

Evaluation of the Consultation on the Licensing of the Private Sector in the West End of Morecambe

1. Introduction

- 1.1. Lancaster City Council held a public consultation regarding proposals for a scheme for Selective and Additional Licensing between 9th October and 15th December. The consultation was undertaken jointly by officers from Lancashire County Council and Lancaster City Council. Landlords, tenants, homeowners, business owners and all other stakeholders were encouraged to come forward with their views of proposals.
- 1.2. The consultation activities and the preparation of this report were undertaken by Fiona Macleod and Jared Williamson. Additional support was provided by Public health administration staff at Lancashire County Council.
- 1.3. We would like to thank all those who took part in the consultation by completing the survey, by attending drop-in sessions or by contacting officers directly. We are grateful to everybody who gave up time, or made special arrangements in order to be able to take part. In addition, we would like to thank all members of staff from Lancaster City Council, Lancashire County Council and members of the following organisations, for helping to facilitate the consultation process:

More Music
West End Impact
Stanley's Youth and Community Centre

- 1.4. This report reviews the methods used to consult all those with an interest into Lancaster City Council's proposals for Selective Licensing and summarises the outcome of the of the consultation exercise. The report will cover the results of the survey, feedback from drop-in sessions and includes individual submissions from landlords and Landlord Associations. All responses have been anonymised, including references to specific individuals or council officers. Finally, conclusions will be made into the scope of the consultation and the key issues that emerged. These issues will also be considered in the Cabinet Report, for consideration by councillors.

2. Background

2.1. *The Private Rented Sector (PRS) in Morecambe*

- 2.1.1. The West End of Morecambe has the highest level of private rented properties in the district at approximately 29-33%, with some areas having as much as 80% PRS, compared with a district average of 13% and a national average of 9%.
- 2.1.2. Most landlords provide decent, well-managed accommodation and follow good management practices. However, in some circumstances poor management of properties can severely impact on the community of that area because of their general condition and the anti-social behaviour of some tenants.

2.2. *Licensing the PRS*

- 2.2.1. Selective and Additional licensing requires landlords within the boundaries of a designated area to obtain a licence for every property they own and to meet specified

criteria laid down by the Council. If they fail to obtain a licence or meet acceptable management standards, the authority can take enforcement action. Licences are valid for up to five years.

- 2.2.2. Implementation is subject to consultation with all persons who are likely to be affected by the designation. Government guidance suggests that this consultation should include: tenants, landlords and managing agents, other members of the community who live or operate businesses or services in the proposed designated area; and local residents and businesses in the surrounding area who will be affected.
- 2.2.3. There are certain mandatory conditions which must be included in a licence, and the council also has the power to set additional conditions relating to anti-social behaviour and general management of the property. In confirming that satisfactory management arrangements are in place, the Council must have regard to a range of factors including: the competence of the manager; management structures; and soundness of the financial arrangements.
- 2.2.4. The legislation also states that the landlord must be a fit and proper person as defined by legislation. The council must have regard to any previous convictions and must be assured that the person to whom the licence is granted is the most 'appropriate' person – for example, taking into account whether they are locally resident and have management responsibility. This is designed to ensure that unfit landlords cannot apply for licenses using a third party.
- 2.2.5. If a landlord has breached licence conditions the council can issue a fine of up to £5,000 for each offence. Operating a property without a licence in a designated area can attract a fine of up to £20,000. The council is obliged to take reasonable steps to ensure that applications are made for all licensable properties.

2.3. *Lancaster City Council's proposals for Licensing the PRS*

- 2.3.1. Lancaster City Council have proposed to introduce Additional and Selective Licensing to a designated area within the Harbour and Heysham North wards (Appendix 3a). As stated previously, the area has the highest proportion of PRS housing, with some Census Output Areas (COAs) having as much as 80% PRS Housing.
- 2.3.2. The licensing conditions and the proposed fees can be found in appendices 3b and 3c. The proposals were set out in a report to Cabinet in August 2017, and had the following objectives:
 - Improving general housing conditions by eliminating poor standards of management in the PRS
 - Obtaining a named individual, responsible for properties
 - Reducing ASB within the designated area
 - Targeting rogue landlords
- 2.3.3. In addition to these objectives, Lancaster City Council believe the following outcomes will be achieved through licensing:
 - Comprehensive database of PRS property

- Improve the health and wellbeing of tenants
- Reduction in the number of complaints associated with PRS housing
- A level playing field for landlords operating in the area, with clear standards
- Assist in the Council's wider housing related strategy
- Complement the council's Empty Homes Strategy

2.4. Public Consultation

- 2.4.1. Lancaster City Council launched the public consultation on October 9th 2017 and sought the views of all those affected, including landlords, tenants, homeowners and business owners in the area. The consultation was launched with a press release in the Morecambe Visitor and Lancaster Guardian newspapers. In addition, the consultation was publicised on Twitter and Facebook.
- 2.4.2. Information was made available on the Council's website (www.lancaster.gov.uk/rented), including the following:
- **The Case for Selective Licensing in Morecambe** – study into which areas met the conditions for Selective and Additional Licensing
 - Proposed fees
 - Proposed Licensing Conditions
 - Proposed Licensing Area map
 - Postcode checker
 - Cabinet Report
- 2.4.3. A telephone number and email address were provided for queries and hard copies of all the consultation documents were available, on request. A link was provided to an online version of the licensing questionnaire.
- 2.4.4. Paper copies of the questionnaire were sent to over 6000 postal addresses, every address in Harbour and Heysham North wards. In addition, over 400 letters were sent directly to landlords. The questionnaire was intentionally sent to an area wider than the designated area, as we believed that licensing would have an impact on the whole area.
- 2.4.5. All stakeholders were invited to a series of five drop-in events, held in different locations in the West End of Morecambe. The drop-in events were held at different times, and on different days, including the weekend to enable as many people as possible to attend. A further five drop-ins were added later in the consultation period.

