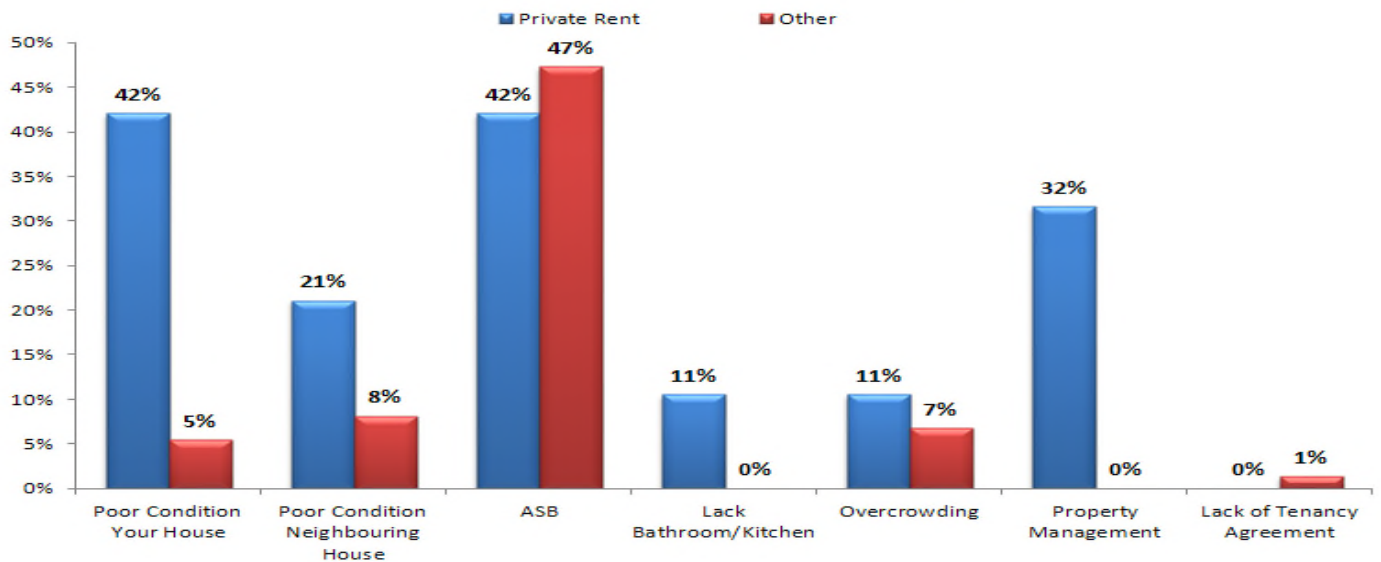


1.2. Issues directly affecting the resident or their family

60% of respondents had been directly affected by poor condition of their house or a neighbouring house, Anti-social behaviour, lack of suitable bathroom or kitchen, overcrowding, property management or a lack of tenancy agreement.

The most frequently reported issue for private rented tenants was property condition and anti social behaviour, and 32% reported problems relating to property management. Other issues raised including problems with the alley-gates and high levels of noise at night.

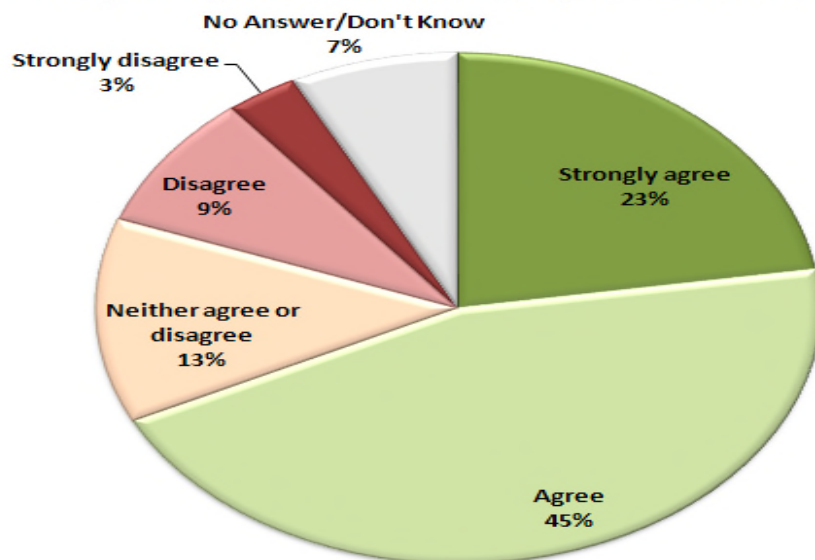
Issues affecting residents in the last 3 years:



1.3. Residents views of the choice of area and streets for selective licensing

68% of all respondents said they strongly agreed, or agreed with the area identified for Selective Licensing. Just 12% (11 respondents) disagreed with the chosen area.

Do you agree with the area/streets chosen



The following issues were raised by respondents who disagreed with the area chosen:

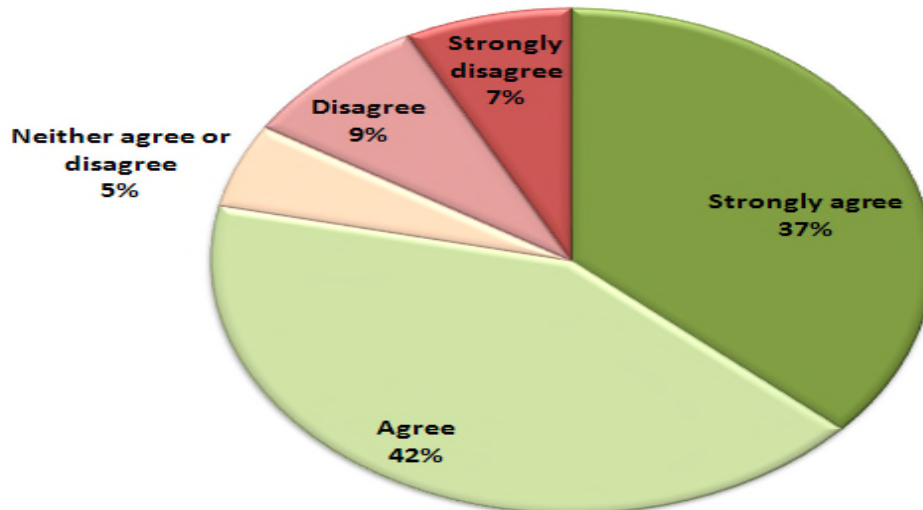
- Will raise rents
- Could stigmatise or devalue the area/put of first time buyers
- Wider area should be chosen
- Three respondents stated that the area had no problems or was fine as it was.

- Two respondents felt that the Parkhill Avenue and Cleveland Road area should be included in the scheme.

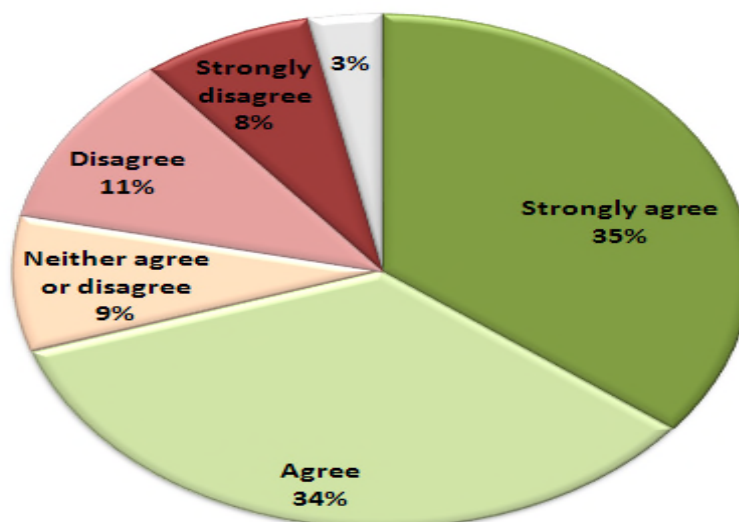
1.4. Should the Council introduce selective licensing?

