

HYNDBURN BOROUGH COUNCIL

Selective Licensing of Private Landlords



Report on Consultation Findings

Published 25th July 2012

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EXECUTIVE SUMMARY

Introduction

Hyndburn Borough Council consulted all persons who are likely to be affected by the Council's proposal to designate parts of Accrington and Church for the purpose of selective licensing of private landlords under Part 3 of the Housing Act 2004.

This Paper pulls together and reports on three strands of consultation carried out by the Council. It explains who was consulted and how the consultation was carried out. It also explains the methodology used and reports on the consultation findings.

Three surveys were undertaken by questionnaire: residents and businesses, landlords and managing agents and potential stakeholders.

Resident and Business Survey

Ten thousand residents and businesses potentially affected by the selective licensing proposal were surveyed and were provided with a summary of the Council's Proposal and a questionnaire. Respondents were given 12 weeks to return the questionnaire. There were 978 completed returns, a response rate of just fewer than 10%. Of the forms returned 61% were from owner occupiers and the next largest response was from private tenants (19%). The area with the most responses was East Accrington (Peel and Barnfield) with 36% returning their questionnaires. The lowest response was from people outside the proposed designation (14%).

The survey explored housing related problems within neighbourhoods. The highest problems identified were rubbish dumping (51%), poor quality properties (47%), badly managed privately rented homes (45%), nuisance and anti-social behaviour (44%), and empty properties (43%).

The majority of residents and businesses responding (80%) felt the Council should have more control over the way private landlords manage their properties, and four-fifths of residents believe the Council should intervene in areas suffering from low housing demand.

When asked 76% of the respondents indicated that selective licensing could have a positive impact on private renting in their area and 79% agreed with the Council's proposal to introduce selective licensing.

To summarise, the Resident and Business Survey demonstrated very clear support for selective licensing.

Landlord and Managing Agents Survey

Just over three thousand landlord and managing agents known to be renting and managing accommodation in the Borough were invited to comment on the Council's selective licensing proposal. There were 324 completed returns, a return rate of just over 10%. Of those returning questionnaires, 55% were landlords managing their own property and 37% were from a landlord who uses a managing agent. Four per cent of returns were from letting / managing agencies.

Of those responding nearly half (44%) did not own or manage accommodation in the proposed licensing area, and of the remainder, 39% owned or managed between 1 - 5 properties. Only a fifth of the landlords / agents were a member of a landlords / letting agent association, with 7% indicating they were a member of Hyndburn Landlords.

Over 75% of respondents did not respond, or indicated there were no problems when asked to identify the main neighbourhood problems where they own or manage properties. Of those that did reply the biggest problem identified was empty properties (19%), low house values (17%), and low rent levels (16%).

Nearly 85% of the responses indicated that poorly maintained properties contribute to the decline of an area but 55% disagreed that selective licensing could have a positive impact on private renting in an area. Just over 67% of landlords and agents disagreed with the Council's proposal to introduce selective licensing, indicating significant opposition to the Council's proposals from this stakeholder group.

To summarise, the landlord and managing agents survey demonstrated significant opposition to the introduction of a selective licensing scheme.

Stakeholders Survey

Ten out of the 90 stakeholders' surveys were returned. Respondents included Hyndburn Landlords, the Residential Landlords Association (RLA), the North West Landlords Association and the National Private Tenants Organisation. Hyndburn Landlords and the Residential Landlords Association provided detailed responses to the Council's Proposal which can be viewed on the Council's web site via the following link:- <http://www.hyndburnbc.gov.uk/selectivelicensing>

Hyndburn Landlords are keen to stress that they support selective licensing 'in principle' but indicate that the Council's proposed scheme 'is generally flawed'. They indicate that the proposed designation is far too large to be effective and therefore propose a phased introduction. They also argue strongly that parts of the Peel Ward should be excluded from the proposed designation on the basis the areas in question are not in low housing demand, or are likely to become such areas in the future..

The RLA submission supports the position taken by Hyndburn Landlords but also suggests that the Council has not given proper consideration to alternative options, the risks associated with displacement, and that no clear objections have been set to monitor the progress of the proposed designation. The RLA also indicate that it believes the fees are too high and some of the proposed licence conditions are unreasonable or ultra vires.

Representation and Changes to the Proposed Designation

Many landlords, agents, residents and businesses made comments about the Council's designation proposal on their questionnaires. Broadly landlords were against selective licensing with a range of concerns including the size of the area, level of fees, unnecessary bureaucracy and scepticism about the Council's motives. On the other hand residents and businesses were very supportive of a larger designation area and additional regulations.

Detailed and lengthy submissions were received from Hyndburn Landlords and the Residential Landlord Association (RLA). In addition, Council officers met with representatives of Hyndburn Landlords on numerous occasions. A great deal of the representation has been constructive and therefore the Council's Cabinet will have to consider all the responses received, together with possible adjustments that could address concerns raised by various stakeholders, before deciding whether to proceed with selective licensing and on what basis.

Conclusion: Balancing the Opinions

We can conclude from the consultation, the landlords and their agents and representatives are strongly opposed to the Council's selective licensing proposal.

However, most residents and businesses are very supportive recognising the need to raise the standards of private renting, especially in the proposed designation area.

The views of Hyndburn Landlords, a key stakeholder and representative of some private landlords, are not quite as clear cut. They support selective licensing in principle, but would prefer to see a smaller designation with support for specific areas.

Clearly then the consultation has shown that different stakeholders have different opinions and therefore there is no way of achieving an outcome that is satisfactory to all. For this reason, the Council's Cabinet will need to very carefully consider and balance the views of landlords and their agents with the wider view of its communities before making a decision on whether to proceed with selective licensing and if so, on what basis.

BACKGROUND

Introduction

As part of the Council's approach to tackling low housing demand, the Council's Cabinet on the 11th January 2012 resolved to consult all potentially affected persons on a draft proposal to designate parts of Accrington and Church for the purpose of selective licensing of private landlords under Part 3 of the Housing Act 2004.

This document reports on the findings of the consultation.

Three formal surveys were undertaken by questionnaires:-

- i. Residents and Businesses
- ii. Landlord and Managing Agents
- iii. Stakeholders

Copies of the questionnaires and supporting information can be made available upon request or can be downloaded from the Council's website at the following address:-

<http://www.hyndburnbc.gov.uk/selectivelicensing>

The surveys were supplemented by attendance at local residents and neighbourhood meetings and an exhibition for private landlords was held on two separate dates.

The Council also met with representatives of Hyndburn Landlords several times during the consultation period, and continues to meet with them.

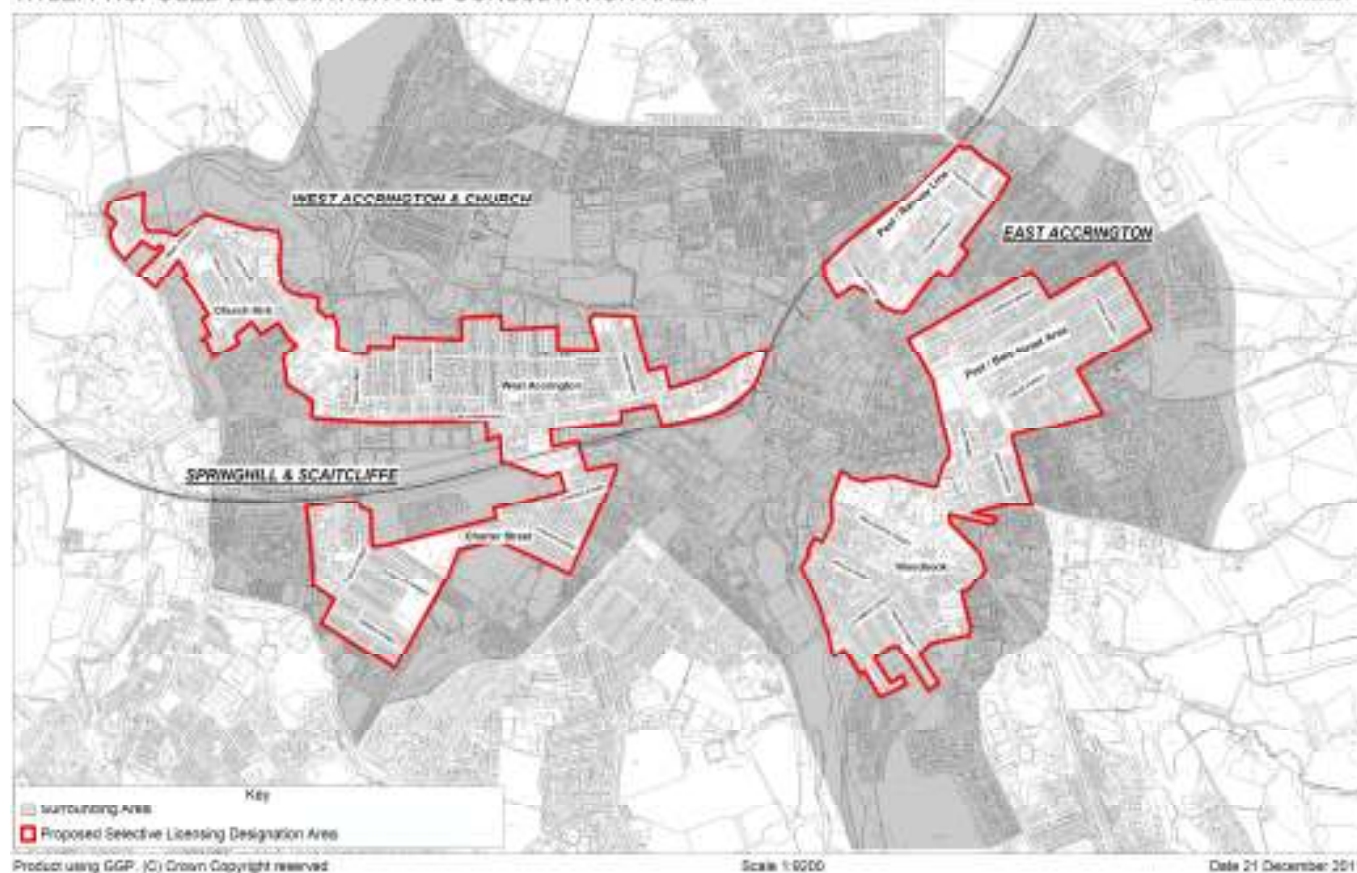
Methodology

In January 2012 approximately 10,000 Resident and Business Selective Licensing questionnaires were hand delivered to the proposed designation area and to areas and neighbourhoods adjacent to the proposed area who may be affected by the designation. 6,000 questionnaires were distributed within the proposed designation area, and 4,000 questionnaires were distributed to areas adjacent to the proposed designation area. Figure 1 illustrates the extent of the consultation area. Respondents were given 12 weeks to fill out their forms and send them back using a FREEPOST envelope. There were 978 completed returns and a number of blank returns indicating a response rate of just less than 10%.

FIGURE 1

TITLE: PROPOSED DESIGNATION AND CONSULTATION AREA

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Over a similar period approximately 3,000 Landlord & Managing Agents Selective Licensing questionnaires were posted out to all landlords we believe own or manage properties across Hyndburn. Respondents were given 12 weeks to fill out their forms and send them back using a FREEPOST envelope. There were 324 completed returns and a number of blank returns indicating a response rate of approximately 10%.

Ninety stakeholders were sent the full draft proposals along with a stakeholder questionnaire; this was posted to organisations including all known landlords associations, housing associations operating within Hyndburn, Police, Fire and Rescue, Department of Communities and Local Government, Homes and Community Agency, Shelter, National Private Tenants Organisation, Citizens Advice Bureau, The Courts, Social Services, Maundy Relief and Hyndburn Homewise. In addition to this, all members of the Homeless in Hyndburn Forum were emailed the full proposals. Out of a total of 90 stakeholders surveys posted / emailed out we had 10 returns after giving them a 10 week response period.

In addition to returned questionnaires, the Council received two very detailed and lengthy responses from Hyndburn Landlords and the Residential Landlords Association. These can be made available on request or downloaded from the Council's website at <http://www.hyndburnbc.gov.uk/selectivelicensing> as well as the Council's response, including comments returned by Hyndburn Landlords to the Council's response.

The three surveys were a double sided (two page) postal survey, with a series of questions about low housing demand and the impacts of selective licensing on those who are likely to be affected by the proposed designation. In addition, there was space provided for respondents to add their views and make comment. The recipients were encouraged to fill out the questionnaires and return them within the consultation period that lasted until the 16th April for residents, businesses and landlords and managing agents and the 7th May for stakeholders using the FREEPOST envelopes provided.

Both the Residents and Landlords surveys achieved a good response of approximately 10%. This represents a very good response rate and means that the data analysis and responses are statistically reliable.

Purpose of the Consultation

Legislation states when considering designating an area for a selective licensing, the Local Authority must:-

- Take reasonable steps to consult persons who are likely to be affected by the designation; and
- Consider any representation made in accordance with the consultation.

The Council has consulted with local residents, including tenants, landlords, managing agents and other members of the community who live or operate businesses or provide services within or adjacent to the proposed designation area.

The Council has tried to make the consultation as wide as possible by publishing a comprehensive '*Draft Proposal to Designate a Private Landlord Selective Licensing Scheme*' on the website and making available hard copies on request. A summary of the draft designation proposal has been distributed to all residents within the consultation area, and all known landlords, agents and stakeholders were provided with a copy of the summary. The Council has attended numerous residents meetings, held two exhibitions for landlord groups and/ or their representatives, and posted press notices to announce the proposed designation consultation, including details of the consultation period and how people can respond.

This paper reports on the responses that the Council has received to the consultation. To summarise, there is overwhelming support for selective licensing from residents and businesses within the consultation area, but with significant opposition from landlords and landlord agents.

We have listed some typical responses and comments from returned questionnaires at the end of the Report in Appendix 1, 2 and 3. All responses and comments can be viewed via the Council's website using the following link: - <http://www.hyndburnbc.gov.uk/selectivelicensing>

The Council's Cabinet will consider all the responses and representation received very carefully, together with possible adjustments to the Proposed Designation. These are examined in more detail together with the issues that the Cabinet will need to take into account when it considers a revised proposal.

RESIDENT & BUSINESS SURVEY ANALYSIS

Introduction

In January 2012 10,000 residents and businesses potentially affected by the Council's Selective Licensing proposal were sent a questionnaire together with a summary of the scheme with information on how further information would be obtained including a link to the Council's website with a frequently asked questions page. Residents and businesses were given 12 weeks to complete and return their questionnaire using a FREEPOST envelope.

There were 978 completed returns, a response rate of just less than 10%.

Are you a: (Number and proportion of returns by Tenure)

Private tenant	-	183 (18.7%)
Owner Occupied	-	596 (60.9%)
Housing Association	-	150 (15.3%)
Business	-	27 (2.8%)
Unknown	-	22 (2.3%)
Total	-	978 (100%)

- The largest response from the Resident and Business Survey came from owner occupiers with 61%, followed by private tenants with 19%.