3. Information regarding the Licensing questionnaire

3.1. Format of the Questionnaire

- 3.1.1. Two versions of the questionnaire were produced, one for landlords and managing agents specifically and the other for residents and all other stakeholders. Questions 2-11 of each questionnaire were identical. However, questions 12-16 of the landlord questionnaire had questions specific to a landlord. Questions 12-13 of the Residents questionnaire were specific to current private tenants only.

- 3.1.2. The majority of the questions were multiple choice, however questions 6, 8, 11 and 14 invited respondents to share their views. In each case, this gave the respondent the opportunity to elaborate on their selections for the previous question, or to add further comments. Paper copies were sent to every address in Harbour and Heysham North wards, with pre-paid envelopes enclosed to encourage participation.
- 3.1.3. Respondents were asked to look at the detail of the proposals at www.lancaster.gov.uk/rented before completing the questionnaire. Hard copies of the proposals were made available on request.

3.2. Respondents

- 3.2.1. The questionnaire was sent to 6790 addresses in Harbour and Heysham North and to 401 individual landlords. Responses have been categorised in two broad categories – Landlords and Residents. The landlord category is made up of landlords and managing agents, whilst the resident category is predominantly made up of private tenants and homeowners.
- 3.2.2. There were 711 responses in total:
- 515 paper responses
 - 84 online responses
 - 71 landlord responses
 - 640 responses by residents and other stakeholders
 - 201 were returned undelivered
- 3.2.3. A small number of blank responses, mainly online, were also submitted, but have not been counted in the number of respondents.
- 3.2.4. In terms of participation, 9% of residents responded to the postal and online surveys, with 18% of landlords responding.
- 3.2.5. Respondents fell into the two main categories – landlords and residents. Within these two main categories were several other categories. Below is a breakdown of the number of respondents:

Landlords	Landlords	53	8%
	Managing Agents	6	1%
	Both	12	2%
Residents	Private Tenant	189	27%
	Homeowner	372	52%
	Social tenant	31	5%
	Business owner	30	4%
	other	18	3%

Approximately half of all responses came from homeowners, double that of private tenants.

- 3.2.6. Of the 711 respondents, 649 provided data regarding gender - 341 (48%) respondents were male, 308 (43%) respondents were female, with 9% preferring not to say.

3.2.7. The same number of respondents provided data about age:

Age range	Landlords	Residents
18 or below	0.0%	0.0%
19-24	0.0%	0.5%
25-34	4.2%	4.9%
35-44	18.3%	9.2%
45-54	22.5%	16.9%
55-64	14.1%	21.7%
65 or above	21.1%	40.3%
prefer not to say	19.7%	6.4%

3.2.8. Respondents were asked which ethnic group they belonged to:

- 93% identified as White
- 5% preferred not to say
- The remaining 2% of respondents (13) was made up of the other ethnic categories (Asian/ Asian British, Chinese, Mixed/ Multiple Ethnic, Other)

3.2.9. The overwhelming proportion of responses in the 'White' category generally reflects the population of Harbour and Heysham North wards. The 2011 census states that 96% of residents in those wards are of 'White' ethnicity. However, if the 'White' category had been broken down into sub-categories, such as 'White-British', 'White-Irish' or 'White-Other' it is possible that there would have been a greater breakdown of responses.

3.3. *Information from landlords*

3.3.1. The Landlord copy of the questionnaire asked for information about their business, such as how long they had operated for and how many properties.

3.3.2. The majority of landlords (35%) had between 2-5 properties. The next most represented size was 6-10 properties (22%). Of the landlords who responded, 16 had more than 11 properties, with 2 having more than 50.

3.3.3. 64% of landlords had more than 10 years' experience in the trade.

3.3.4. 39% of landlords were attached to a nationally recognised landlord accreditation scheme or other type of scheme.

4. **Summary of the Licensing Questionnaire results**

4.1. *Introduction*

4.1.1. The following section considers the results from survey. Following the format of the questionnaire, each question is summarised in sequence. Most questions had a multiple-choice format, and the data for each is summarised, with trends and discrepancies highlighted.

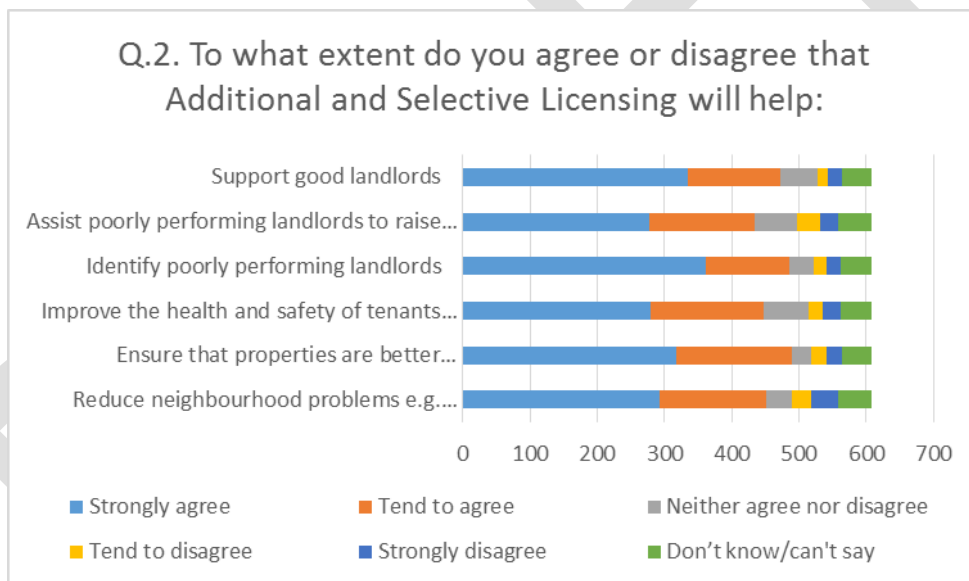
4.1.2. On a number of the paper responses, there were incomplete questions, where the respondent had ticked one or two of the statements, but left the others blank. Where

this was the case, rather than disregard the response, we have selected 'don't know/can't say', to ensure that where an opinion has been made, it has been counted.