79% of respondents agreed/strongly agreed that the Council should have more control over how private landlords look after their tenancies, 70% agreed or strongly agreed we should introduce selective licensing into the area.

The Council should have more control of how private landlords look after their houses and tenants?



The Council should introduce licences for private rented houses in the area



Of residents who agreed the Council should have more control over private rented tenancies, 5 were unsure or neither agreed or disagreed with Selective Licensing, and 2 did not agree with Licensing.

Of those who disagreed with either selective licensing, or more control over private rented tenancies reasons given included the following:

- The council should not have more control,
- It would push up rents / the cost would be passed on to tenants,
- May harm relations between landlord and tenant or make it harder to find properties to rent.
- Would not be effective or make a difference.

1.5. Would licensing improve things?

Around 70% of the respondents agreed that the scheme would improve property management, house condition and the area in general. Respondents were less sure that the scheme would reduce anti-social behaviour – many residents disagreed or were unsure of this.

	Would Improve Management	Would improve house condition	Would reduce ASB	Would Improve the Area
Agree/Strongly Agree	70%	69%	54%	71%
Neither Agree or Disagree	12%	11%	19%	9%
Disagree/Strongly Disagree	16%	16%	18%	16%
Don't Know/No Answer	2%	4%	9%	4%

1.6. Other Comments

Respondents were asked to provide any other comments at the end of the questionnaire. These are summarised/paraphrased below

- People are selling below market value to leave the area and properties are going to rogue landlords
- Cost of licensing will be passed on to the tenant
- Could increase empty properties of rents go up
- Could increase lodging and over occupancy
- May decrease property values
- Issues with noise/fly tipping/refuse and ASB
- Lack of vetting by property agents
- Issues with landlords not passing alley gate keys to tenants
- Licensing is long overdue
- Thank you for engaging with local concerns.
- Parkhill Avenue, Moss Bank and Lansdowne Road were flagged up as additional locations of concern.

“All councils have powers to make the physical and social environment safe for everyone. Many councils already use them effectively, so this action is long overdue. Rogue landlords exploit by overcrowding, and failure to maintain. A dirty physical environment and constant tenant turnover destroys any hope of social cohesion, and causes great distress to permanent residents, many of whom are elderly, and feel threatened by the behaviour around them. Research by London boroughs has shown high correlation between poorly maintained housing and anti social behaviour.”

“Better regulation of standards of accommodation is needed: some endangers health and safety of families. Too much regulation can make it even harder for those who already find it hard to get housing (e.g. asylum seekers, refugees, DHS) to be housed.”

“There is a need for tight controls to ensure properties are kept in good order and the tenants respect the area which we live in.”

“What is the benefit of the licence to the landlord? If they rent a property and need support for improvements, is there any grant funding?”

“It would be useful to know the landlord more and engage with residents who live on the street”

“The system needs to cease to be based on reaction to complaints, and instead to provide for a tight licensing arrangement with a duty on landlords to comply -and then to levy the substantial fines allowable in law.

2. Responses from Landlords & Agents

40 completed questionnaires were received from the landlords consultation. – of which 38 were from landlords or letting agents, one from a related business and one from a professional body.