Do you live in: (Number and proportions of returns by area)

West Accrington & Church	-	266 (27.2%)
East Accrington	-	354 (36.2%)
Springhill & Scaitcliffe	-	155 (15.8%)
Outside proposed designation	-	134 (13.7%)
Unknown	-	69 (7.1%)
Total	-	978 (100%)

- The most returns came back from respondents in the East Accrington area with 36%.
- 19.2% (68) of responses from East Accrington came from residents living in the private rented sector. This area had the most returns from this sector followed by West Accrington & Church where there was 50 returns from the private rented sector, followed by Springhill & Scaitcliffe with 35, 16 outside the proposed designation and with 14 who did not identify their area.
- 13.7% of the responses came from outside the proposed designation area.

Do you think your area has problems with any of the following?

Table 1. Tenure	Private tenant	Owner occupied	Housing Association	Business
Empty properties	32.8%	48.2%	35.2%	70.4%
Nuisance and Anti-Social Behaviour	34.4%	48.0%	42.0%	59.3%
Poor quality properties	38.8%	52.5%	36.7%	55.6%
High turnover of private rented tenants	27.9%	40.8%	27.3%	40.7%
Poor perception of private landlords	27.3%	37.4%	24.7%	25.9%
Badly managed privately rented houses	39.3%	48.3%	39.3%	44.4%
Rubbish dumping	41.5%	55.7%	48.0%	63.0%
Low house prices	19.7%	38.3%	14.7%	37.0%
Low rent levels	10.9%	13.4%	6.7%	18.5%
People not wanting to stay in the area	28.4%	36.2%	29.3%	48.1%

- The main issue for **PRIVATE TENANTS** was *rubbish dumping* in their area with over 41% stating this as a problem, followed by *badly managed privately rented houses* and poor quality properties (39%).
- **OWNER OCCUPIERS** also found *rubbish dumping* was the main problem in their area (55.7%), followed by *poor quality properties* (52.5%), *badly managed privately rented houses* (48.3%), *empty properties* (48.2%), and *nuisance and anti-social behaviour* (48%).
- **HOUSING ASSOCIATION** tenants indicated *rubbish dumping* (48%) and *nuisance and anti-social behaviour* (42%) were the main problems.
- **BUSINESSES** in the area had slightly higher dissatisfaction with a number of issues across the area consulted on in-particular *empty properties* (70.4%) and *rubbish dumping* (63%).
- Overall empty properties, nuisance and anti-social behaviour, poor quality properties, badly managed private rented properties and rubbish dumping appear to be the biggest problems.

Table 2. Area	Inside	Outside designation	Overall	East Accrington	Springhill & Scaitcliffe	West Accrington & Church
Empty properties	46.3%	29.1%	43.3%	49.7%	63.2%	32.0%
Nuisance and anti-social behaviour	47.6%	29.1%	44.5%	47.2%	59.4%	41.7%
Poor quality properties	49.7%	37.3%	47.1%	54.8%	62.6%	35.7%
High turnover of private rented tenants	39.3%	20.9%	35.9%	43.8%	45.2%	30.1%
Poor perception of private landlords	35.8%	19.4%	33.0%	38.1%	43.2%	28.6%
Badly managed privately rented houses	47.7%	31.3%	44.8%	51.4%	58.1%	37.2%
Rubbish dumping	54.6%	36.6%	51.3%	55.4%	65.8%	47.0%
Low house prices	32.9%	21.6%	30.7%	31.6%	52.9%	22.9%
Low rent levels	13.2%	6.0%	12.2%	14.1%	20.6%	7.9%
People not wanting to stay in the area	36.9%	19.4%	33.7%	34.7%	53.5%	30.1%

- Without exception the issues identified in the questionnaire were a bigger problem for those within the Proposed Designation than outside the area.
- Main issues in **East Accrington** are *rubbish dumping* (55.4%), *poor quality properties* (54.8%), *badly managed rented properties* (51.4%), *empty properties* (49.7%).
- Similar issues across **Springhill and Scaitcliffe** with *rubbish dumping* (65.8%), *empty properties* (63.2%) and *poor quality properties* (62.6%).
- **West Accrington** residents indicated *rubbish dumping* (47%) and *nuisance and anti-social behaviour* (41.7%) as their main problems.

Have you had problems with privately rented properties in your area in the past five years?

Table 3.	Yes
Private tenant	41.0% (75)
Owner occupied	52.3% (311)
Housing Association	33.3% (50)
Business	48.1% (13)
Inside Designation area	48.1% (372)
Outside Designation area	36.6% (49)
Overall	46.2% (453)

- Those in owner occupation have the most problems from private rented housing (52.3%).
- Problems associated with private rented properties are greater for those within the proposed designation area (48%) than those outside the proposed designation area (37%).

Do you think the Council should have more control over the way that private landlords manage their properties?

Table 4.	Yes
Private tenant	68.9% (126)
Owner occupied	84.9% (506)
Housing Association	84.7% (127)
Business	63.0% (17%)
Inside designation area	80.6% (623)
Outside Designation area	86.6% (116)
Overall	80.3% (785)

- Four out of five respondents believe the Council should have more control over the way private landlords manage their properties.

To what extent do you think private landlords make a POSITIVE contribution to your area?

Table 5.	A lot	A little	Not much	very	Not at all	Don't know	No response
Private tenant	20.2%	16.9%	27.9%		20.2%	13.7%	1.1%
Owner occupied	7.2%	14.1%	37.1%		27.3%	13.6%	0.7%
Housing Association	12.7%	14.0%	31.3%		18.0%	23.3%	0.7%
Business	25.9%	7.4%	33.3%		18.5%	14.8%	0%
Inside	11.3%	14.7%	34.9%		23.8%	14.2%	0.9%
Outside	10.4%	14.2%	30.6%		21.6%	23.1%	0%
East Accrington	7.4%	16.8%	38.4%		23.3%	13.1%	1.1%
Springhill & Scaitcliffe	13.5%	12.9%	34.2%		29.0%	8.5%	1.3%
West Accrington & Church	15.0%	13.2%	30.8%		21.4%	19.2%	0.4%
Overall	11.6%	14.4%	33.9%		23.8%	14.9%	1.2%

- Only 26% of respondents indicated that private landlords make a POSITIVE contribution to the area.
- 57.7% of respondents stated private landlords do not make a POSITIVE contribution to the area.
- East Accrington respondents have the lowest proportion of residents (24.2%) who think private landlords make a positive contribution to their area.

To what extent do you think private landlords make a NEGATIVE contribution to your area?

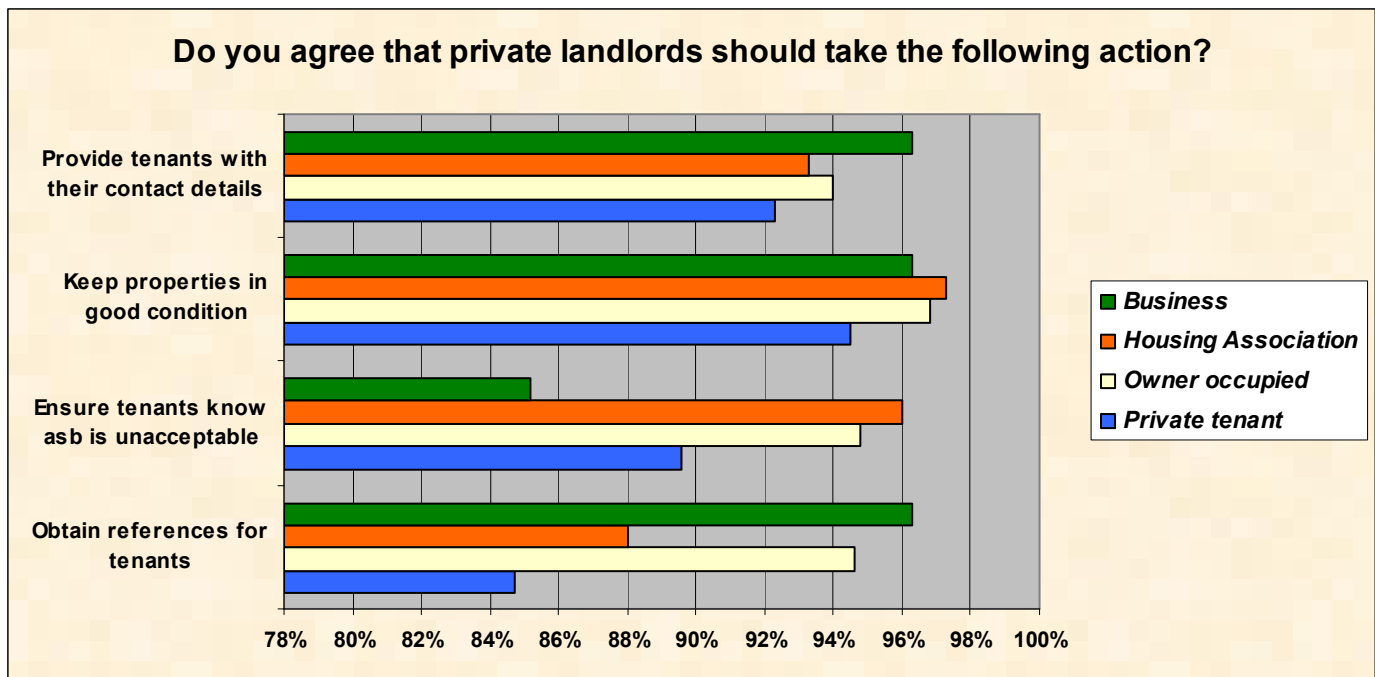
Table 6.	A lot	A little	Not much	very	Not at all	Don't know	No response
Private tenant	29.5%	16.9%	22.4%		14.2%	15.3%	1.6%
Owner occupied	39.6%	21.1%	12.8%		8.6%	15.5%	2.5%
Housing Association	30.7%	17.3%	12.0%		10.7%	26.7%	2.7%
Business	37.0%	11.1%	14.8%		25.9%	11.1%	0%
Inside	38.7%	18%	14.2%		9.7%	16.7%	2.5%
Outside	23.9%	26.9%	16.4%		9.7%	21.6%	1.5%
East Accrington	43.2%	17.9%	13.6%		7.7%	15.1%	2.3%
Springhill & Scaitcliffe	43.9%	17.4%	14.8%		9.0%	11.6%	2.6%
West Accrington & Church	29.7%	18.4%	14.7%		12.8%	21.8%	2.6%
Overall	35.6%	19.4%	14.5%		10.7%	16.8%	2.8%

- Respondents from Springhill & Scaitcliffe (43.9%), East Accrington (43.2%), Owner occupiers (39.6%) and residents from within the proposed designation area (38.7%) have the highest proportion of people who think private landlords make a negative contribution to their area.
- Over half (55%) of respondents stated private landlords made a lot (35.6%) / a little (19.4%) NEGATIVE contribution to the area.
- Respondents from West Accrington and Church with 12.8% is the area with the most that indicated private landlords do not make a negative contribution within their area.

Do you agree that private landlords should take the following actions?

Table 7.	Private tenant	Owner occupied	Housing Association	Business
Obtain references for tenants	84.7%	94.6%	88.0%	96.3%
Ensure tenants know antisocial behaviour is unacceptable	89.6%	94.8%	96.0%	85.2%
Keep properties in good condition	94.5%	96.8%	97.3%	96.3%
Provide tenants with their contact details	92.3%	94.0%	93.3%	96.3%

FIGURE 2



- Nearly all respondents indicated that they expect private landlords to manage their tenancies well.

Hyndburn Borough Council should intervene in areas suffering from low housing demand?

Table 8	Agree	Disagree	Don't know
Private tenant	72.1%	11.5%	12.6%
Owner occupied	83.7%	4.7%	10.4%
Housing Association	82.0%	0.7%	16.7%
Business	66.7%	22.2%	11.1%
Inside designation	79.8%	5.8%	12.5%
Outside	85.8%	6.7%	6.7%
Overall	80.3%	6.2%	11.8%
East Accrington	81.8%	4.0%	11.4%
Springhill & Scaitcliffe	80.6%	5.8%	11.6%
West Accrington & Church	76.7%	8.3%	14.7%

- Over four fifth of residents believe the Council should intervene in areas suffering from low housing demand.
- The Business sector was the highest proportion of respondents (22.2%) who disagree that the Council should intervene in areas suffering from low housing demand.

Selective Licensing can have a positive impact on private rented housing in an area?

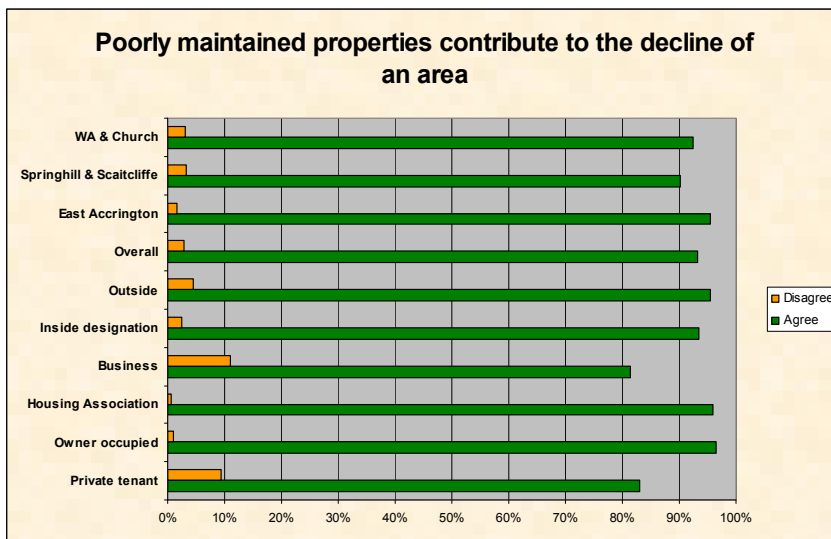
Table 9.	Agree	Disagree	Don't know
Private tenant	61.7%	24.6%	12.0%
Owner occupied	81.7%	8.2%	9.7%
Housing Association	77.3%	5.3%	17.3%
Business	55.6%	29.6%	14.8%
Inside designation	75.8%	11.8%	11.6%
Outside	79.1%	7.5%	13.4%
Overall	75.9%	11.9%	11.6%
East Accrington	78.7%	9.1%	11.6%
Springhill & Scaitcliffe	72.9%	11.6%	13.5%
West Accrington & Church	73.7%	15.4%	10.5%

- Three quarters of respondents believe Selective Licensing can have a positive impact on private rented housing in the area.
- Owner occupiers (81.7%) and East Accrington residents (78.7%) have the highest proportion who believes Selective Licensing can have a positive impact.
- Businesses (29.6%) and private tenants (24.6%) were the highest proportion of respondents who did not believe that selective licensing can have a positive impact on private rented housing.

Poorly maintained properties contribute to the decline of an area?

Table 10.	Agree	Disagree	Don't know
Private tenant	83.1%	9.3%	6.6%
Owner occupied	96.6%	1.0%	2.0%
Housing Association	96.0%	0.7%	2.0%
Business	81.5%	11.1%	7.4%
Inside designation	93.4%	2.5%	3.4%
Outside	95.5%	4.5%	0%
Overall	93.3%	2.9%	3.2%
East Accrington	95.5%	1.7%	2.3%
Springhill & Scaitcliffe	90.3%	3.2%	4.5%
West Accrington & Church	92.5%	3.0%	4.1%

FIGURE 3



- Figure 3 shows 93% of residents believe poorly maintained properties contribute to the decline of an area, with 11.1% of businesses being the largest portion disagreeing.