- 4.1.3. For several of the multiple choice questions, respondents were invited to elaborate, or share their views regarding the question. Where this is the case, a selection of comments have been added. In some cases, comments were made that refer to other licensing proposals. Where this is the case, we have inserted comments relevant to the question. We believe that inserting a selection of free text responses alongside the multiple-choice questions provides better context for the free text responses.
- 4.1.4. Questions 2-11 draw comparison between responses from all respondent categories. However, as the questionnaires differed for residents and landlords after question 12, the results for these questions are considered in separate sections.
- 4.1.5. Due to the high proportion of responses from residents, overall results and the residents results are considered together.
- 4.1.6. The full list of responses can be found in the full licensing compilation spreadsheet, available at www.lancaster.gov.uk/rented
- 4.2. Question 2: Impact of licensing on management and maintenance of properties**
- 4.2.1. The first multiple choice question considered the impact of licensing on standards of management and maintenance of housing in the PRS. Specifically, it asked to what extent respondents believed Licensing would help:
- Reduce neighbourhood problems e.g. noise, nuisance and rubbish
 - Ensure that properties are better maintained and managed
 - Improve the health and safety of tenants living in properties
 - Identify poorly performing landlords
 - Assist poorly performing landlords to raise their standards
 - Support good landlords
- 4.2.2. The following tables show the responses for this question by each respondent type:
- 4.2.3. Q2.Table 1: Overall**



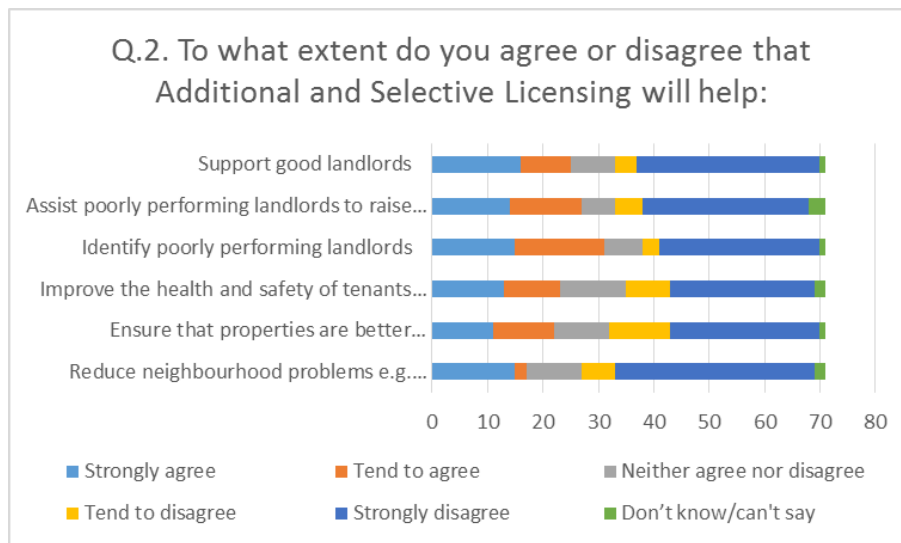
4.2.4. Q2.Table 2: Residents



4.2.5. In both instances, there is a general trend in support of the view that licensing would help improve the management of tenancies in the manner stated. On average 69% of overall respondents agreed to some extent with the statements made. This rose to 76% for residents only. In particular, there is strong agreement that licensing would help ensure that properties are better maintained and managed, and that it would help identify poorly performing landlords.

4.2.6. When responses are filtered by resident type, there is a slight distinction between those from private tenants and homeowners. 61% of private tenants are in agreement, whereas this rises to 80% for homeowners. This suggests that tenants are slightly less optimistic than homeowners on the impact of licensing, perhaps based on their own experiences.

4.2.7. Q2.Table 3: Landlords



4.2.8. By contrast, landlords disagreed that licensing would have a positive impact on standards. On average, 51% of respondents disagreed with the statements. In particular, 59% felt that licensing would have no impact on reducing neighbourhood problems, such as noise and rubbish.

4.2.9. Whilst there is a clear majority of landlords who disagree with the statements, there are a number who agree with some of the statements. 44% of landlords felt that licensing would help identify poor landlords, and 38% felt it would help poor landlords to raise standards. Therefore, there appears to be some recognition from landlords for the effectiveness of licensing. However, this doesn't state in any way that they would agree with the method of its implementation.

4.3. Question 3

4.3.1. Question 3 asked for respondents views of the proposed licensing area. Copies of a map of the proposed area were included with the questionnaire when posted to residents and landlords. A copy was also added to the website for online respondents. In addition, a postcode finder was attached to the website, so respondents could check if their address, or one of their properties, was included in the proposed licensing area.

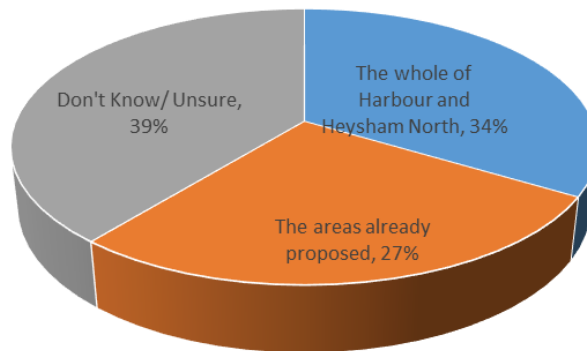
4.3.2. The question that appeared in the questionnaire specifically asked respondents whether they thought licensing should cover:

- The whole of Harbour and Heysham North
- The areas already proposed

4.3.3. Don't Know/ Unsure

4.3.4. Q3. Table 1: Overall

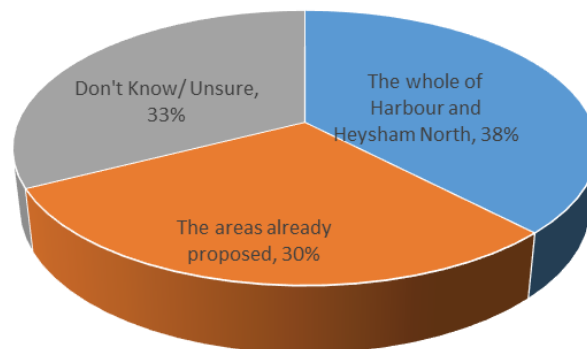
Q.3. If the council introduces Additional and Selective Licensing, which areas should it cover?