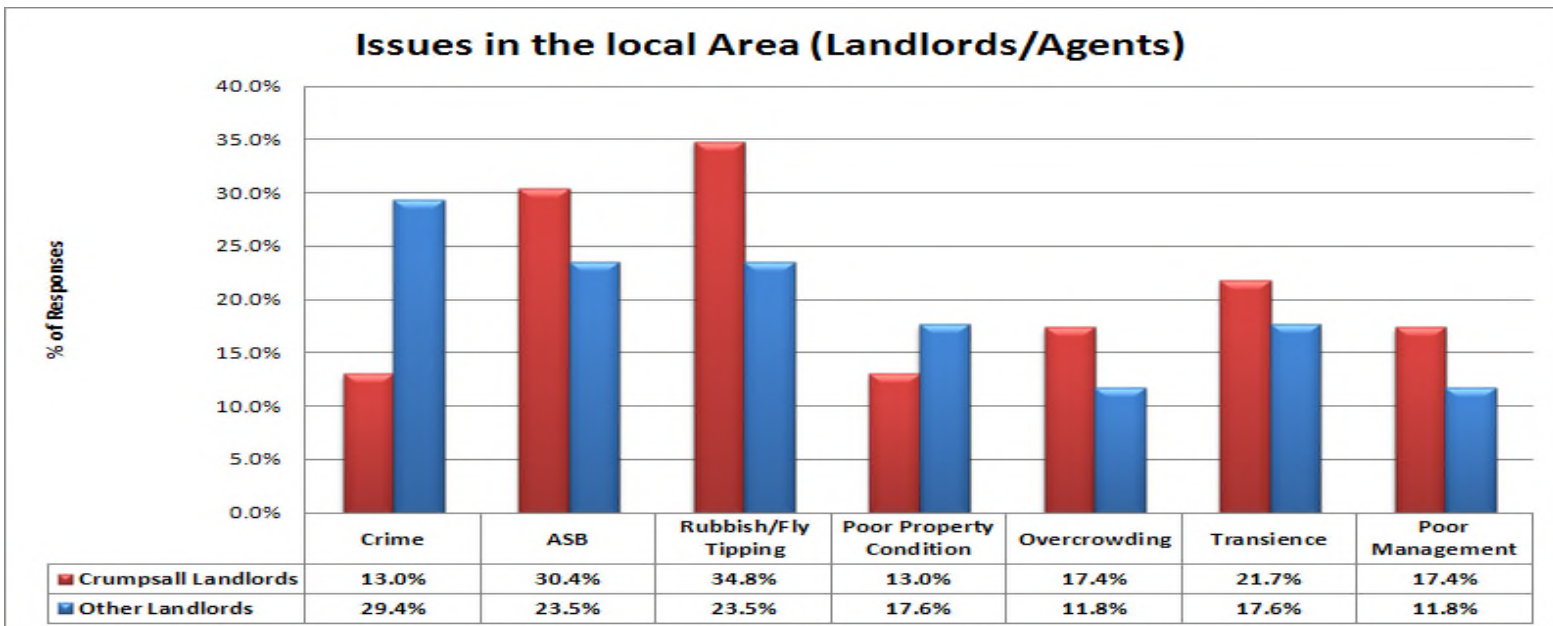
Of the responses 17 were from landlords or agents who did not have properties in the proposed licensing area. The majority of respondents had less than 10 properties in the area, and 9 had just one property.

Number of properties in the Area



2.1. Issues in the local area

The issue most landlords felt was an issue in the area was rubbish and flytipping. Note that landlords without property in the area also commented on the issues they felt affected the area and these are presented separately on the chart below.