Ineffectively managed tenancies contribute to the decline of an area

Table 11.	Agree	Disagree	Don't know
Private tenant	76.5%	12.6%	8.7%
Owner occupied	90.6%	3.7%	5.2%
Housing Association	88.7%	2.0%	9.3%
Business	74.1%	18.5%	3.7%
Inside designation	86.2%	5.3%	7.8%
Outside	91.0%	6.7%	2.2%
Overall	86.7%	5.8%	6.5%
East Accrington	89.8%	3.4%	6.0%
Springhill & Scaitcliffe	85.2%	4.5%	9.7%
West Accrington & Church	82.0%	8.3%	9.0%

- Almost 87% of respondents believe ineffectively managed tenancies contribute to the decline of an area

Landlords have a responsibility to have satisfactory management arrangements, which will include obtaining references for prospective tenants

Table 12.	Agree	Disagree	Don't know
Private tenant	85.2%	5.5%	6.0%
Owner occupied	93.6%	2.9%	3.2%
Housing Association	92.0%	2.0%	5.3%
Business	88.9%	7.4%	3.7%
Inside designation	91.1%	3.6%	4.3%
Outside	94.0%	3.0%	3.0%
Overall	91.2%	3.8%	4.0%
East Accrington	91.5%	4.0%	3.4%
Springhill & Scaitcliffe	89.7%	3.2%	6.5%
West Accrington & Church	91.4%	3.4%	4.1%

- Over nine out of ten respondents believe landlords have a responsibility to have satisfactory management arrangements.

Selective Licensing will ensure that all privately rented properties are well maintained and managed

Table 13.	Agree	Disagree	Don't know
Private tenant	65.0%	25.1%	8.7%
Owner occupied	79.2%	9.4%	10.9%
Housing Association	88.0%	1.3%	8.7%
Business	55.6%	25.9%	14.8%
Inside designation	77.2%	11.5%	10.1%
Outside	77.6%	9.7%	12.7%
Overall	76.7%	12.1%	10.2%
East Accrington	78.4%	9.7%	10.2%
Springhill & Scaitcliffe	78.1%	12.3%	9.7%
West Accrington & Church	75.2%	13.5%	10.2%

- Three quarters (76.7%) of respondents across the consultation area believe Selective Licensing will ensure all privately rented properties are well maintained and managed.
- Private tenants were the group with the highest response rate (25.1%) who disagreed that selective licensing will ensure that all private rented properties are well maintained and managed.

Selective Licensing will help reduce anti-social behaviour problems

Table 14.	Agree	Disagree	Don't know
Private tenant	56.8%	25.7%	14.8%
Owner occupied	71.8%	11.6%	15.9%
Housing Association	77.3%	4.7%	17.3%
Business	48.1%	29.6%	22.2%
Inside designation	68.7%	13.8%	16.3%
Outside	72.4%	9.7%	17.9%
Overall	68.6%	14.0%	16.3%
East Accrington	70.7%	11.6%	16.2%
Springhill & Scaitcliffe	66.5%	16.8%	16.1%
West Accrington & Church	67.3%	15.0%	16.5%

- This question has received a mixed response.
- Just over two thirds (68.6%) of respondents believe selective licensing will help reduce anti-social behaviour.
- 25.7% of private tenants disagreed, indicating they did not believe selective licensing will reduce anti-social behaviour.

Selective Licensing will help make an area more attractive to potential renters, and so increase rental values and property prices

Table 15.	Agree	Disagree	Don't know
Private tenant	56.8%	26.2%	15.8%
Owner occupied	76.3%	10.9%	12.4%
Housing Association	76.7%	4.0%	18.0%
Business	51.9%	25.9%	18.5%
Inside designation	71.2%	13.3%	14.7%
Outside	77.6%	9.7%	12.7%
Overall	71.6%	13.7%	13.9%
East Accrington	72.7%	12.2%	14.2%
Springhill & Scaitcliffe	67.7%	12.9%	19.4%
West Accrington & Church	71.1%	15.0%	12.8%

- 71.6% of respondents believe selective licensing will help make an area more attractive to potential renters.
- 77% of residents outside the proposed designation area agreed that selective licensing will help make an area more attractive to potential renters.
- Of those who disagreed with this statement, the largest proportion came from private tenants (26.2%) and Businesses (25.9%).

Do you:

Table 16. Do you	Yes	No	Don't know
Think that licensing private landlords will improve your area	67.0%	15.5%	16.0%
Agree with the Council's proposal to introduce Selective Licensing	79.4%	12.7%	7.2%
Want Selective Licensing introduced in your area	73.2%	13.3%	10.6%
Feel other areas in Accrington and Church may benefit from Selective Licensing	44.4%	9.0%	35.3%
Think the proposed licence conditions are appropriate	63.5%	9.4%	14.6%

* Percentages are calculated by the total number of people who completed the survey

Do you by tenure:

Table 17.	Private tenants	Owner occupied	Housing Association	Business	Overall
Think that licensing private landlords will improve your area?	60.7%	70.8%	65.3%	55.6%	67.0%
Agree with the Council's proposal to introduce Selective Licensing	64.5%	84.7%	84.0%	59.3%	79.4%
Want Selective Licensing introduced in your area	59.0%	78.9%	74.7%	63.0%	73.2%
Feel other areas in Accrington and Church may benefit from Selective Licensing	35.0%	48.5%	41.3%	40.7%	44.4%
Think the proposed licence conditions are appropriate	51.9%	68.3%	64.0%	48.1%	63.5%

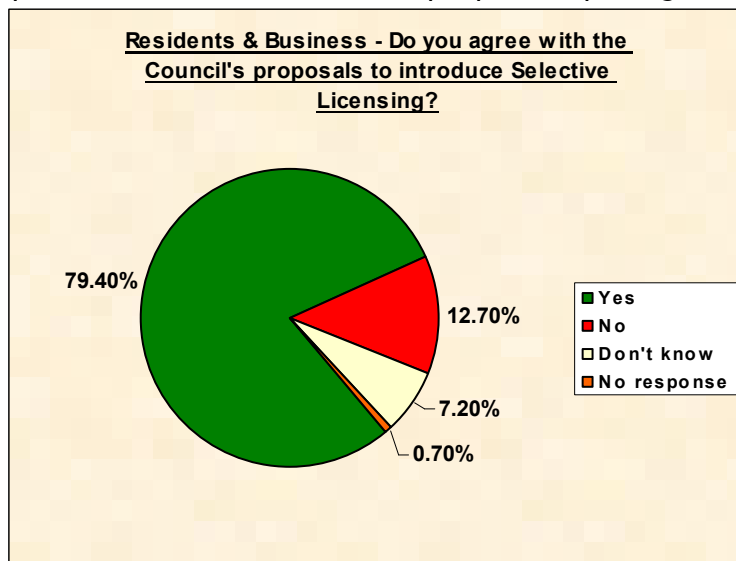
Do you by area:

Table 18.	Inside area	Outside designation	Overall	East Accrington	Springhill Scaitcliffe	West Accrington & Church
Think that licensing private landlords will improve your area?	68.2%	66.4%	67.0%	71.2%	65.8%	65.8%
Agree with the Council's proposal to introduce Selective Licensing	79.0%	85.1%	79.4%	82.8%	76.8%	75.6%
Want Selective Licensing introduced in your area	73.9%	72.4%	73.2%	78.2%	74.2%	68.0%
Feel other areas in Accrington and Church may benefit from Selective Licensing	43.6%	50.7%	44.4%	46.9%	31.6%	46.6%
Think the proposed licence conditions are appropriate	63.1%	73.1%	63.5%	64.4%	62.6%	61.3%

- Two thirds (67%) of respondents think that licensing private landlords will improve their area. This is highest with owner occupiers (70.8%), East Accrington residents (71.2%) and residents from within the proposed designation area (68.2%).
- Just under four fifth (79.4%) of respondents agree with Council’s proposal to introduce selective licensing. This is highest with residents from Outside the proposed designation area (85.1%), Owner occupiers (84.7%), Housing Association residents (84%) and East Accrington residents with 82.8%.
- Private tenants were least supportive of the proposal to introduce selective licensing at 64.5%, albeit the support remains high.
- 72.4% of respondents from outside the proposed licensing area want licensing within their area.
- 73% of residents want selective licensing introduced in their area. This is highest with East Accrington residents (78.2%), and Owner occupiers with 78.9%.
- 44% of residents feel other areas in Accrington and Church may benefit from Selective Licensing.
- 63.5% think the proposed licence conditions are appropriate.

FIGURE 4

The pie chart shows that 79.4% of people completing the Resident’s & Business survey agree with the

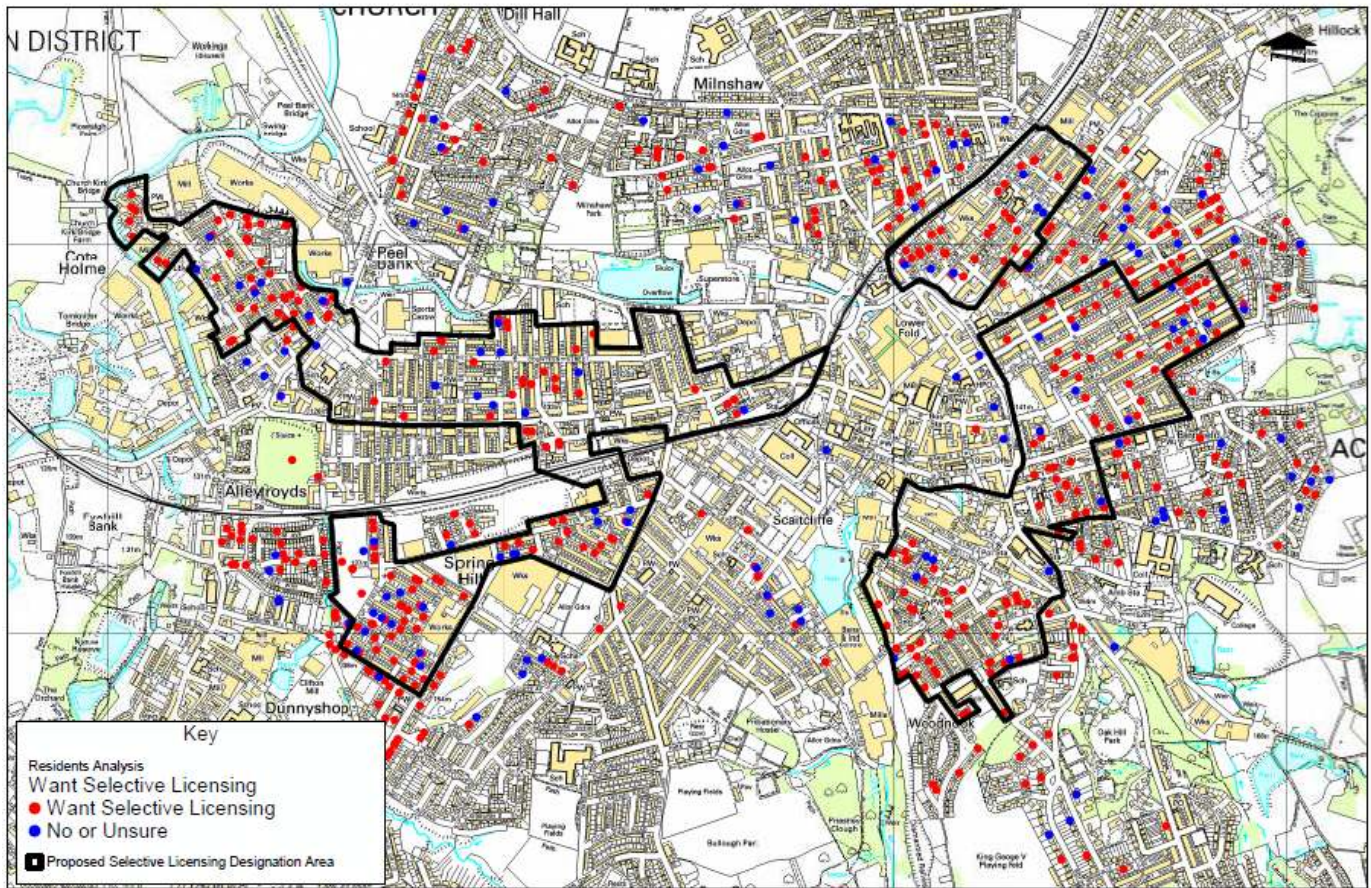


Council’s proposals to introduce selective licensing, with 12.7% saying ‘No’ they did not agree, 7.2% stating ‘Don’t know’ and just under 1% non completion of this question.

FIGURE 5

Title Do you want Selective Licensing introduced in your area?

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Scale 1:12193

Date 17 July 2012

Figure 5 shows the distribution of responses to the question, “Do you want selective licensing introduced in your area?” set against the proposed licensing area. These responses have been summarized on the map with red dots indicating they want selective licensing in their area, and blue dots either unsure, no response or saying No they don’t want selective licensing in their area.

The areas of Peel, Church Kirk and Spring Hill have the densest proportion of red spots indicating the strongest support for selective licensing.

Analysis and Findings

The Resident and Business Survey achieved a very good response rate of early 10% with 978 completed questionnaires returned. Of those returning questionnaires, 775 (79%) were from within the proposed designation area and 134 (13.7%) were from areas adjacent to the proposed designation area.

Of the forms returned 61% were from owner occupiers and the next largest response was from private tenants (19%). The area with the most responses was East Accrington (Peel and Barnfield) with 36% returning their questionnaires.

The purpose of the survey was to gauge resident and business views of their neighbourhood especially their perception of neighbourhood problems. The survey then explored problems associated with landlord activity and how private landlords may improve their service. The survey concluded by seeking resident and businesses' opinions on selective licensing and whether there is support for its introduction.

On the issues of neighbourhood problems, the biggest problems identified were rubbish dumping (51.3%), poor quality properties (47.1%), antisocial behaviour (44.5%), badly managed privately rented houses (44.8%) and empty properties (43.3%).

When comparing the neighbourhood problem responses, the problems experienced were significantly higher for respondents from within the proposed licensing area than for those outside the proposed licensing area.

A very significant number responding to the survey had experienced direct problems from private rented properties (46.2%). This issue is more likely if you live inside the proposed designation area (48.1%) than if you live outside the proposed designation area (36.6%). Over half (55%) of the respondents indicated that private landlords make a negative contribution to where they live or work. On the other hand, only 26% of the respondents indicated that private landlords make a positive contribution to the area.

Nearly all respondents (93%) indicated that poorly maintained properties contribute to the decline of an area, with over 86% of the respondents also indicating that ineffectively managed tenancies contribute to the decline of an area. Just over 91% of the respondents indicated that they believe landlords have a responsibility to have satisfactory management arrangements in place, which include obtaining references for prospective tenants.

Overall, four out of five respondents (80%) indicated that the Council should intervene more in the way that private landlords manage their properties. Not surprisingly nearly all the respondents (minimum 85%) indicated that they expect private landlords to manage their properties well in the areas, obtain references, address antisocial behaviour, maintain properties in good condition and provide tenants with their contact details.