■ The whole of Harbour and Heysham North ■ The areas already proposed ■ Don't Know/ Unsure

4.3.5. Q3. Table 2: Residents

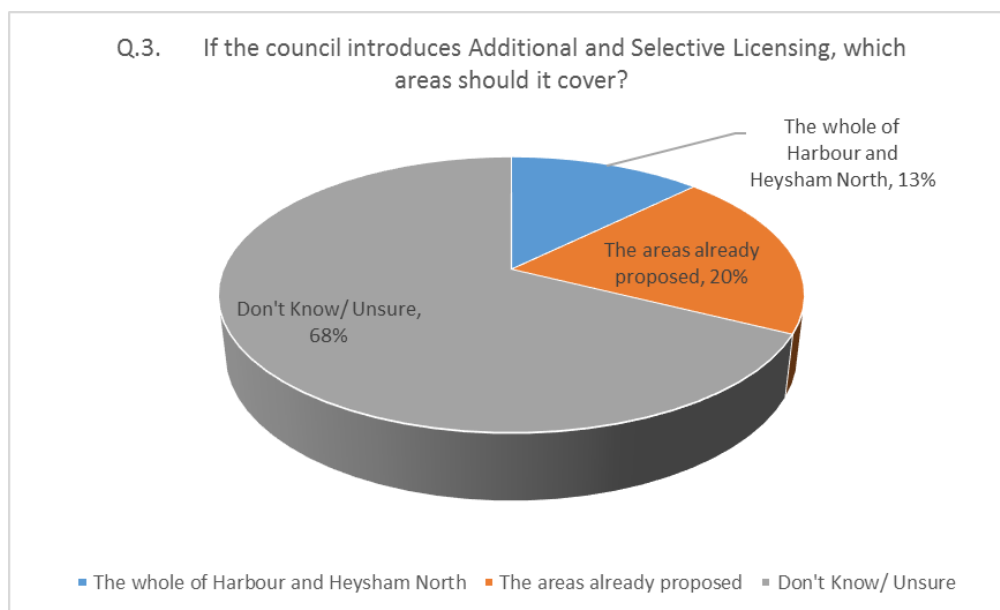
Q.3. If the council introduces Additional and Selective Licensing, which areas should it cover?



■ The whole of Harbour and Heysham North ■ The areas already proposed ■ Don't Know/ Unsure

4.3.6. The results for this question show that there isn't a clear opinion for where licensing should be applied. This is partly demonstrated by the number who chose 'don't know/unsure'. However, as the choices were limited to three responses, it is likely that in the absence of their desired response, a number of respondents chose 'don't know/unsure'.

4.3.7. Q3. Table 3: Landlords



4.3.8. The response from landlords also suggests that they would have preferred further options for this question. A number of landlords did not complete this question, or wrote comments instead of answering the multiple choice. The effect of this was that where landlords had completed the multiple choice it misrepresented the general view of landlords and suggested stronger support for options 1 and 2 of the question than there was. To try and counter this, where no answer was given, we have selected 'don't know/unsure', to correctly weight the level of response.

4.3.9. The overwhelming response of 'don't know/unsure' reflects the large number of landlords who didn't complete this question. Only 33% of landlords felt that licensing should cover either the designated area, or the whole of Harbour and Heysham North.

4.3.10. Question 3: Comments on proposed licensing area

Comments from residents for this question provide further clarification:

'I feel that the whole Morecambe/ Heysham area should be covered by the scheme, or Landlords just buy properties in areas outside the scheme and the problems just move outwards.' (R0195)

'All of Morecambe should be done.' (R0129)

'Anti-Social behaviour by youths in the proposed areas is gradually spreading into other neighbouring areas. This is a major concern.' (R0276)

4.3.11. These responses show that a number of respondents felt that the scheme had to cover a larger area than that proposed, as they felt that tackling one area would lead to problems spilling out into neighbouring areas.

4.3.12. The comments from landlords for this question queried the proposed geography of the scheme:

‘Why is it just covering a selected area? Shouldn't it be covering the whole of the Lancaster City Council's area? It's not fair to put a scheme in place for just a selected few houses in the area.’ (L0014)

‘If you already have a licence, another one is unnecessary, but Lancaster should also be licenced’ (L0003)