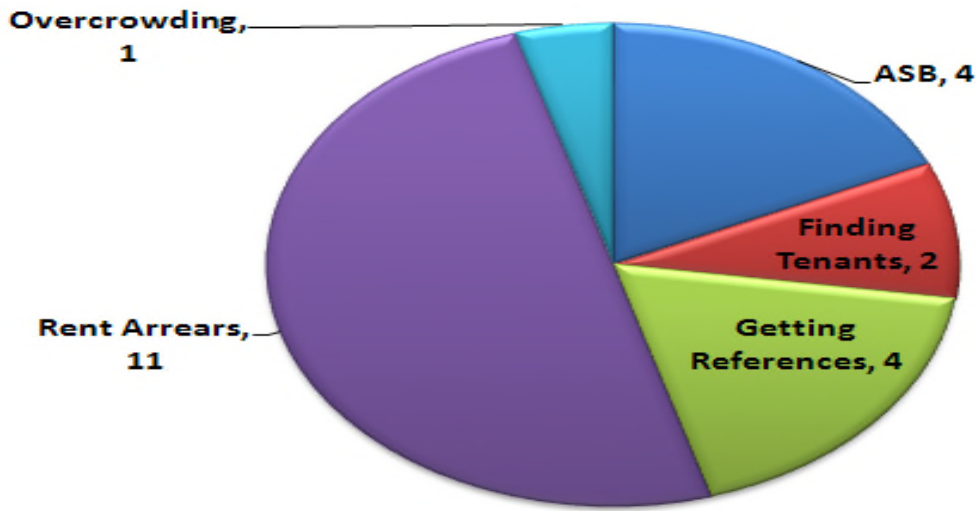


Other issues mentioned by landlords included concerns regarding damp and litter on the street.

3. Issues that have affected Landlords properties in the area

Landlords were asked whether any of their property had been affected by ASB, finding tenants and getting references, rent arrears and overcrowding. Landlords without property in Crumpsall also answered this question – the results below are only from Crumpsall landlords. The most frequently mentioned issue was rent arrears – less than 5 respondents said their properties were affected by the other issues. Other comments included problems with fly tipping and housing benefit being paid directly to tenants.

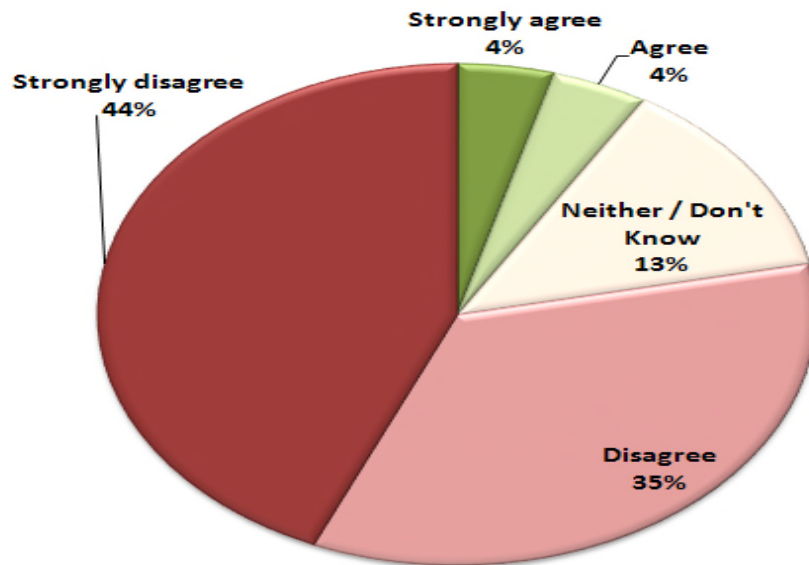
Issues affecting Landlords properties



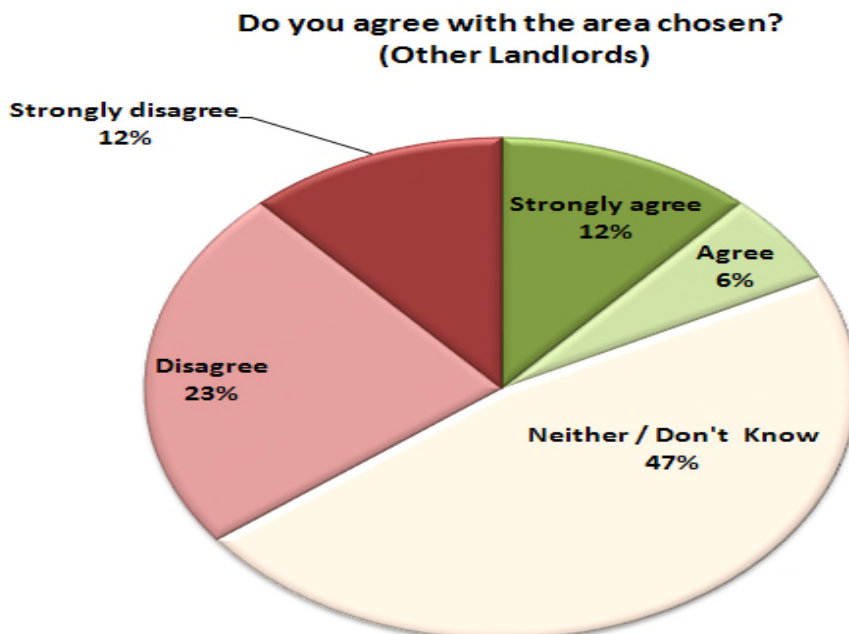
3.1. Landlords views of the choice of area and streets for selective licensing