Similarly, four out of five respondents (80%) indicated that the Council should intervene in areas suffering from low housing demand.

Over three quarters responding to the survey (76.7%) indicated that selective licensing will improve how rented properties are managed. Nearly four out of five respondents (79.4%) support the Council's proposal for selective licensing and nearly three quarters (73.2%) indicated that they want selective licensing in their area.

To summarise, the consultations identified neighbourhood problems associated with rubbish dumping, poorly maintained properties, antisocial behaviour, empty properties and badly managed privately rented houses. The survey findings make a close link between these issues and poor private landlord activity, especially the management of their accommodation. This conclusion is reinforced by some of the comments made by residents and businesses on their survey forms (see Appendix 1)

The survey responses indicate very strong support for the Council taking more control over the way that private landlords manage their properties (80%) with very strong support (almost 80%) for the introduction of selective licensing of private landlords.

LANDLORDS & MANAGING AGENTS SURVEY ANALYSIS

Introduction

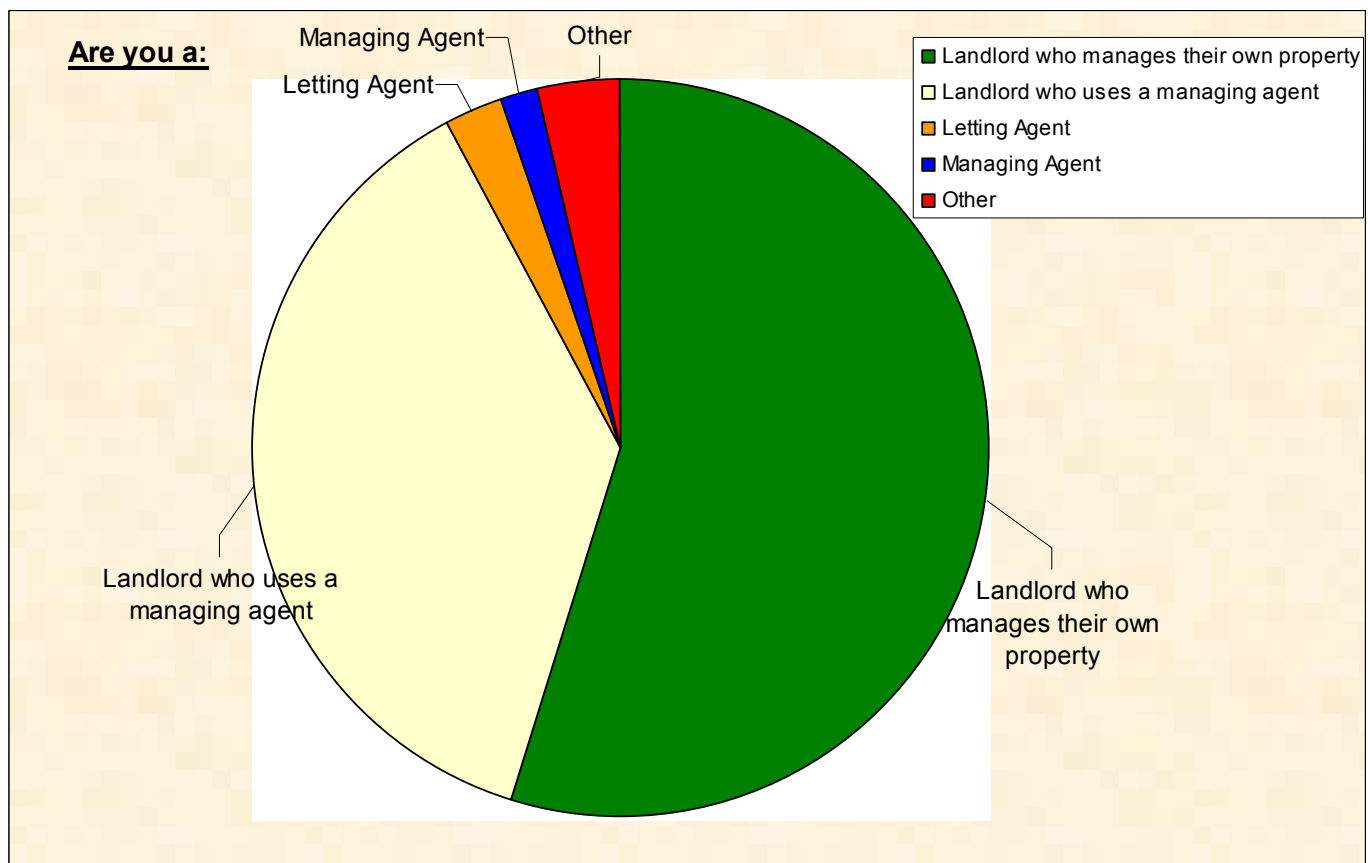
In January / February 2012 just over 3,000 Landlord & Managing Agents Selective Licensing questionnaires were posted out to all landlords that we are aware of who had properties across Hyndburn. Respondents were given 12 weeks to fill out their forms and send them back using a FREEPOST envelope. There were 324 completed returns and a number of blank returns indicating a response rate of just over 10%.

Over 85% (278) of responses had respondent details with 15% being anonymous. Just over a third (37.8%) of respondents who provided address details were from the Hyndburn area (105).

Are you a: (Number and proportion)

Landlord who manages their own property	-	176 (54.8%)
Landlord who uses a managing agent	-	120 (37.4%)
Letting Agent	-	8 (2.5%)
Managing Agent	-	5 (1.6%)
Other	-	12 (3.7%)

FIGURE 6



- Just over half of landlords manage their own properties.
- Just over a third of landlords use a letting agent.
- Only a small portion (4.1%) of respondents were a Letting or Managing Agent.

How many properties do you own / manage?

Table 19.	Number	%	Within proposed designation area					
			0	1	2 - 5	6 - 10	11 - 20	Don't know
1 property	138	42.6%	81	44	0	0	0	13
2 - 5 properties	93	28.7%	0	24	21	0	0	47
6 - 10 properties	24	7.4%	0	6	4	2	0	12
11 - 20 properties	23	7.1%	0	9	2	3	0	9
21 - 50 properties	16	4.9%	0	5	5	0	1	5
51 - 100 properties	6	1.9%	0	1	1	0	0	4
Over 100 properties	6	1.9%	0	0	0	1	0	5
Not specified	18	5.5%						

- 42.6% (138) respondents own or manage just 1 property, of which 58.7% (81) have no properties within the proposed designation area.
- Nearly 20% (63) of respondents owned or managed a portfolio of properties between 6 and 50 in number. Of those 37 (58.7%) have properties within the proposed designation area.
- Nearly 4% of respondents own or manage a large portfolio of properties, i.e. over 50.
- Landlords / managing agents who own or manage over 100 properties only one has properties within the designation area (6 to 10 properties).

How many of these properties are in Hyndburn?

1 property	-	184	(56.8%)
2 - 5 properties	-	89	(27.5%)
6 - 10 properties	-	23	(7.1%)
11 - 20 properties	-	9	(2.8%)
21 - 50 properties	-	1	(0.3%)
51 - 100 properties	-	1	(0.3%)
Over 100	-	2	(0.6%)
Not specified	-	15	(4.6%)

- 57% of respondents only had 1 property in Hyndburn
- 35% of respondents had between 2-10 properties in Hyndburn
- Only 4% of respondents had over 10 properties in Hyndburn

How many of these properties are within the proposed designation area?

No properties	-	143	(44.1%)
1 property	-	92	(28.4%)
2 - 5 properties	-	35	(10.8%)
6 - 10 properties	-	6	(1.9%)
11 - 20 properties	-	2	(0.6%)
Not specified	-	46	(14.2%)

- 44% of respondents stated they had no properties in the proposed designation area.
- 42% of respondents (135) owned or managed properties within the proposed designation area.
- Of the 42%, 28.6% owned just 1 property.

How many of these properties are within proposed designation area broken down by type of manager / ownership

Table 20.	Landlord who manages their own property	Landlord who uses a managing agent	Letting Agent	Managing Agent	Other	Total
No properties	79 (44.9%)	54 (45.0%)	1 (12.5%)	3 (60%)	6 (40%)	143 (44.1%)
1 property	40 (22.7%)	44 (36.7%)	1 (12.5%)	1 (20%)	6 (40%)	92 (28.4%)
2 - 5 properties	23 (13.1%)	10 (8.3%)	1 (12.5%)	1 (20%)	0	35 (10.8%)
6 - 10 properties	4 (2.3%)	2 (1.7%)	0	0	0	6 (1.9%)
11 - 20 properties	1 (0.6%)	1 (0.8%)	0	0	0	2 (0.6%)
Not specified	29 (16.5%)	9 (7.5%)	5 (62.5%)	0	3 (20%)	46 (14.2%)
Total	176	120	8	5	15	324

- The table above breaks down the number of properties within the designation area by the type of management. As can be seen 44.1% of respondents don't have any properties within the proposed designation area.
- There was only a few (13) responses from letting and managing agents. Of those only four specified they had properties within the proposed designation area.
- The largest response came from landlords who manage their own properties. Of those 44.9% had no properties within the proposed designation area, with 22.7% having just one property.

Are you a member of a Landlords / Letting Agents Association: (Number and proportions)

Yes	61	(18.8%)
No	248	(76.5%)
• Hyndburn Landlords Association	(23)	(7.1%)
• RLA	(17)	(5.2%)
• NLA	(11)	(3.4%)

- Just under a fifth of all respondents stated they were a part of a Landlords / Letting Agent Association with 7.1% stating they were a part of the Hyndburn Landlords Association.

- Only 9% are a Member of a “registered” landlord association.

Have you ever attended a Hyndburn Council Landlord Forum: (Number and proportions)

Yes 38 (11.7%)

Do the areas where you own or manage property have any of the following problems?

Table 21. Tenure	Yes (Number)	Yes (%)
Empty properties	61	18.8%
Nuisance and anti-social behaviour	37	11.4%
Poor quality properties	45	13.9%
High turnover of private rented tenants	29	9.0%
Poor perception of private landlords	26	8.0%
Badly managed privately rented houses	32	9.9%
Rubbish dumping	47	14.5%
Low house prices	56	17.3%
Low rent levels	53	16.4%
People not wanting to stay in the area	33	10.2%

- Over three quarters of respondents did not complete this question on the questionnaire with a large number stating non applicable.
- Empty properties (18.8%), low house prices (17.3%) and low rent levels (16.4%) were the biggest problems identified.

Have you had problems with any of the following?

Table 22.	Yes
Difficulty finding tenants	35 (10.8%)
Problems getting references from potential tenants	31 (9.6%)
Tenants behaving anti-socially	33 (10.2%)
Tenants being victims of anti-social behaviour	23 (7.1%)
Problems in other properties affecting your property / tenants	27 (8.3%)
Problems evicting tenants	33 (10.2%)

- Similar to the previous question, this question was completed by only 10% of those who replied to the questionnaire.
- The most common response from those replying was ‘*Difficulty finding tenants*’ (10.8%) *tenants behaving anti-socially* (10.2%) and problems evicting tenants (10.2%)’.

What do you think about the following statements?

Table 23.	Agree	Disagree	Don't know
Hyndburn Borough Council should intervene in areas suffering from low housing demand	45.1%	28.3%	26.3%
Selective Licensing can have a positive impact on private rented housing in an area	20.8%	54.6%	24.6%
Poorly maintained properties contribute to the decline of an area	84.9%	7.5%	7.5%
Ineffectively managed tenancies contribute to the decline of an area	64.0%	20.5%	15.5%
Landlords have a responsibility to have satisfactory management arrangements, which will include obtaining references for prospective tenants	82.0%	12.3%	5.7%
Selective Licensing will ensure that all privately rented properties are well maintained and managed	23.3%	54.9%	21.8%
Selective Licensing will help reduce anti-social behaviour problems	14.6%	64.4%	21.0%
Landlords currently have problems getting accurate and honest references for prospective tenants	24.7%	41.8%	33.5%
Selective Licensing will help make an area more attractive to potential renters, and so increase rental values and property prices	20.1%	52.9%	27.1%

- 45.1% of respondents stated the Council should intervene in areas suffering from low housing demand.
- Over four fifth (84.9%) of respondents agreed with the statement poorly maintained properties contribute to the decline of an area.
- 64% of respondents agreed that ineffectively managed tenancies contribute to the decline of an area.
- 82% of respondents stated landlords have a responsibility to have satisfactory management arrangements.
- Over half of respondents disagreed with the statement selective licensing will ensure all privately rented properties are well maintained and managed.
- 64% of respondents don't think selective licensing will help reduce anti-social behaviour problems.
- Over 20% of respondents believe selective licensing will help make an area more attractive to potential renters, and so increase rental values and property prices, whilst over a half disagree.

Tables 24 - 32 analyse the question 'What do you think about the following statements' (see Table 21 above) in more detail as follows:-

- Landlords managing their own residential premises
- Landlords using a Managing Agent
- Letting Agent
- Managing Agents
- Other

Table 24. HBC should intervene in areas suffering from low housing demand

HBC should intervene in areas suffering from low housing demand	Are you a										
	Not specified	Landlord who manages their own property	%	Landlord who uses a managing agent	%	Letting Agent	%	Managing Agent	%	Other	Total
Agree	1	74	42.0%	52	43.3%	5	62.5%	4	80.0%	6	142
Disagree	0	52	29.5%	31	25.8%	1	12.5%	0	0.0%	5	89
Don't know	0	46	26.1%	33	27.5%	2	25.0%	1	20.0%	1	83
No response	2	4	2.3%	4	3.3%	0	0.0%	0	0.0%	0	9
Total	3	176		120		8		5		12	324

- Overall 45.1% of respondents stated HBC should intervene in areas suffering from low housing demand. Letting / Managing agents held the strongest opinion that the Council should intervene (62.5% and 80% respectively). The largest number of responses came from Landlords who manage their own properties and 42% agreed, with 29.5% disagreeing.

Table 25. Selective Licensing can have a positive impact on private rented housing in an area

Selective Licensing can have positive impact	Are you a										
	Not specified	Landlord who manages their own property	%	Landlord who uses a managing agent	%	Letting Agent	%	Managing Agent	%	Other	Total
Agree	0	33	18.8%	26	21.7%	3	37.5%	2	40.0%	2	66
Disagree	1	95	54.0%	64	53.3%	4	50.0%	2	40.0%	5	171
Don't know	0	45	25.6%	26	21.7%	1	12.5%	1	20.0%	5	78
No response	2	3	1.7%	4	3.3%	0	0.0%	0	0.0%	0	7
Total	3	176		120		8		5		12	324

- Overall (54.6%) of respondents did not agree that selective licensing can have a positive impact in an area.
- When broken down, the results are very similar with the exception of Managing Agents where 40% indicated that they agreed selective licensing could have a positive impact.