4.3.13. A number of landlords wrote ‘none’ in response to this question.

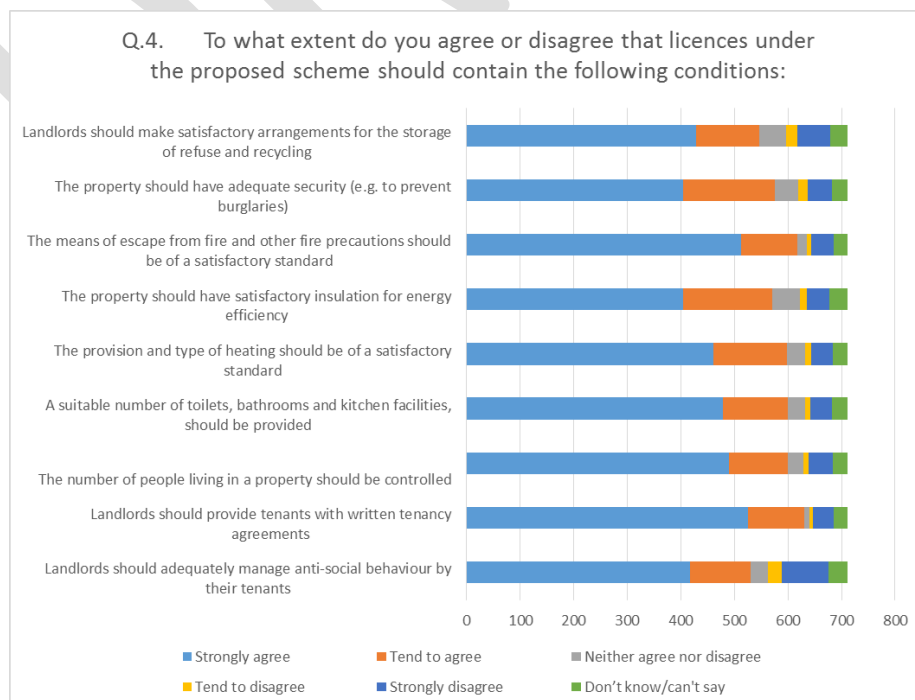
4.4. Question 4: Licensing Conditions

4.4.1. Selective Licensing has a list of mandatory conditions with which landlords must comply, such as providing gas safety certificates and requesting tenant references. In addition to the mandatory conditions, local authorities can add other conditions with which licence holders must also comply. Respondents were asked for their views on whether licences under the proposed scheme should contain the following conditions:

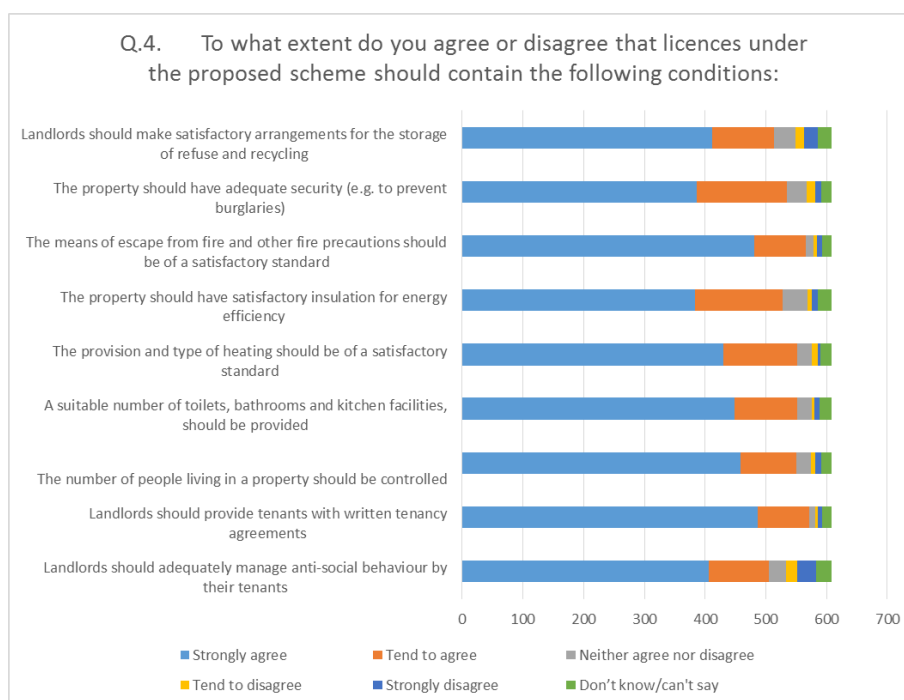
- Landlords should adequately manage anti-social behaviour by their tenants
- Landlords should provide tenants with written tenancy agreements
- The number of people living in a property should be controlled
- A suitable number of toilets, bathrooms and kitchen facilities, should be provided
- The provision and type of heating should be of a satisfactory standard
- The property should have satisfactory insulation for energy efficiency
- The means of escape from fire and other fire precautions should be of a satisfactory standard
- The property should have adequate security (e.g. to prevent burglaries)
- Landlords should make satisfactory arrangements for the storage of refuse and recycling

Responses were multiple choice, and the results are summarised below:

4.4.2. Q4. Table 1: Overall



4.4.3. Q4. Table 2: Residents



4.4.4. Overall, there was strong agreement that licences should contain the conditions listed. 82% of respondents agreed to some extent with the inclusion of the conditions. For residents, this increased to 89%. Of the conditions listed, there was very strong agreement with the inclusion of written tenancy agreements (overall 89%, residents 94%) and for satisfactory means of escape in the event of fire (overall 87%, residents 93%). Although there was strong support, in general, for making landlords responsible for anti-social behaviour by their tenants (overall 75%, residents 83%), there were more respondents who didn't agree with this condition than for others.

4.4.5. When broken down to the various resident types, homeowners showed more enthusiasm for the proposed conditions than private tenants. The table below summarises this:

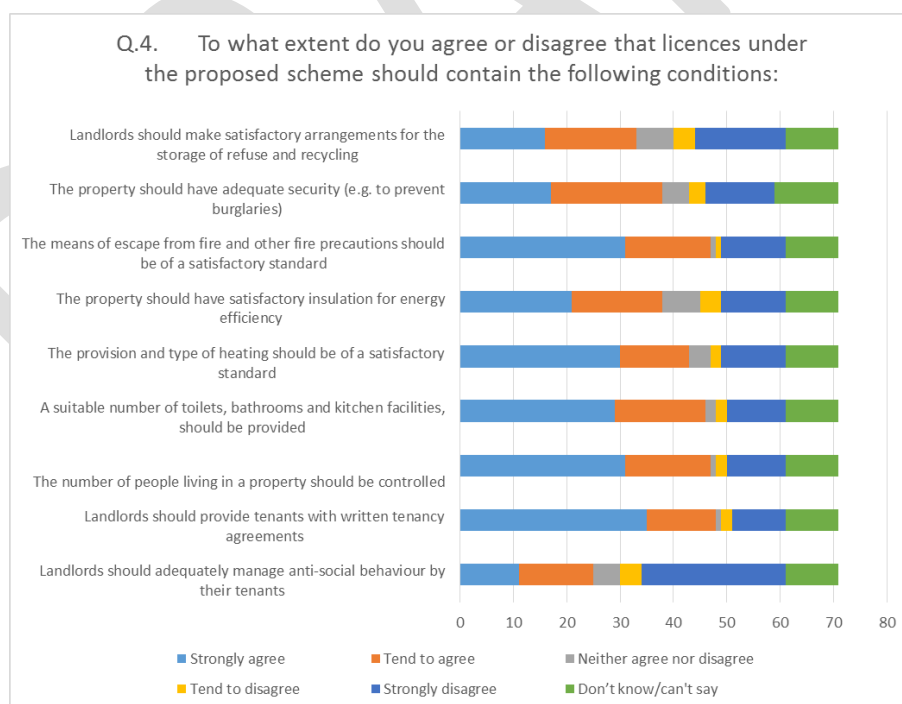
Condition	Homeowners		Private Tenants	
	Strongly agree	Tend to agree	Strongly agree	Tend to agree
Landlords should adequately manage anti-social behaviour by their tenants	73%	16%	54%	14%
Landlords should provide tenants with written tenancy agreements	85%	10%	66%	18%
The number of people living in a property should be controlled	85%	11%	54%	19%
A suitable number of toilets, bathrooms and kitchen facilities, should be provided	79%	14%	57%	18%
The provision and type of heating should be of a satisfactory standard	74%	19%	59%	19%
The property should have satisfactory insulation for energy efficiency	63%	24%	60%	20%
The means of escape from fire and other fire precautions should be of a satisfactory standard	83%	12%	67%	14%

The property should have adequate security (e.g. to prevent burglaries)	65%	24%	59%	20%
Landlords should make satisfactory arrangements for the storage of refuse and recycling	77%	14%	46%	20%

4.4.6. Although there was strong support for all of the proposed conditions from residents, there are a couple of conditions which were comparatively less popular. Private Tenants, in particular, were less supportive of landlords being responsible for managing ASB (68%) and providing satisfactory storage for refuse and recycling (66%).

4.4.7. Landlords were broadly in favour of most of the proposed conditions listed, though not to the extent of residents:

4.4.8. Q4. Table 3: Landlords



4.4.9. On average, 57% of landlords agreed with the proposed conditions. Landlords were most in agreement with providing written tenancy agreements (68%), requiring satisfactory means of escape from fire (67%) and controlling the number of people living in a property (66%).

4.4.10. On average, there was a lot more resistance to the proposed conditions from landlords (23%) than residents (4%). In particular, there was a distinct split in views on the inclusion of the condition requiring landlords adequately manage anti-social behaviour, with 44% (38% strongly disapproved) disagreeing with its inclusion. However, 35% of landlords agreed to some extent with its inclusion.

4.4.11. A significant number of landlords disagreed with the inclusion of some of the other conditions:

- Landlords should make satisfactory arrangements for the storage of refuse and recycling – 30%
- The property should have adequate security (e.g. to prevent burglaries) – 23%
- The property should have satisfactory insulation for energy efficiency – 23%

4.4.12. Question 4: Comments on specific licence conditions

4.4.13. The majority of comments for this question were concerns about anti-social behaviour (ASB). Some residents expressed concerns about the level of anti-social behaviour in the area and felt that landlords needed to do more to tackle ASB:

'I live in the West End and have suffered anti-social behaviour and have been attacked by 5 youths, all of which were renters... landlord does nothing' (R0475)

'Being a home owner and living within an area with a sizeable amount of rented properties, I have witnessed anti-social behaviour from rented properties and feel that tighter restrictions on licensing can only improve the quality of life, for local residents.' (R0585)

'...Things need to change for the better, which I believe it can only help if the landlords are made aware and responsible for their tenants behaviour whilst living in their property.' (R0602)

'Anti-social behaviour is not a council's problem. Yes, if it is being caused by tenants of rented property, the council should be tackling it by targeting the landlords.' (R0446)

'I live next door to a rented accommodation where we have to live with noise, anti-social behaviour & drug dealers, the landlord has no interest in what happens in his rented house, he is only interested in the money.' (R0545)

4.4.14. One homeowner felt that although the landlord should be responsible for managing ASB, this should be in conjunction with others:

'I think the landlord should be responsible for reporting unsociable behaviour by their tenants to the proper authorities rather than deal with certain circumstances themselves which could be a risk to them or their families.' (R0593)

4.4.15. There was recognition from some that ASB wasn't the fault of the landlord and others bore some responsibility:

'It is unfair to put all the blame for anti-social behaviour on landlords. What about Police?' (R0206)

'...also the council in conjunction with the police should be more visible in tracking unsociable behaviour and burglary not just issuing memos and figures and not acting.' (R0247)

'Landlords should make it easier for landlords to get rid of bad tenants. Landlord cannot be expected to act as police. A clear and better system to help landlords to check against people with anti-social behaviour then people will behave better. No one wants to end up in the streets.' (R0447)

- 4.4.16. Comments from landlords reflected the results of the survey, with a large number questioning whether managing ASB was the responsibility of the landlord:

'Anti-social behaviour is not a landlord problem but society landlords can't fix the world's problems with no support!' (L0008)

'Please advise how on earth you expect landlords to control the behaviour of their tenants?? This is a societal problem - landlords don't want vandalism or anti-social behaviour - It's very harmful - but we have no way of controlling it and it's entirely unreasonable and unrealistic to suppose we can do anything about it. Cases of anti-social behaviour should be dealt with by the police irrespective of where they live or who is the landlord...' (L0016)