The majority of landlords with properties in Crumpsall disagreed with the choice of this area.

Do you agree with the area chosen? (Crumpsall Landlords)



The response from other landlords is below:



Landlords were asked to comment on why they did or did not agree with the Crumpsall as the selective licensing area. Of those who did not the responses generally related to the licensing scheme in general rather than the choice of Crumpsall as the area although 6 felt that the should be introduced in a different area introduced in a different area.

Other comments included concerns that the scheme would not work, was not necessary in this area and that the cost would be passed on to tenants and landlords would raise rents to cover the cost.

Some respondents suggested alternative areas for the scheme – these include Moston, a larger area to include Kathkin Avenue, or to include Ash Tree Road, Cravenwood Road, Station Road and the top of Crumpsall Lane.

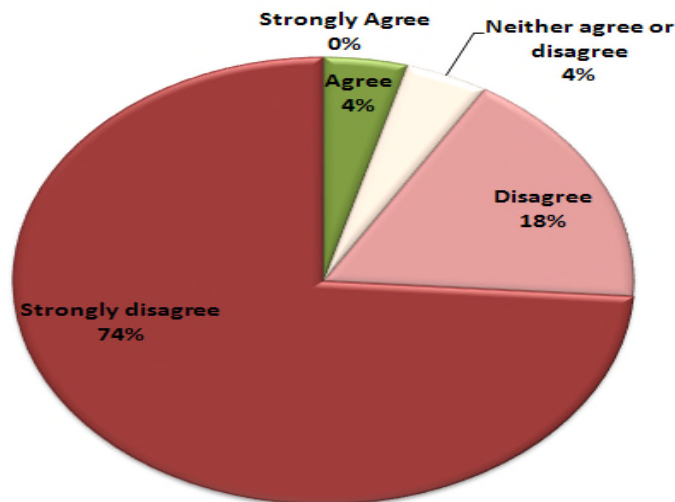
Reasons for disagreeing with Crumpsall Area for licensing



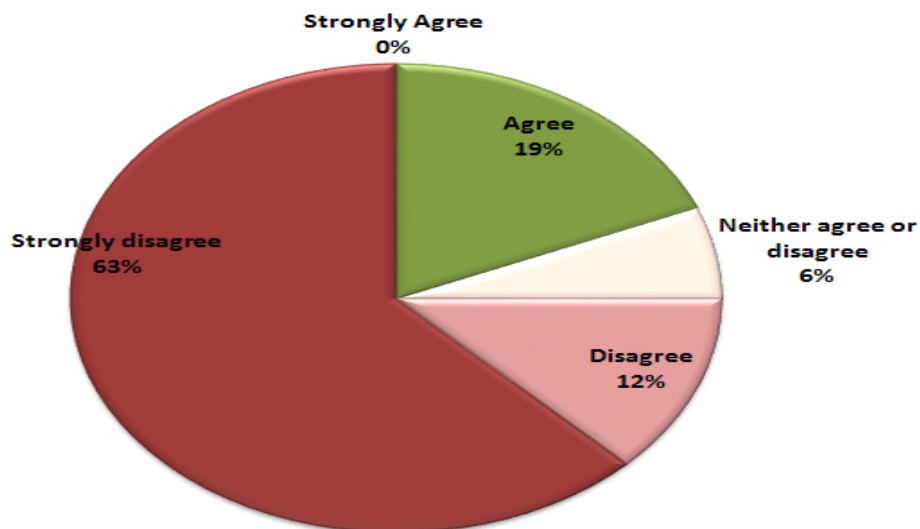
3.2. Landlords view of whether to introduce selective licensing in the area

33 out of the 40 landlord respondents (82%) disagree or strongly disagreed with the proposal to introduce selective licensing (of which 27 Strongly disagreed). Of the landlords who did not own property in the area, a larger proportion agreed with licensing (17%) but 70% disagreed with the proposal. 91% of landlords with properties in Crumpsall disagreed with the proposal.