Table 26. Poorly maintained properties contribute to the decline of an area

		Are you a										Total
		Not specified	Landlord who manages their own property	%	Landlord who uses a managing agent	%	Letting Agent	%	Managing Agent	%	Other	
Poorly maintained properties decline an area	Agree	1	147	83.5%	98	81.7%	7	87.5%	5	100.0%	11	269
	Disagree	0	13	7.4%	8	6.7%	1	12.5%	0	0.0%	1	23
	Don't know	0	12	6.8%	12	10.0%	0	0.0%	0	0.0%	0	24
	No response	2	4	2.3%	2	1.7%	0	0.0%	0	0.0%	0	6
Total		3	176		120		8		5		12	324

- Almost 85% of the respondents agreed with this statement.
- Letting agents and managing agents had the highest proportion of respondents agreeing with the statement 'Poorly maintained properties contribute to the decline of an area' with 87.5% and 100% respectively.

Table 27. Ineffectively managed tenancies contribute to the decline of an area

		Are you a										Total
		Not specified	Landlord who manages their own property	%	Landlord who uses a managing agent	%	Letting Agent	%	Managing Agent	%	Other	
Ineffectively managed tenancies contribute	Agree	0	108	61.4%	78	65.0%	5	62.5%	5	100.0%	7	203
	Disagree	1	37	21.0%	22	18.3%	2	25.0%	0	0.0%	3	65
	Don't know	0	28	15.9%	18	15.0%	1	12.5%	0	0.0%	2	49
	No response	2	3	1.7%	2	1.7%	0	0.0%	0	0.0%	0	7
Total		3	176		120		8		5		12	324

- Overall 64% of respondents stated ineffectively managed tenancies contribute to the decline of an area. This was highest with landlords who use a managing agent 65% and managing agents (100%).

Table 28. Landlords have a responsibility to have satisfactory management arrangements, which will include obtaining references for prospective tenants

Landlords have responsibility to have management arrangements	Are you a										Total
	Not specified	Landlord who manages their own property	%	Landlord who uses a managing agent	%	Letting Agent	%	Managing Agent	%	Other	
Agree	0	131	74.4%	108	90.0%	7	87.5%	5	100.0%	8	259
Disagree	1	26	14.8%	10	8.3%	1	12.5%	0	0.0%	1	39
Don't know	0	14	8.0%	1	0.8%	0	0.0%	0	0.0%	3	18
No response	2	5	2.8%	1	0.8%	0	0.0%	0	0.0%	0	7
Total	3	176		120		8		5		12	324

- Overall 82% agreed with the statement ‘Landlords have a responsibility to have satisfactory management arrangements, which include obtaining references for prospective tenants’.
- 12% of respondents did not agree of which 26 (14.8%) landlords did not agree.

Table 29. Selective Licensing will ensure that all privately rented properties are well maintained and managed

Selective licensing well maintained and managed	Are you a										Total
	Not specified	Landlord who manages their own property	%	Landlord who uses a managing agent	%	Letting Agent	%	Managing Agent	%	Other	
Agree	0	40	22.7%	27	22.5%	4	50.0%	1	20.0%	2	74
Disagree	1	96	54.5%	65	54.2%	4	50.0%	3	60.0%	5	174
Don't know	0	37	21.0%	26	21.7%	0	0.0%	1	20.0%	5	69
No response	2	3	1.7%	2	1.7%	0	0.0%	0	0.0%	0	7
Total	3	176		120		8		5		12	324

- Overall 23.3% of respondents did not agree with this statement.
- 50% of Letting Agents agreed with the statement, whilst 50% disagreed.
- There was strong disagreement from landlords managing their own properties (54.5%) and landlords using an Agent (54.2%).

Table 30. Selective Licensing will help reduce anti-social behaviour problems

Selective licensing reduce antisocial behaviour	Are you a										Total
	Not specified	Landlord who manages their own property	%	Landlord who uses a managing agent	%	Letting Agent	%	Managing Agent	%	Other	
Agree	0	26	14.8%	14	11.7%	3	37.5%	1	20.0%	2	46
Disagree	1	111	63.1%	76	63.3%	5	62.5%	3	60.0%	7	203
Don't know	0	35	19.9%	27	22.5%	0	0.0%	1	20.0%	3	66
No response	2	4	2.3%	3	2.5%	0	0.0%	0	0.0%	0	9
Total	3	176		120		8		5		12	324

- 64% of respondents did not think selective licensing will help reduce anti-social behaviour problems.
- The proportion of respondents who disagree with the statement is similar across landlords and agents. Whilst more letting agents proportionally (37.5%) agree with the statement in comparison with Landlords (63.1% disagreed) and managing agents (60% disagreed).

Table 31. Landlords currently have problems getting accurate and honest references for prospective tenants

Landlords currently have problems getting accurate references	Are you a										Total
	Not specified	Landlord who manages their own property	%	Landlord who uses a managing agent	%	Letting Agent	%	Managing Agent	%	Other	
Agree	0	44	25.0%	23	19.2%	3	37.5%	2	40.0%	6	78
Disagree	0	73	41.5%	52	43.3%	4	50.0%	0	0.0%	3	132
Don't know	1	56	31.8%	44	36.7%	0	0.0%	3	60.0%	2	106
No response	2	3	1.7%	1	0.8%	1	12.5%	0	0.0%	1	8
Total	3	176		120		8		5		12	324

- Over a third of respondents gave the response ‘Don’t Know’ to the statement ‘*Selective Licensing will ensure that all privately rented properties are well maintained and managed*’.
- The largest proportional who disagreed came from letting agents with 50%, whilst no managing agents disagreed with the statement and 60% indicated they ‘Don’t know’.
- Again similar responses from both the landlords who manage their own properties (with 41.5% disagreeing) and those who have managing agents (43.3% disagreeing).

Table 32. Selective Licensing will help make an area more attractive to potential renters, and so increase rental values and property prices

Selective licensing could make area more attractive	Are you a										Total
	Not specified	Landlord who manages their own property	%	Landlord who uses a managing agent	%	Letting Agent	%	Managing Agent	%	Other	
Agree	0	31	17.6%	26	21.7%	3	37.5%	0	0.0%	3	63
Disagree	1	90	51.1%	63	52.5%	5	62.5%	2	40.0%	4	165
Don't know	0	48	27.3%	29	24.2%	0	0.0%	2	40.0%	5	84
No response	2	7	4.0%	2	1.7%	0	0.0%	1	20.0%	0	10
Total	3	176		120		8		5		12	324

- Over 20% of respondents believe Selective Licensing will help make an area more attractive to potential renters, and so increase rental values and property prices, whilst over a half disagree (52.9%). Letting Agents with 37.5% were the highest in agreement. However, they also were the highest in disagreement with 62.5%

Do you agree with the Council’s proposals to introduce Selective Licensing?

- 15.9% of respondents agree with the Council’s proposal to introduce Selective Licensing, with 16.6% stating they don’t know, whilst two thirds (67.2%) stated they disagreed. If this question is analysed by those people who have just one property (not just in the proposed designation area) the proportion of ‘No’ responses drops down to 61%, and the Don’t knows and Yes rise to 21.7%, and 17.4% respectively.

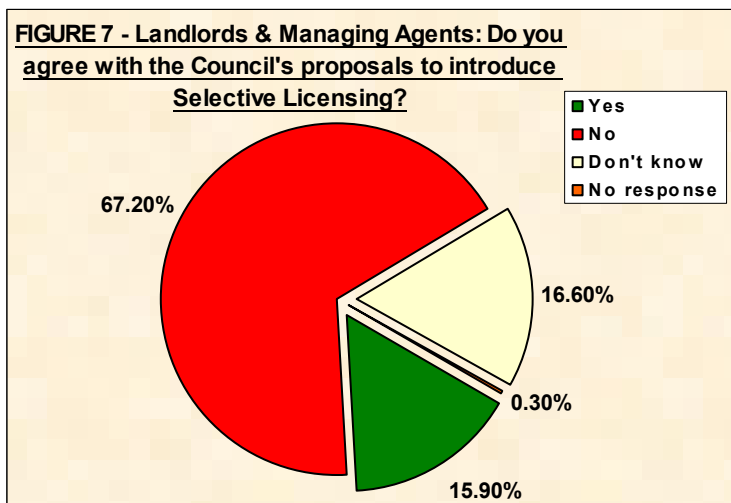


Table 33. Do you agree with the Council's proposals to introduce Selective Licensing	Yes	No	Don't know
Do you agree with the Council's proposals to introduce Selective Licensing	51 (15.9%)	215 (67.2%)	53 (16.6%)
Do you feel other areas in Accrington and Church may benefit from Selective Licensing	26 (8.3%)	180 (57.3%)	108 (34.4%)
Do you think the proposed licence conditions are appropriate	39 (12.5%)	190 (60.9%)	83 (26.6%)

- Over half of respondents (57%) stated they felt other areas besides the proposed parts of Accrington and Church would benefit from selective licensing.
- 12.5% of respondents agreed with the proposed licence conditions, whilst 61% stated No, and over a quarter said they don't know.

Table 34. Do you agree with Council's proposals to introduce Selective Licensing

		<i>How many of these properties are within the proposed designation</i>						
		0 properties	1 property	2-5 properties	6-10 properties	11-20 properties	Not specified	Total
	Yes	33 (23.1%)	7 (7.6%)	7 (20.0%)	1 (16.7%)	0	4 (8.7%)	52
	No	80 (55.9%)	68 (73.9%)	26 (74.3%)	4 (66.7%)	1 (50.0%)	36 (78.2%)	215
	Don't know	30 (21.0%)	17 (18.5%)	2 (5.7%)	1 (16.7%)	0	3 (6.5%)	53
	Not specified	0	0	0	0	1 (50.0%)	3 (6.5%)	4
Total		143	92	35	6	2	46	324

- There was more support (23.1%) from landlords and agents with no properties within the proposed designation area for the introduction of selective licensing.
- The largest proportion of respondents who disagreed came from those who only had 1 property within the proposed designation area (93.9%).

Analysis and Findings

The Council invited all known landlords and managing agents with properties within the Borough to respond to the Council's proposal for the introduction of selective licensing. The Survey achieved a good response rate of just over 10%.

Of those returning a questionnaire 55% were from landlords who manage their own properties, with just over 37% from landlords who use a managing agent.

Nearly half of the respondents (42.6%) own or manage only 1 property, with nearly half of the respondents (44.1%) not owning or managing any properties within the proposed licensing area.

Under 20% of the landlords/agents are members of a landlord/agent association, with only 9% members of an accredited body i.e. Residential Landlords Association or National Landlords Association. Only 7.1% (23) indicated that they were members of Hyndburn Landlords.

Many landlords/agents (over 75%) indicated they had no problems in the areas where they have properties or problems related to tenancy management. In the circumstances, it is difficult to draw conclusions on these issues but of those who did answer empty properties (18.8%), low house prices (17.3%) and low rent levels (16.4%) were the biggest issues. In terms of tenancy management, difficulty finding tenants (10.8%), antisocial behaviour (10.2%) and eviction (10.2%) were the most problematic areas.

There was a large consensus (82%) that landlords should have satisfactory management arrangements, and support for the view that ineffective management of tenancies contribute to the decline of an area (64%). Almost 85% of landlords/agents agreed that poorly maintained properties contribute to the decline of an area.

Whilst nearly half (45.1%) of the landlords/agents agreed that the Council should intervene in areas suffering from low housing demand, just over half (54.6%) did not believe that selective licensing can have a positive impact on private rented housing in an area. Likewise, there was no support for the view that selective licensing could improve the management and maintenance of private rented properties with 54.9% disagreeing.

Two thirds (67.2%) of landlords/agents stated that they did not agree with the Council's proposals to introduce selective licensing of private landlords and 52.9% disagreed that selective licensing will help make an area more attractive to potential renters and so increase rental values and property prices.

To summarise, many of the responses came from landlords with small to medium size portfolios, with over 40% owning or managing just one residential dwelling. A large number of respondents did not own/manage properties in the proposed designation area.

There was very strong support for the view that poorly maintained properties contribute to the decline of an area (84.9%) and also very strong support for the view that landlords have a responsibility to have satisfactory management arrangements.

Whilst there was some support for the Council intervening in areas of low housing demand, (45.1%), however, there was strong opposition to the Council's selective licensing proposal (67.2%).

STAKEHOLDERS SURVEY

Only 8 out of the 90 stakeholders surveys were returned, plus two written responses without the survey. Respondents included Hyndburn Landlords, the Residential Landlords Association, the North West Landlords Association and the National Private Tenants Organisation. Hyndburn Landlords and the Residential Landlords Association provided detailed responses to the Council's proposal which can be viewed along with the Council's responses on the Council's web site via the following link:- <http://www.hyndburnbc.gov.uk/selectivelicensing>

We had 8 completed questionnaires and their responses are as follows:

Do you think the proposed area has problems with any of the following? (tick all that apply)

Out of possible 8:

Empty Properties	6
Badly managed privately rented houses	6
Nuisance and anti-social behaviour	7
Rubbish dumping	6
Poor quality properties	7
Low house prices	7
High turnover of private rented tenants	4
Low rent levels	2
Poor perception of private landlords	5
People not wanting to stay in the area	5

Do you think the Council should have more control over the way that private landlords manage their properties?

Out of possible 8:

Yes	8
No	0
Don't know	0

To what extent do you think private landlords make a positive contribution to an area?

Out of possible 8:

A lot	1
A little	5
Not very much	1
Not at all	1
Don't know	0

To what extent do you think private landlords make a negative contribution to an area?

Out of possible 8:

A lot	4
A little	4
Not very much	0
Not at all	0
Don't know	0

Do you agree that private landlords should take the following actions? (Out of a possible 8)

	Yes	No	Don't know
Obtain references for tenants	8	0	0
Ensure tenants know anti-social behaviour is unacceptable	8	0	0
Keep properties in good condition	8	0	0
Provide tenants with their contact details	8	0	0

What do you think about the following statements? (Out of a possible 8)

Table 35.	Agree	Disagree	Don't know
Hyndburn Borough Council should intervene in areas suffering from low housing demand	7	1	0
Selective Licensing can have a positive impact on private rented housing in an area	7	1	0
Poorly maintained properties contribute to the decline of an area	8	0	0
Ineffectively managed tenancies contribute to the decline of an area	8	0	0
Landlords have a responsibility to have satisfactory management arrangements, which will include obtaining references for prospective tenants	8	0	0
Selective Licensing will ensure that all privately rented properties are well maintained and managed	5	2	1
Selective Licensing will help reduce anti-social behaviour problems	6	0	2

Selective Licensing will help make an area more attractive to potential renters, and so increase rental values and property prices	6	1	1
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Do you:

Table 36.	Yes	No	Don't know
Do you think that licensing private landlords will improve the area?	7	1	0
Do you agree with the Council's proposals to introduce Selective Licensing?	6	1	1
Do you feel other areas in Accrington and Church may benefit from Selective Licensing?	3	1	4
Do you think the proposed licence conditions are appropriate?	7	0	1

With only 8 completed questionnaires, it is difficult to draw any meaningful conclusions however the majority of stakeholders' responses supported the Council's proposals to introduce selective licensing. Detailed and lengthy submissions were received from Hyndburn Landlords and the Residential Landlords Association (RLA). These can be viewed in full together with the Council's response by following the link to the Council's website, or copies can be made available on request.