'The Police should manage anti-social behaviour. They are the law not landlords the council already have the power.' (L0021)

- 4.4.17. Some landlords stated that the problem was that the law does not enable them to take effective action:

'It is nearly impossible to manage anti-social behaviour of your tenants. Law is on tenant's side & there are hardly any consequences for this behaviour that a landlord can impose. None are mandatory grounds for eviction, so you are unable to manage.' (L0019)

'Landlords cannot tackle anti-social behaviour in the way you believe we can. In the past the council has been against landlords trying to control tenants' behaviour.' (L0038)

'Landlords do not have the laws behind them to tackle anti-social behaviour. All good landlords do the necessary checks but once a tenant is in, it is difficult to control how an individual lives. All it takes is for a new partner to come along and it can all change.' (L0043)

'How can a landlord manage the anti-social nature of a tenant. The only power they have is eviction which is surely a negative' (L0028)

- 4.4.18. One landlord showed their support for the proposed conditions:

'It is a good idea, it should help to improve the behaviour of tenants in the West End' (L0005)

- 4.4.19. Although the majority of comments regarding the conditions were about ASB, there were a few relating to the other proposed conditions. A number of resident comments focussed on the issue of refuse and littering:

'Improved facilities for rubbish collection are essential landlord must make sure tenants know rubbish collections are that all tenants have access to a wheelie bin or correct plastic bags.' (R0024)

'Landlords should pay for excessive rubbish dump by tenants i.e. back of Euston Grove and the pathway to Morrison's from West End Road should have a camera. (fly-tipping) council estate!!' (R0107)

'All landlords should be responsible for the disgusting amount of rubbish tenants throw in the back alleys.' (R0121)

'Landlords should be responsible for cleanliness of back street behind their terraces some areas are atrocious and must be rat infested and unhygienic.' (R0208)

4.4.20. There was also recognition of the role of tenants in maintaining standards:

'It is equally up to tenants to maintain standards of community and individual cleanliness in the area + house / flat in which they live. Not just landlords.' (R0247)

'Tenants should be educated in the appropriate methods of refuse disposal, not fly tipping, which is a constant problem, certainly in the West End area.' (R0390)

'Tenants need to take blame as well for rubbish and up keep of the area.' (R0145)

4.4.21. Other resident comments referred to some of the other proposed conditions:

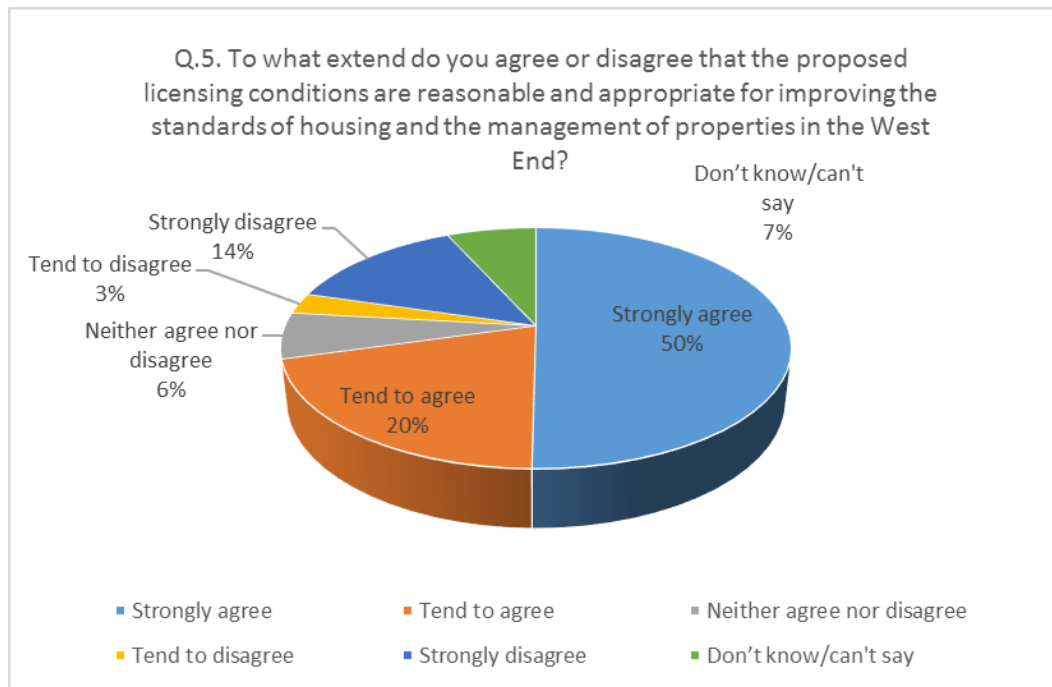
'My heating in my home is inadequate, have complained to landlord but doesn't care or not interested in sorting it.' (R0013)

'Information on tenants' rights, support and housing rented conditions in law. Given to tenant by landlord. A written rent book given where payments signed and recorded.' (R0224)