The Council should introduce licensed for private rented housing
(Crumpsall Landlords)



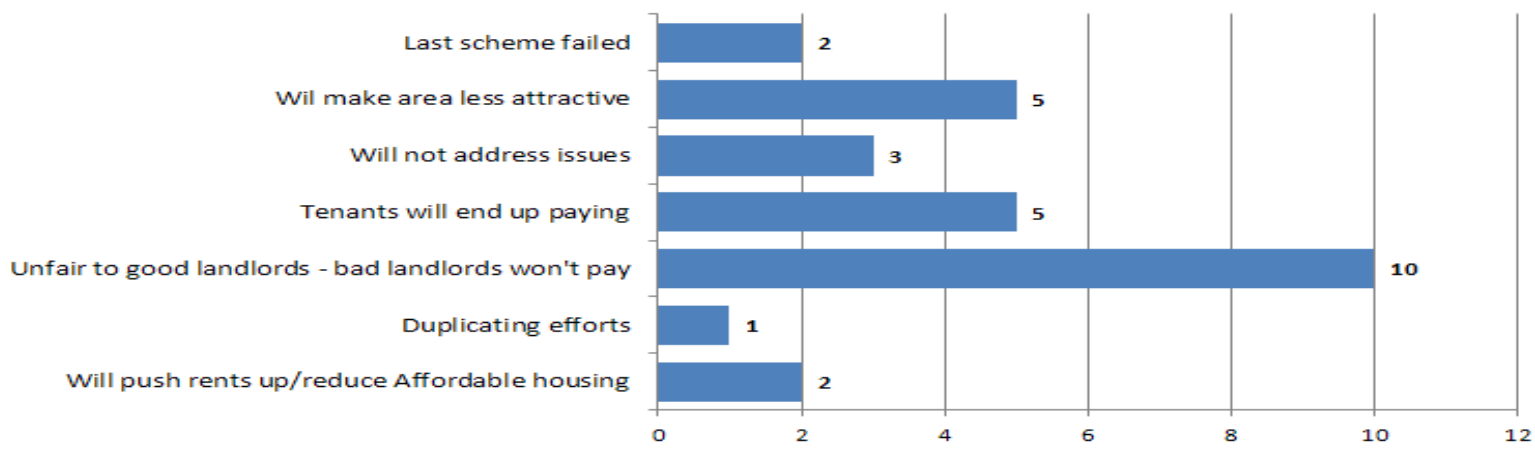
The Council should introduce licensed for private rented housing
(Other Landlords)



3.3. Reasons for disagreeing with the proposal for selective licensing

The comments from respondents regarding whether they disagreed with the proposal are summarised below. The most frequent comment was that it was unfair to good landlords, the cost would be passed on to tenants increasing rents and that it would stigmatise Crumpsall as a bad area and make it less attractive to landlords and tenants.