<http://www.hyndburnbc.gov.uk/selectivelicensing>

Hyndburn Landlords indicate that the draft Designation Proposal is 'generally flawed'. In particular, their submission challenges the Council's methodology and criteria for determining areas of low housing demand and conclude by submitting forward an alternative proposal.

Within their alternative proposal they indicate they are supportive of the 'principle of selective licensing', but believe the Council's scheme is 'still too large to be effective'. Therefore their alternative Proposal suggests a phased introduction as follows:-

- Phase 1 - Springhill and Woodnook
- Phase 2 - Lower Peel (town centre side of Washington Street/Sydney Street/Arnold Street)
- Phase 3 - West Accrington and Church

Their main area of concern is the Peel area and they indicate that they believe the following are not in low housing demand and should be removed from the proposed designation:-

Avenue Parade, Stanley Street, Bold Street, Spencer Street, Hodder Street, Bradford Street, Water Street, Oswald Street, Washington Street, Mansion Street South, Robert Street, William Street, Annie Street.

The RLA submission supports the representation made by Hyndburn Landlords. They also express concern with the proposed size of the scheme and also make the following observations:-

- Concern with the Council's evidence base for low housing demand and areas selected as comparable areas is not in accordance with the legislation;
- Concern with the fee levels;
- Accuse the Council of 'social engineering', and argue that concentrations of private rented housing is not a bad thing;
- That the Council should give more consideration to alternatives including an Accreditation Scheme, especially as an alternative and/or exit strategy from selective licensing;
- That the Council has not set any clear targets or monitoring arrangements for the proposed Scheme;
- There needs to be more transparency of the proposed scheme's costings;
- Explain the difficulties for private landlords in dealing with antisocial behaviour
- The scheme should give greater consideration to the risks associated with displacement of landlords and tenants
- The scheme has a 'red lining' impact which denigrates part of the Borough especially in terms of mortgage lending;
- The scheme should not be used for dealing with matters that should be dealt with under the Housing Health and Safety Rating System (HHSRS);
- There is an opportunity to improve management standards through better 'education' of landlords and this should be considered as a licence condition;
- Licence fees and licence conditions have a cost implication for landlords;
- CRB checks are an added burden and can be addressed via self declaration;
- Licence conditions should not be imposed in a blanket way
- There should be greater clarity on how selective licensing will support the Council's regeneration activity;
- The Council make very general statements in relation to improving private landlord management standards;
- Propose some detailed adjustments to the licence conditions and point out some may be ultra vires.

The Council has met with Hyndburn Landlords' representatives on numerous occasions during the consultation period, and continues to do so. The dialogue has been open and constructive. Most of the discussions have centred on the interpretation of low housing demand.

In the Council's opinion, we have developed ongoing constructive dialogue with Hyndburn Landlords and achieved the following consensus in relation to defining low housing demand for the purposes of selective licensing:-

- The criteria for deciding if an area is suffering from, or is likely to become, an area of low housing demand (with possibly the exception of the private rented sector indicator, albeit analysis of this indicator shows that it has only a minimum impact on the outcome);
- The data set, data sources, timescales and values to be considered for low housing demand purposes;
- Possible areas of low housing demand and appropriate areas for comparison;

What we have not been able to agree upon is the point at which low demand occurs (the threshold), which is not helped by the legislation or guidance which fails to be specific on this point.

In the circumstances the Council has adopted an evidence backed, open and transparent approach, and the outcome of which has been endorsed by an independent piece of research on low housing demand in the Borough by consultants Arc⁴. This research can be found via the following link:-

<http://www.hyndburnbc.gov.uk/selectivelicensing>

At the time of concluding this Consultation report, two areas of Peel remain in dispute with Hyndburn Landlords; otherwise we appear to have achieved a consensus on the remaining areas. The two Peel areas that remain in dispute are:-

Peel - Burnley Road (Addison Street up)	Peel - Clarendon Street
Addison Street	Water Street (part, no's 80 - 148 evens)
Arago Street	Avenue Parade (part, no's 72 - 146 evens, 69 - 133 odds)
Foster Street	Stanley Street (part, no's 64 - 116 evens, 93 - 167 odds)
Penny House Lane (part, odds)	Bold Street (part, no's 60 - 114 evens, 31 - 79 odds)
Annie Street	Oswald Street (part, no's 12 - 74 evens, 43 - 103 odds)
William Street	Cedar Street (part, no's 44 - 104 evens, 19 - 69 odds)
Robert Street	Bradford Street
Dowry Street (part, no's 120 - 146 evens)	Pembroke Street
Burnley Road (part, no's 115 - 187 odds)	Clarendon Street (part, no's 1- 25 odds)
	Washington Street (part, evens)
	Plantation Street (part, no's 85 - 119 odds)
	Mansion Street South
	Bertha Street
	Cambridge Street (number 12)

The Council has welcomed the constructive dialogue with Hyndburn Landlords, but is left with the 'challenge' of balancing the views of all stakeholders and therefore it may be impossible to achieve absolute agreement with Hyndburn Landlords. However, we remain committed to trying to achieve a consensus but this is a matter that the Council's Cabinet may need to take into account when considering a revised proposal.

REPRESENTATION AND POSSIBLE CHANGES TO THE PROPOSED SELECTIVE LICENSING DESIGNATION

This section sets out the submissions and representations that the Council has received since the consultation on the proposed designation was announced on the 11th January 2012 and identifies the possible changes that will need to be considered in a revised designation.

Detailed and lengthy submissions were received from Hyndburn Landlords and the Residential Landlords Association (RLA). Both support selective licensing in principle but feel the proposed designation is too large.

The following considers key issues raised in the consultation responses in more detail and therefore sets out the issues that the Council's Cabinet will need to consider together with possible adjustments that could address concerns raised by various stakeholders before deciding whether to proceed with selective licensing and on what basis.

Low Housing Demand

Background

The legislation states that a local housing authority can designate all or part of its district for selective licensing where there is evidence that the area is experiencing low housing demand (or is likely to become such an area).

When deciding if an area is suffering from, or likely to become, an area of low housing demand, the legislation requires local authorities to consider the following factors:-

- The value of residential premises in the area, in comparison to the value of similar premises in other areas which the authority considers to be comparable (whether in terms of type of housing, local amenities, availability of transport);
- The turnover of occupiers of residential premises;
- The number of residential premises which are available to buy or rent, and the length of time for which they remain unoccupied.

The 'Approval Steps for Additional Selective Licensing Designations in England' identifies a second list of factors that a local authority may bear in mind when considering low demand:-

- A lack of mixed communities in terms of tenure, for example, a high proportion of rented property, low proportion of owner occupied properties;
- A lack of local facilities, for example, shops closing down;
- The impact of the rented sector on the local community, for example, poor property condition, anti-social behaviour;
- Criminal activity.

The 'Approval Steps for Additional Selective Licensing Designations in England' publication stresses the list is not exhaustive characteristics of an area in low demand, neither are the factors mutually exclusive.

In determining low housing demand the Council in its Draft Designation Proposal considered the following data sets:-

Tenure

- Tenure Breakdown (Not ranked)
- Proportion of Private Rented Households (Ranked)

Value of Residential Premises

- Property Prices - Median (Not ranked)
- Lower Quartile Property Prices (Ranked)

Turnover

- Residential properties to buy (Ranked)
- Turnover - average sales over the past 3 years (Ranked)

Vacants

- Vacant levels - proportion of properties vacant for over 6 months (Ranked)
- Private Rented Sector - Time on the market (Ranked)
- For Sale Properties - Time on the market (Ranked)

Using the above data sets and ranking firstly at Ward level and then at LSOA level the Council identified areas of low housing demand within Hyndburn. When ranking the areas of the borough the Council also compared each indicator against the comparison area of Milnshaw which we believe to be similar in make up to the areas of low housing demand. From there we had to determine the proposed selective licensing boundary and in order to do this we first removed areas where the Council felt there was insufficient complementary activity to support selective licensing and then we combined the LSOAs with local knowledge of the area to identify the neighbourhoods to be included within the proposals. These neighbourhoods identified formed the proposed selective licensing area and all measured worse than Milnshaw with respect to the low demand indicators considered.

The draft Designation Proposal identified for selective licensing purposes neighbourhoods within the Wards of Barnfield, Central, Springhill, Church and Peel.

Submissions Received

Representations made by Hyndburn Landlords supported by the Residential Landlords Association (RLA) strongly criticised the Council's statistical approach saying it was seriously flawed and they did not agree all areas within the proposals suffered from low demand housing, in particular, they indicated that parts of Peel should not be included within the proposed designation. Hyndburn Landlord's submission (which can be made available on request) put forward their proposal as to the areas they believe the Council should include and exclude from the Selective Licensing boundary. Several other responses were received stating that the area chosen goes well beyond areas of actual low demand and that some parts within the proposals are ok. Another significant response received was from a property developer/landlord putting the point of view forward that Christchurch is a distinct area separate from Woodnook that does not contain the same issues and nor would they want people to get the impression that it did.

Responses were received from residents who indicated they did not understand why selective licensing only applied to landlords in certain areas and not to all landlords across the board and specific responses were received asking why parts of Peel had been excluded when the feeling was the areas excluded were as bad as those included.

The Council's Position

Since the consultation was announced by Cabinet on 11th January 2012 the Council has met with representatives of Hyndburn Landlords on eight occasions to discuss their concerns with the intention of trying to come to a consensus on the Proposed Designation. The Council welcomed this dialogue and embraced it productively.

During these meeting it was stated by a Hyndburn Landlords representative that they and the Council are 'not a million miles apart'. The meetings did achieve areas of significant consensus as follows:-

- The criteria for deciding if an area is suffering from, or likely to become, an area of low housing demand with the exception of the private rented sector indicator
- The data set, data sources, timescales, and values to be considered for low demand purposes
- Possible areas of low housing demand and appropriate areas for comparison

The key area where consensus has not been achieved is the actual "cut off point" at where an area should be considered to be in low housing demand.

Hyndburn Landlords had stated that their only area of disagreement for inclusion was parts of Peel however in recent correspondence appear to be now saying that they only support the proposals for the introduction of selective licensing in Spring Hill, Woodnook, Church and a small part of Peel; namely the southern (town centre) side from Washington Street down.

In their submission and throughout meetings they have advocated the use of Milnshaw in particular the Waterloo area (either side of Whalley Road in the hospital area) as an area that should be used as a comparison area because it is not in low housing demand but comparable in terms of property type, location in relation to town centre, access to transport links and amenities. This area was used by the Council as a comparable area in its proposals and should continue to be used as a comparison area following Hyndburn Landlords' endorsement.

As well as fine tuning our own statistical evidence of low housing demand in conjunction with Hyndburn Landlords, the Council has also commissioned the consultancy firm Arc4 to carry out an independent piece of research into Hyndburn's housing market and to identify areas of low hosing demand in terms of selective licensing criteria.

The findings of this study endorse the areas chosen by the Council for its proposed selective licensing designation.

With regard to the issue raised of why selective licensing does not apply across the board to all landlords, the legislation is clear that an area can only be designated for selective licensing should it meet the specified criteria. The Council remains confident that the whole of the borough does not meet the criteria and has therefore consulted on those areas that it believes fit with the specific criteria laid down in the legislation and guidance.

Displacement

Background

The Council considered the risk of displacement of landlords within the draft designation proposal. We recognise that landlords may decide to sell up and move elsewhere, including other parts of the Borough. The Council has tried to eliminate or at least reduce the likelihood of this occurring by carefully considering the designation area. We are confident that market conditions do not exist that will accommodate large scale displacement of landlords to other areas of the Borough.

Submissions Received

Only Hyndburn Landlords supported by the RLA provided submissions relating to displacement.

Hyndburn Landlord's expressed its view that the Scaitcliffe area is a prime area for displacement of landlords as it has relatively low values and geographically is close to Woodnook and Spring Hill which are included in the proposed designation.

The RLA said they supported the view of Hyndburn Landlords and added that it is not just landlord displacement that the Council needs to consider but also that of tenant displacement.

The Council's Position

The Council agrees that the Scaitcliffe area as identified by Hyndburn Landlords does demonstrate some of the characteristics of low housing demand not too dissimilar to areas within the proposed designation and did in fact highlight this area within its proposal. It was however not included within the proposed designation as there is not sufficient complimentary activity in the Scaitcliffe area to support the introduction of selective licensing. We do agree that whilst we have tried to eliminate the risk of displacement, this along with any excluded areas of Peel, remain at highest risk of displacement of landlords.

The Council will consider proposing to mitigate the chances of displacement by closely monitoring and focusing its Housing and Planning Act enforcement activities to those areas where any displacement occurs.

With regards to displacement of tenants, this is something the Council proposes to monitor closely. It will consider working with numerous stakeholders to reduce the risk including landlords, Housing Associations, the Police, Social Services, etc.

Resources & Costs

Background

The draft proposals stated that licences would run for a maximum of five years and would carry a fee of £775. The Council was also willing to accept this in annual instalments of £155 with a £15 reduction per year if a direct debit mandate was agreed.

Resource wise, the proposals outlined that the designation would be operated by a team of six (equivalent to just over 5 full time members of staff) with the addition of five existing staff currently working on a range of private sector housing issues who's work has already been re-focused to ensure they have capacity to compliment the licensing team as and when necessary.

Submissions Received

In general, the level of the licence fee was a bone of contention for a significant number of landlords and letting agents responding to the consultation. There were also a few tenants responding who were concerned that the fee would be transferred to them by way of a rent increase.

One suggestion received was to lower the licence fee and increase the penalty for not adhering to the licence conditions with another received along similar lines stating that the flat fee should be replaced by a percentage of the landlords' gross rental income or the designation should be funded by penalties derived from non compliance.

The RLA shared the view that the licence fee should be related to the rental income of an area and that £140 or £155/year roughly equates to two weeks rent and that this will significantly eat into any profit for a landlord on their investment.

Hyndburn Landlords have not highlighted the level of fee as a concern, they have however been critical of the way in which the fee proposed has been calculated and believe that it has been carried out in a very non-transparent manner. They state in their submission that they are concerned that the Council has chosen to deviate entirely from the CIPFA Licensing Fee Toolkit which is an established method for calculating licence fees.

Hyndburn Landlords, the RLA and several individual landlords/letting agents have been critical of the Council's flat licence fee approach in the draft proposals. Instead of a standard licence fee, the opinions are that good landlords should be rewarded in some way by reducing the licence fee payable by them. Suggestions that have been put forward are an early payment discount, a discount for members of a nationally recognised landlords association, a discount if properties are managed through a reputable local agent, or in some cases it was suggested that properties managed by reputable agents be excluded from licence fees.

Several landlords raised concerns that the Council did not have the budget or sufficient staff in place to manage the Proposed Designation and the area was too large to be effective.

The Council's Position

The Council accepts and appreciates that landlords may feel that the licence fee is too high. However, the legislation allows local authorities to recover all costs incurred by them in carrying out licensing functions by way of the licensing fee. Yields within the proposed designation area are high, especially compared to the average yields across the Borough and nationally. This would indicate that landlords are benefiting from proportionally higher returns and therefore in a better position to absorb the proposed fee of approximately £155 per annum. The penalty however for not adhering to licence conditions is a matter for the Courts' and not the Council, with the maximum fine for breaching licence conditions set within the legislation at £5,000. Therefore the Council is not able to reduce licence fees and compensate this by increasing fines for non compliance. Likewise the Council also does not feel that it is equitable to charge a licence fee based on the gross rental income of a particular property, the rental income of a property has little or no effect on the administration of licensing and this is what the proposed fee relates to. We would also be irresponsible to set our budgets by assuming that not all landlords will comply with licensing requirements, any fines derived from non compliant landlords will be used within the scheme to provide training to landlords to raise education levels across the sector.

It was extremely helpful of Hyndburn Landlords to direct us to the CIPFA Licensing Fee Toolkit and this will be used in future to consider the budget for a revised designation and to ensure transparency in setting the fee levels.

With regards to introducing discounted rates, this is something that we will look at before finalising any licensing fee structure in a revised designation. We agree that it is pertinent to reward good and compliant landlords and this is one way in which the Council can do this. At the same time, the Council acknowledges that a landlord who manages their own property can be just as good a landlord as one who uses a letting agent. Membership of a nationally recognised landlords' association indicates commitment on their part to keep up to date with relevant issues concerning their business. The quality of a landlord is based on their knowledge of the private rented sector, legislative requirements and application of this as opposed to if they employ an agent or not.

The Council has carried out research into selective licensing schemes currently operating across the country which seems to support the view that a range of discounts should be offered rather than just a discount for opting to pay the fee by direct debit.

Following criticism over our ability to administer the designation, the Council has used the CIFPA Licence Fee Toolkit and compared our proposed staffing levels with all current selective licensing schemes operating across the country. The Council remains very confident that it has the relevant resource levels to effectively administer the proposed designation and any adjustments to the licence fee will reflect that.

Another point that was raised during the consultation was that rather than employ a licensing team the Council could tender a letting agent who already has the infrastructure to cope managing the designation. This was an interesting point and one that the Council had not given thought to previously. In practice however, the Council would still be required to monitor and assess the Designation. Letting agents themselves are no more qualified to administer a selective licensing designation than local authority officers and are unable to carry out enforcement powers. On balance, whilst this was an interesting suggestion, it is not one the Council is likely to pursue.

Outcomes and Monitoring

Background

The Council wants to create attractive neighbourhoods, but is having to deal with low housing demand and areas of deprivation. The Council firmly believes that licensing can contribute to the regeneration of these areas where there is low housing demand including a high percentage of privately rented housing with significant numbers poorly managed.

Selective licensing is designed to raise standards in the private rented sector and drive out unscrupulous or inept landlords in particular, areas where private renting is problematic for the wider community. It is a powerful tool to improve the management standards of private landlords. It will help improve living standards, reputation and physical condition of the designation areas, the private rented sector in general and the reputation of decent and competent landlords.

The Council believes that selective licensing will extend housing choice and increase the confidence of occupiers within the designation area. Landlords will be required to take ownership of their management responsibilities thus increasing the prospects of long-term trouble free renting. This will in turn make the sector a more valuable asset to the Borough and decrease levels of low demand housing.

The Council also firmly believes that selective licensing can contribute to the regeneration of low demand areas when it forms part of a set of wider initiatives carried out by the Council and its partners to address the problems within the proposed designation area.

Submissions Received

Three submissions were received regarding the outcomes and monitoring of the proposed designation. An individual landlord stated that there needs to be a specific framework that landlords can use to measure the effectiveness of the scheme. Hyndburn Landlords observed in their submission that in the draft proposals no provision had been made or any timescales proposed for a review of the designation. The RLA were even more explicit, saying that they were disappointed that no clear aims had been set down and objectives had just been stated in general terms within the proposals. They went further to say the Council need to put in place a proper schedule of monitoring setting out various measures which will indicate whether or not any designation is successful. These measures could include the impact on property values, reduction in length of time properties are empty, the reduction in turnover of tenants etc.

The Council's Position

Within the legislation there is a requirement for periodic review of any designation. The Council accepts that within our draft Designation Report the objectives were simply laid down in general terms and there was no clear monitoring framework laid down for any review of the Designation. The Council thanks the RLA and Hyndburn Landlords for their constructive comments regarding this and we will set out our framework for review within a revised designation proposals.

Licence Conditions

Background

Within the draft designation proposal the Council laid down the proposed licence conditions. The following five conditions are mandatorily imposed by the Housing Act 2004 and the Council has no discretion to vary these conditions:-

- A gas safety certificate must be obtained annually and produced to the Council (if there is a gas supply to the house);
- Electrical appliances and furniture supplied by the landlord must be kept in a safe condition, and that on demand, the licence holder must supply the Council with a declaration as to the safety of such appliances and furniture;
- Smoke alarms must be installed in the house which should be maintained in good working order, and that on demand, the licence holder must supply the Council with a declaration as to the condition and positioning of such alarms;
- The licence holder must supply the occupiers of the house with a written statement on the terms of occupation;
- The licence holder must demand references from persons who wish to occupy the house.

In addition to the above mandatory conditions the legislation allows the Council to attach local conditions to licences. The Council has discretion to vary these with every licence issued however in the draft designation the following local conditions were proposed:

- The house is free from Category 1 Hazards;
- If the house is legally required to have an Energy Performance Certificate then it must be produced to the Council;
- An appropriate electrical test certificate for the fixed wiring in the house must be provided at least once in every five years and an annual portable appliance test be carried out on any portable appliances supplied by the landlord and the certificate produced to the Council;
- Where there are gas appliances in the house, a suitable carbon monoxide detector must be provided, maintained in good working order and tenants made aware as to its operation;
- Occupiers are reminded of their responsibilities with regards to the storage and disposal of household waste;
- The licence holder does not knowingly allow the house to be overcrowded;
- At the change of tenancy the house and any land associated with it is in a clean and tidy condition with reasonable levels of decoration;

- Licensed properties are kept secure and free from accumulations of refuse during any unoccupied period;
- A copy of the licence including the conditions attached to it is provided to all tenants.
- All tenants of the licensed property are provided with the details of the licence holder and if applicable manager agent, including a contact address, daytime telephone number and an emergency telephone number;
- The licence holder and any appointed manager provide an up to date contact point (including telephone number) for the Council, so that problems with the house can be swiftly addressed.
- The licence holder takes all possible actions to remove occupiers where there is evidence of criminal activity or anti-social behaviour.
- Where the Council has incurred expenses as a result of having to make a Management Order with regard to the house which have not been subsequently recovered by the rent paid during the duration of the Order, then the payment of that debit is a licence condition.

Submissions Received

Representation received felt that licence conditions were too onerous, should not be applied in a blanket manner, licence conditions that refer to the condition of the property should be removed as they can be dealt with under other relevant legislation and that carbon monoxide detectors are not needed if an annual gas check is carried out at the property.

On the other side submissions were received saying that the proposed conditions were in line with what every good landlord was already doing and were reasonable.

Other submissions received that proposed amendments to additional licence conditions included:-

- The Council should appoint gas and electrical engineers to ensure all landlords are on an even footing and to safeguard tenants from rogue landlords
- The requirement for smoke detection should be increased to Grade D : LD3 interlinked hardwired smoke detectors in line with current LACORS guidance for domestic fire safety
- It should be a condition that landlords direct new tenants to the fire service for a free home fire safety check which would provide valuable fire safety advice to tenants.
- You might like to consider requiring inexpensive annual Routine Check Reports (RCRs) in addition to the electrical requirement.
- The Council could take a proactive approach and require that all rented property be at least energy band E in advance of the requirements of the Energy Act 2011.
- The requirement of an inventory for all tenants of furnished accommodation could be included.

- Landlord training requirement should be imposed as a licence condition

The RLA in their submission expressed concern with eight out of the thirteen proposed local conditions and went so far as stating they believed some of the proposed conditions to be ultra vires and for this reason the Council is seeking legal advice.

The Council's Position

The Council does not feel that the proposed licence conditions are too onerous and in fact good landlords, who are managing their property well, will in reality already be complying with all of the licensing conditions. The Council does agree that none of the conditions should be ultra vires and will remove any of these in a revised proposal.

Licensing conditions will not be imposed in a blanket way, in a revised proposal, the Council will propose a standard set of licensing conditions which can be amended to add or remove certain conditions to suit the specific property/landlord. It is felt that at least having a set of standard conditions as a starting point will provide fairness to landlords whilst acknowledging that not all conditions will be appropriate in all cases. Landlords will be fully aware what is required of them before any licence is issued and they have the opportunity to appeal against any licence conditions they feel are inappropriate in their case.

Annual gas safety certificates although valid for one year only guarantee the safety of the system and appliances at the time of testing. Carbon monoxide poisoning can have fatal effects with around 40-50 deaths each year in the United Kingdom. Carbon monoxide is a colourless and odourless gas making detection almost impossible without a detector. Detectors are inexpensive and readily available therefore it is not seen as too onerous a requirement that a good landlord should provide one of these to protect their tenants and potentially themselves from manslaughter charges.

The Council acknowledges that licence conditions referring to the condition of the property can be and will be dealt with by other legislation. However in order to maintain and improve management standards in the private rented sector, which is what the licence conditions are there for, it is felt that landlords must demonstrate that they are fully compliant with current legislation relevant to their sector.

The Council fully agrees that good landlords will already be complying with the proposed licence conditions and for this reason have nothing to fear from licensing. It will ensure that all landlords have an even playing field to operate their business.

National measures are already in place to ensure gas and electrical engineers are competent to carry out testing and provide certification. All certificates would be scrutinised and any anomalies reported to the relevant registration board to investigate. It is felt that sufficient safeguards are in place to allow landlords the freedom to choose a competent engineer without the added control of using a Council approved contractor.

The Council is aware of the domestic fire safety guidance issued by LACORS which applies to all domestic property whether rented or otherwise. Although it is best practice for Grade D: LD3 interlinked hardwired smoke detectors to be installed in domestic properties, it is not a legal requirement and it would place further financial burden on landlords. It is felt that the mandatory requirement laid down in the selective licensing legislation is sufficient and there is no justifiable reason to increase this standard beyond the legal requirement. The Council will however encourage the installation of mains wired interlinked smoked detection as best practice across the whole of the private rented sector.

The Fire Service provided the helpful suggestion that landlords should direct new tenants to the Fire Service for a free home safety check which would provide valuable fire safety advice to tenants. This will not add any financial burden to the landlord and the Council feel would be a valuable addition to the proposed licence conditions.

The Council has considered the additional requirement in respect of electrical checks for annual Routine Check Reports (RCRs) and although it is relatively inexpensive to have them carried out; it is still an added expense to landlords. We feel that unless the periodic electrical inspection identifies safety issues that require the inspection of the installation to be more frequent than five yearly, then this is an adequate licence condition which does not need additional certification for the sake of it.

The Council feels there is insufficient justification provided to increase the legislative requirements of the Energy Act 2011 in advance of 2015 by including this as a licensing condition. The Council will however alert any licence holder with a property in energy band E or below of this up and coming legislative requirement.

In general, the vast majority of private rented properties in the Borough are let on an unfurnished basis however the additional condition of providing a full inventory to accompany any furnished tenancy will be considered in a revised proposal.

It is an interesting and very helpful suggestion that landlord training should be included as a licence condition. We will give this very serious consideration and will, within a revised designation consider how it can be achieved without being a financial burden for landlords.

As mentioned previously, the RLA in their submission have stated that some of the Council's proposed conditions are ultra vires and therefore for this reason we have sought legal advice on this, which will be reflected in the final conditions proposed.

Phasing in the Designation

Background

The Council proposed to introduce selective licensing by way of one designation covering the areas where it felt the criteria for selective licensing exist and where it supports the Council's strategy for dealing with low housing demand.

Submissions received

Several responders expressed the view that the designation should be introduced in a phased method so as not to overwhelm the workforce and budget. Most notably Hyndburn Landlords and the RLA advocated a phased approach.

In discussions with representatives from Hyndburn Landlords as to what they actually meant by 'phasing in the designation' they explained that once the designation was in place they felt the Council could phase in the Designation, starting with a smaller area, and increasing the area later.

The Council's Position

The size of the proposed designation will not affect the effectiveness provided that the resource levels are adequate. The Council has carried out extensive research into current licensing schemes operating across the country and from our findings we are very confident that we have the correct resource levels to effectively administer the proposed selective licensing designation.

The Council feels that the phased approach conveyed by Hyndburn Landlords is not only inequitable and unjust but is potentially ultra vires; if a designation is in place then all landlords should be treated the same irrespective of perceived priority within the proposed designation.

Alternatives to Licensing

Background

Within the draft designation proposal the Council considered other options available in addressing the standards of management within the private rented sector including targeted enforcement and accreditation.

Submissions received

Alternative suggestions to selective licensing included:-

- A review of tenants before Housing Benefit is given
- Inspect properties before any Housing Benefit is issued
- Focus on complaints that are made to the Council regarding landlords, target specific landlords and fine landlords who don't look after their property
- Employ an enforcement/liaison officer to work with private landlords
- Use existing powers in relation to badly maintained houses
- Keep a bad landlord / bad tenant register
- Councils should encourage landlords to manage their properties via an authorised letting and managing agency
- The Council should offer incentives to landlords to keep their properties up to standard and provide grants to landlords for them to improve their property and for structural building needs

The RLA in their submission also talked about the effective use of accreditation in conjunction with any selective licensing designation, especially to ensure that one was available to form part of the existing strategy from any licensing area to allow landlords to migrate from selective licensing into an accreditation scheme thereby continuing to promote good management practices even after selective licensing has run its course.

The Council's Position

The criteria for who is eligible for Housing Benefit is laid down by Government and is based on a financial assessment of the claimant, and therefore the Council is not legally able to review tenants before awarding Housing Benefit.

Whilst inspecting premises before awarding Housing Benefit is a very sensible suggestion, this would be outside the scope of the Housing Benefit regulations. A person's benefit is based on the existence of a tenancy and their financial circumstances and therefore property conditions cannot be enforced via restricting Housing Benefit entitlement.

The Council recently reviewed the way in which it works with private landlords. We have two enforcement officers and a senior manager now dealing with Housing Act conditions and this resource can be focused on supporting selective licensing.

Legally the Council is not able to keep a bad landlord/bad tenant register due to Human Rights and Data Protection issues.

The Council feels it is inappropriate to encourage landlords to manage their property via a letting/managing agent; a knowledgeable landlord who manages their own property can be just as good a landlord as one who uses a letting agent. The quality of a landlord is based on their knowledge of the private rented sector, legislative requirements and application of this as opposed to if they employ an agent or not.

There are legal requirements that a landlord must adhere to and therefore it is not for the Council to incentivise to keep to these standards. For this reason the Council rejects the suggestion of offering grants, etc as an incentive to maintain standards.

As for Accreditation, the Council has never dismissed the idea. We are skeptical over its impact as it is voluntary and currently the Council does not have the resources to provide an effective accreditation scheme. However, as the RLA have pointed out, they and other landlord associations can provide accreditation schemes for local authorities or landlords on an individual basis and this is something the Council is keen to explore further. We recognise the benefit of an accreditation scheme forming part of a wider strategy to improve standards in the private rented sector, especially where it forms part of an exit strategy for selective licensing. This is a matter that will be considered as part of any revised designation.