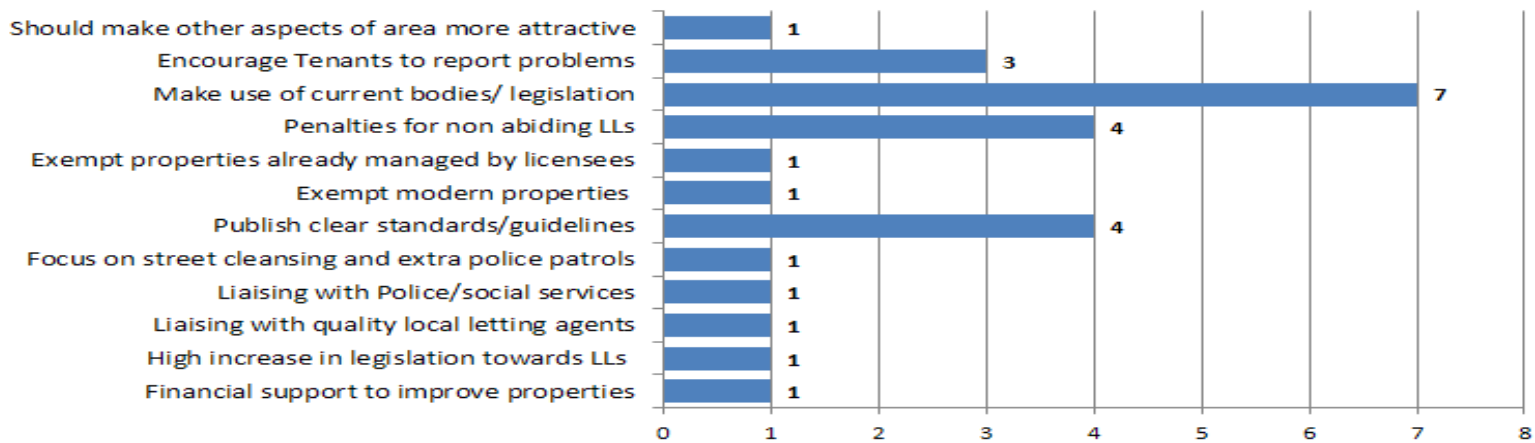
Reasons for disagreeing with proposed Selective Licensing



3.4. What support services do you think could be given to landlords to make sure they manage their properties to a high standard?

The most frequently mentioned service or support was that the council should make use of existing legislation and penalties for non compliant landlords. The responses are summarised below:

Suggested support or services for landlords



3.5. Other Comments

The most frequent comment (6 respondents) was that they felt it would encourage landlords to sell up or not invest further in the area.

Additional comments are quoted verbatim below where they make a specific point not covered in the above summary

“Licensing would garner much more support if it can be shown to have material results and not just a tax on tenants.”

“You’re not doing this to improve things – you’re doing it for tax revenue reasons”

“it would be a fair outcome if landlords that were accredited under the previous scheme and/or accredited members of a recognised landlord association were allowed a significantly discounted fee structure.”

“The causes of ASB are many and varied. It is not, in our view, reasonable to expect agents and landlords to play a disproportionately large part in tackling them. As private businesses, PRS landlords and their agents, whilst having clear responsibilities to manage their properties professionally cannot reasonably be expected to tackle wider social problems.”

“Either the landlord uses an agent who can be asked to ensure the property complies or the tenants can be asked to complete a "tick" sheet to ensure the landlord complies. Neither require a license.”

“Having this imposed implies that you consider all landlords to be rogues who do not care, and this is totally untrue. I consider this action to be unwarranted, and shall probably seek to sell our flat if licensing comes into effect within the area.”

“There are no incentives to do anything positive to improve their properties”

“Remove Harrow Street as this is predominantly owner occupiers”

“Lots of drink and drug problems in the area – “

“it would be fairer to charge a one off fee to become licensed (proving that the landlord knows their responsibilities) at say £250 and then £100 per property per annum to be inspected.”

“Responsible landlords already strive to keep their property in good order and are not displaying antisocial behaviourthere is a lack of support from councils for landlords to deal with these problem tenants...It is the unscrupulous landlords that you need to seek out, and not tar us all with the same brush, assuming that all landlords are rogues... energies may be better invested in supporting improvements to community projects, education and youth schemes and other such positive support for all the residents of the area”

“If the license is a requirement of private letting then there will be an increase in the use of section 8 of the housing act to remove tenants that cause fly-tipping and / or anti-social behaviour to remove them. It would be better for all to assist the people carrying out these acts. Section 8 will move the problem to another area.”