Other Key Issues Raised During the Consultation

Below are some other key submissions made during the consultation which have not been covered in the earlier parts and the Council's position regarding them.

Remove the requirement of a basic Disclosure and instead ask the proposed licence holder to provide a self declaration / Agree landlords should have criminal checks to ensure tenants are not threatened in their homes

The views here represent opposite sides, one from the landlords and one from residents. On balance it is accepted that unless doubt is cast on the fitness of the applicant to be a licence holder then a self declaration from the proposed licence holder should suffice. This would remove the added cost burden from the licence holder obtaining a basic disclosure in the majority of cases. This will be considered as part of any revised proposal.

Why is it not a licence per landlord instead of per property?

The legislation here is clear and states that it is a licence per property not one licence per landlord. It would be unfair on the smaller landlord if a landlord managing one property had to pay for a licence and a landlord who managed 10 or 100 properties had to pay the same licence fee.

Register of landlords makes sense with contact details in case of a problem

A public register has to be held of all licences issued therefore the public would have access to landlords' details, making landlords more accountable for their property and its management.

A confidential complaints procedure for tenants could be introduced as part of the licensing scheme.

The Council would provide tenants of licensed properties with a copy of the licence and conditions attached. Details would also be provided as to how they raise issues and if necessary, complain about their landlord. However, it is not always possible to keep details confidential whilst at the same time dealing with a complaint.

After a licence is issued the Council should write to the tenant stating their responsibilities. It should not be the landlord's responsibility.

The Council would provide tenants with a copy of the licence and attach the conditions. However, selective licensing does not change the legal relationship between landlord and tenant. It will still be very good practice for landlords to bring to their tenant's attention their tenancy responsibilities.

Sources of independent advice for tenants could be included in the licence.

The licence is for the landlord as opposed to the tenant. However if a licensing scheme is introduced, we would provide the tenant with a copy of the licence and a covering letter advising them where to go if they have any issues or concerns.

Wrong to target all landlords the Council should concentrate on the bad ones

We have some sympathy with this view, however selective licensing treats all landlords in an area the same and creates a level playing field. Should a selective licensing scheme be introduced the Council would like to think that the whole landlord sector benefits.

RESIDENTS' COMMENTS

This is a selection of comments from the Residents & Business questionnaire - a full list of the comments can be found on the following web page

<http://www.hyndburnbc.gov.uk/selectivelicensing>

Please note: These comments are verbatim from representation received; no alterations had been made to grammar or spelling. In addition any references to specific properties or specific people have been anonymised.

- The Council should appoint selected Gas engineers to supply Gas Certificates, as you and the public know there are certain bad landlords that can obtain these certificates without the gas appliances even being checked, for a nominal fee.
- My landlord is fantastic any repairs needs doing just ring him up and he is their right away. But you have some that do not care about their tenants. So in a good way for them landlords Selective Licensing is a very good idea.
- Rubbish dumping what is the Council going to do about it
- You know, it really infuriates me to know that the taxes I pay go towards paying the wages of people who come up with hair brained scheme like this. What makes you think that this idea will improve society in any way? Hyndburn Council is just trying to impose another tax. There are already laws in place that allow councils to seize properties that have been unoccupied for lengthy periods. Does Hyndburn Council employ this option? Looking around at the abandoned sites in the area I would say no. I have two properties I rent out thankfully not in the Hyndburn district.
- Anti-social behavior arises from tenants. A review of tenants should be done before Housing Benefits are given to them!!
- Landlords just wouldn't follow as basic statue on living conditions is ignored. Agents are just as much to blame.
- Its just a money making gimmick
- Church was a lovely village until a lot of private landlords and tenants. They trash the properties, don't care its not theirs, landlords need more intervene and sometimes tenants do. An outside body will be better (HBC).
- Sounds good in theory, but practice is a different matter. Who will oversee or intervene?

- I do not think that selective licensing is a good idea. From what I read it seems you need more money 'again'. If you wish to keep an eye on landlords, focus on complaints that was been made to the Council regarding bad management on the landlords side. The sale market is very slow because of difficulties for first time buyers. We have recession, shops are closing down on every corner of Accrington, and now you try and effect the only thing that is left rentals. I do not agree with your decision and I do think you are been unreasonable.
- I have an excellent landlord
- I am a landlord and maintain my properties to a high standard
- Over the last three years the Peel area has become run down with the addition of young tenants who do not look after their property and think of their neighbours
- Very concerned about the way private landlords are allowed to rent via DSS. Are proper checks made on these rentals? Is it wise to put Drug addicts and alcoholics very near a school? Age 5 - 11 years. Some of the properties don't see fit for anybody to live in.
- Landlords will pass costs onto tenants who in tern will leave properties and rent outside the area. Stagnant housing market will result in more empty houses. Punish the bad landlords and stop hounding the good ones.
- In one respect I agree with Selective Licensing. In another I feel it will push the rent up far too high for the average working person.
- Not all landlords will apply for licence and only want rent and do not look after property.
- Opposite effect good landlords will avoid these areas. Rents will increase.
- After having the misfortune of having neighbours as tenants during the last 23 years I can only view the proposals as a very positive step forward. We own our house so therefore cannot move if we have trouble some neighbours, as we have had in the past.
- Private rented has decimated the Woodnook area. More concentration needed in educating and controlling tenants as well as landlords.
- You can put as much money as you like but they make it slums, the people do.
- Council tenants should be made to clear rubbish from their gardens - Church is a disgrace, especially the Council estates.
- As long as this process does not result in landlords increasing rents for fees/repairs. I feel this is a good idea.
- Landlords are ruining the area, by moving tenants from one place to another. If you own your own property you get to know new neighbours then they move. No feeling of community. Landlords are buying up properties making area into a renty haven not fair for everyone in area.
- This is another waste of public money
- I wish to express my opinion regarding selective licensing. I am fully supportive of this scheme. But I am absolutely gutted that because of our location we will be excluded from the scheme!

- I feel that landlords should have their criminal records checked. This should help ensure that tenants are not threatened from their homes.
- Why have you selected just a few areas why is it not for all private landlords?
- Think Licensing is very expensive
- I think Councilors should lead by example with their own property conditions
- I feel selective licensing of landlords in principle is a good idea, however I feel it could have a negative impact if the fee of £775 per property is introduced. Good landlords will be penalised for the bad. A more reasonable fee would encourage a better response. The larger fee of £775 will automatically be passed onto tenants who cannot afford a rent increase. This in turn could lead to more empty properties, even the loss of good tenants who genuinely not afford any rent raise. Also this could cause some good landlords to pull out of the area. Would it not be much wiser to lower the individual property fee, but increase dramatically the penalty for not adhering to the Licensing Rules? Surely this would act as more of a deterrent and not impact good tenants financially.
- I feel the main reason for most problems is the Councils apparent non action regarding empty properties
- In my opinion Landlords who are investing in the Economy should not be penalized by way of a licence. Some landlords already have high standards, even more so when renting property through an estate agents. Also, the cost seems very high with no justification.

LANDLORD COMMENTS

This is a selection of comments from the Residents & Business questionnaire - a full list of the comments can be found on the following web page

<http://www.hyndburnbc.gov.uk/selectivelicensing>

Please note: These comments are verbatim from representation received; no alterations had been made to grammar or spelling. In addition any references to specific properties or specific people have been anonymised.

- The council should target specific landlords that keep below standard properties and NOT class all landlords as ineffectual.
- The good landlords like myself will be penalised whilst you wont have the resources to deal with the cowboys at which this scheme is aimed
- Whilst I understand your laudable aims regarding proposals for Selective Licensing. If there are bad landlords, they will not change their ways - they are bad landlords. They are the very people who will not take any notice of licensing 'laws' and I cannot imagine they will pay these onerous fees. All you are doing is alienating good Landlords such as myself. I do not need a stick, never mind more costs, to be a thoughtful and conscientious landlords. I naturally look after my property, it is an investment and I do not want it to devalue. Maybe a better way would to turn things on their head and offer an insensitive to landlords to keep their properties up to standard
- We are responsible landlords & this policy tars everyone with the same brush. I oppose this.
- The proposed fee appears expensive, I would have thought perhaps £75 per year max.
- Selective Licensing will ensure that all privately rented properties are well maintained and managed- I would like to think so
- Selective Licensing will help reduce anti-social behaviour - disagree - Probably make it worse
Selective Licensing could help make an area more attractive to potential renters, and so increase rental values and property prices - Disagree - People will still want low rent
- The original scheme was over prescriptive and if forced to implement all the requirements, I would have stopped renting the property.
- We are responsible landlords. We do not want more government interference. The poor landlords will just either move out of the area or take no notice of any new regulation. These proposals will just put the costs of running the houses up. In these hard times we do not want to create more expense which will have to be passed on to the tenants. We need to stop interfering with every aspect of life. It is costing jobs.
- We experience majority of these problems due to the volume of properties we manage

- We do not support any such scheme since we cannot see how introducing more costs and red tape for good landlords does anything to improve the properties on the rental market or achieve any of the benefits that you suggest will rise. It is already possible to inspect any rental property and issue improvement orders and therefore it is difficult to see this as nothing more than a scheme to allow councils to generate money and more red tape by charging ridiculous fees for really nothing. If anyone really intended to get to the bottom of the problem then it would be easy to do so by looking through local papers and marketing websites, arranging to view any property available, issuing an improvement order which must be complied with before the property can be rented.
- In summary, selective licensing is a waste of time and taxpayers money. The Council will feel that it is 'doing something'. However, the action that it is taking misses the point and will therefore ensure that the Council will fail to address the real problems. More powers is not the solution, rather proper enforcement of existing powers and the Council should pursue creative solutions to anti-social behaviour, rather than try to find a scapegoat to hide its own failings.
- Accrington Prices are low versus national average LA's already have plenty of powers - please use them aggressively with difficult properties.
- Could you explain what systems and procedures are in place for you to trace Landlords who do not register for the scheme and also give me assurances as to how vigorously you will go about tracing these people. I am very concerned that good honest Landlords (who are trying to provide decent affordable housing) will all dutifully register and pay fee and bad landlords wont even register and get away with it. Landlords seem to have a lot of constraints put on them by various bodies but tenants seem to be able to behave as they please.

STAKEHOLDERS RESPONSES

This is a selection of comments from the stakeholders' questionnaires and responses - a full list of the comments can be found on the following web page:-

<http://www.hyndburnbc.gov.uk/selectivelicensing>

Please note: These comments are verbatim from representation received; no alterations had been made to grammar or spelling. In addition any references to specific properties or specific people have been anonymised.

- I have read through the consultation document and can see that there are areas that need something doing with them, but have responded to this on behalf of Landlords and can only gauge what the feelings would be based on the experience in Bolton, when I was working for the Accreditation team which assisted with the implementation of a licensing scheme. Their research showed the same kind of results, but were hotly disputed by the landlords. Bolton has always been a forward thinking authority and has worked closely with landlords for many years. Even so, the Accreditation scheme was blamed (wrongly) and there was some alienation - even though the Project Co-ordinator negotiated a "passport" to licensing for accredited properties, so there was no charge where the property was accredited. Did it work? I am sure statistics would prove it did, but on the ground officers would question it and landlords would strongly dispute it.
- It is very important selective licensing schemes are sufficiently resourced including at the critical research stage. The outcomes (good and bad) should be kept under constant review during the period of the licensing scheme.
- Selective licensing can assist in the long term regeneration of areas and neighbourhood cohesion
- Selective licensing should not be seen as a 'cure all' solution and should have a lasting impact.
- The risk of displacement of problems to other areas when a scheme is introduced has been effectively dealt with. Also poorly planned schemes can have a negative impact such as good and bad landlords leaving an area due to the extra requirements placed on them from a selective licensing scheme
- This is the second attempt by the Council to impose a licensing scheme and we regret to say that we feel the Council has not learned sufficiently from its past experiences which have already cost the Council Tax payers and rate payers a considerable amount of money on legal costs. We do acknowledge that Accrington faces problems. We have endeavoured to liaise both with the Council and local landlords through the Hyndburn Landlords and have formulated this response in consultation with the latter. We agree with them that a tightly focussed narrowly drawn scheme could well have benefits provided that it is properly implemented and administered, as well as

being monitored for its outcomes. The lack of monitoring of specific indicators as well as a lack of clear definition of outcomes is of particular concern. We strongly believe that the fee charged is a matter of great importance and the Council do not regretfully seem to have considered the impact of this. We do urge the Council to think again and restrict the area for the selective licensing scheme along the lines proposed by Hyndburn landlords.

- With regard to the conditions of licence, I am fully supportive of the condition that states: 'Smoke alarms must be installed in the house which should be maintained in good working order, and that on demand, the licence holder must supply the Council with a declaration as to the condition and positioning of such alarms'. However, The Fire and Rescue Service would prefer that the condition specified that landlords install a system that conforms to BS5839 Part 6 Grade D: LD3 Coverage (interlinked) as recommended in The LACoRS guide: Housing - Fire Safety - Guidelines on fire safety provisions for certain types of existing housing (page 25) 2008 (which is hard wired smoke alarms that are interlinked). Also that as part of the licence, landlords must refer new tenants to the Fire Service for a free home fire safety check, which can be done in several ways including utilising a free phone number: 0800 169 1125.

- Notwithstanding the inaccuracies detailed in the section above, we believe that the current Council proposal is still far too large to be effective.

Despite the above concerns, Hyndburn Landlords are supportive of the principle of selective licensing when applied correctly, although we are concerned that there seems to be a political view that it is a cure for problems within the sector which we fundamentally disagree with.

- Briefly, our view as to the consultation paper is as follows:
 - We believe that the proposed scheme is generally flawed
 - Furthermore, we believe a large number of streets within the area do not satisfy the test of low demand.
 - In addition, we further believe that the Council failed to properly present the issues in the Cabinet paper presented on 11 January 2012.

However, we are mindful of past experience and litigation. We would request that the Council consider in all earnest the points made in this submission and continue to consult and engage in dialogue where differences occur in an attempt to reach a consensus with all stakeholders. We acknowledge that some areas of the Borough are in need of intervention and / or direct action, and would actively support the Council if a sensibly sized, targeted scheme can be produced.

Therefore, in an attempt to move forward, we believe the following streets are not areas of low demand and should be removed from the proposed designation.

- **Avenue Parade**
- **Stanley Street**
- **Bold St**
- **Spencer St**

- **Hodder St**
 - **Bradford St**
 - **Water St**
 - **Oswald St**
 - **Washington St**
 - **Mansion St South**
 - **Robert St**
 - **William St**
 - **Annie St**
-
- Finally, with regard to the remaining areas within the proposed designation, there should be a phased introduction with periodic reassessments of the success of each implementation. We consider that the Council would be far better advised to target their resources initially on the worst areas rather than spread themselves so thinly as to severely limit the impact of what they are trying to achieve. We would therefore suggest a phasing as follows (with timescales to be agreed as seen fit):
 - Phase 1 Springhill & Woodnook
 - Phase 2 Lower Peel (town centre side of Washington St / Sydney St / Arnold St)
 - Phase 3 West Accrington and Church