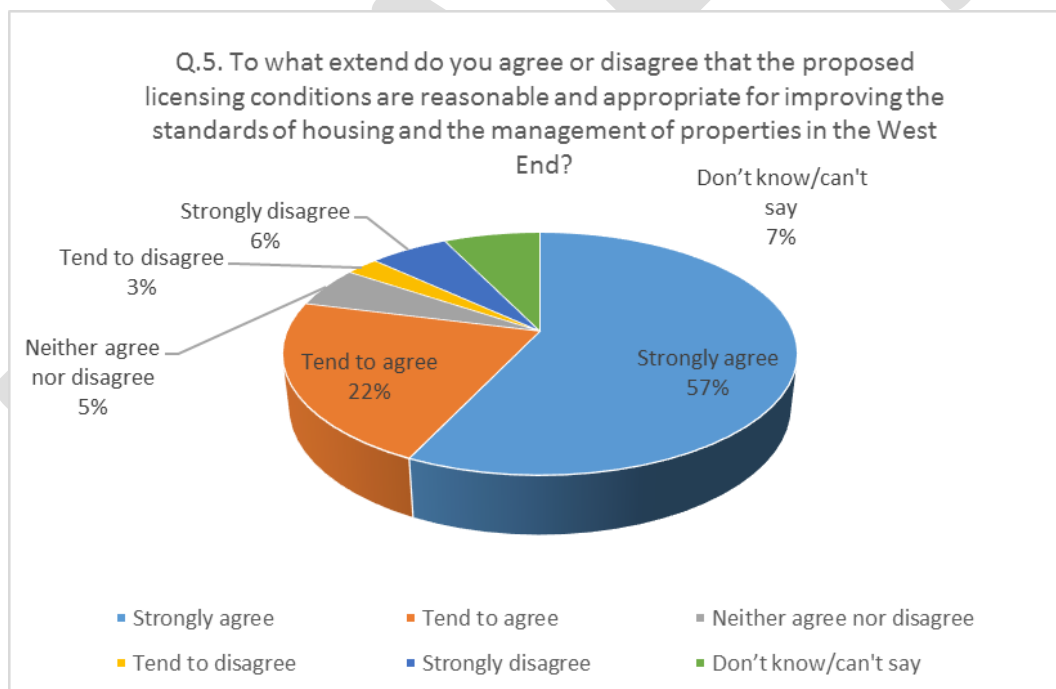
4.5. Question 5-6: Opinion of Licensing Conditions

4.5.1. Question 5 asked to what extent respondents agreed or disagreed that the licensing conditions were reasonable and proportionate for improving the standards of housing and management in the West End. Question 6 provided an opportunity for respondents to add further comments on the proposed conditions.

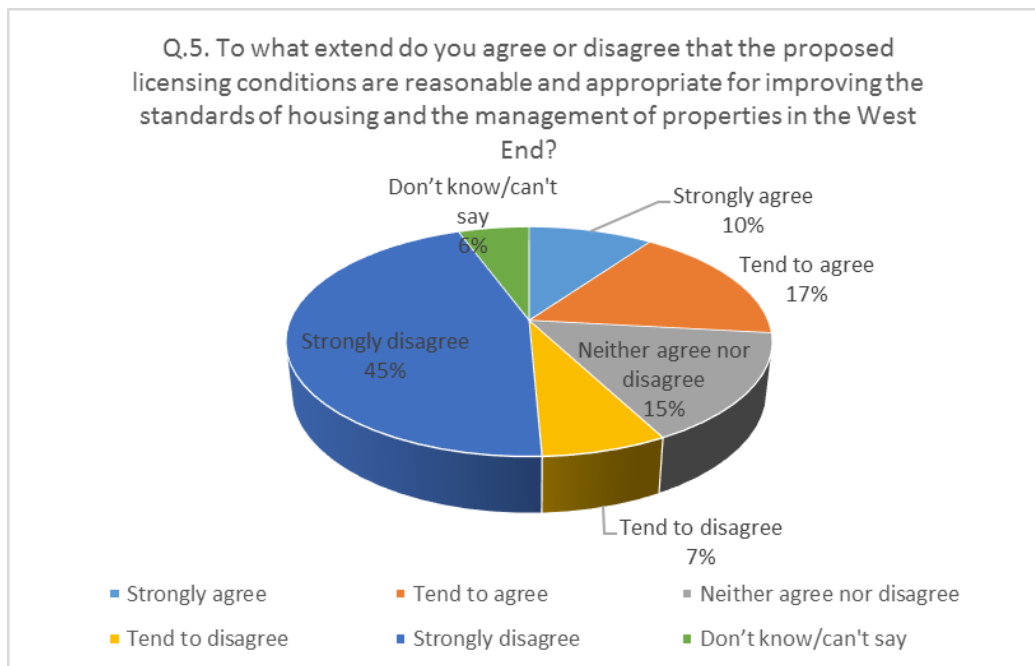
4.5.2. Q5. Table 1: Overall



4.5.3. Q5. Table 2: Residents



4.5.4. Q5. Table 3: Landlords



4.5.5. The results showed that the majority of respondents (70%) agreed that the proposals were reasonable and proportionate. Of the residents, 79% agreed that the proposals were reasonable and proportionate.

4.5.6. By comparison, a majority of landlords (52%) disagreed with the view that the proposals were reasonable and proportionate. However, it should be noted that the response of landlords wasn't overwhelmingly against the proposed conditions, with 27% agreeing to some extent that the proposed conditions were reasonable and proportionate.

4.5.7. Q.6. Comments on proposed licence conditions

4.5.8. A lot of the comments for this section were concerning specific conditions, but a number of comments were about the principle or the practicalities of imposing licensing conditions. Whilst agreeing in principle, a number of responses from residents questioned the council's ability to monitor the licence conditions:

'Yes, as long as they are strongly enforced.' (R0018)

'The proposals are a good idea as long as it is made to work' (R0605)

'My main area of concern is the ability to enforce/maintain the effectiveness of the Licence.' (R0203)

'The proposals are great in theory but what would be the cost of enforcing them (if that was possible) and who would have to pay them? Some private households have to pay for their own standards and shouldn't have to pay towards tenants or landlords maintaining reasonable standards...' (R0048)

'How will the licensing scheme be reviewed for individual landlords? Will it be an annual review to ensure compliance and review of changes of circumstances such as a move or less flats in a single property? How will the licensing conditions be policed?' (R0308)

- 4.5.9. One respondent felt that rather than imposing and monitoring conditions, energy should be placed elsewhere:

'There are already regulations covering fire, safety, heating, energy efficiency etc. You would have more compliance through education e.g. if landlords had to pass an accredited landlord scheme exam...' (R0603)

- 4.5.10. As seen previously, most comments from landlords were concerning ASB. However, a couple of landlords did provide comments on the proposals overall. One stated that some of the proposed conditions were already being done:

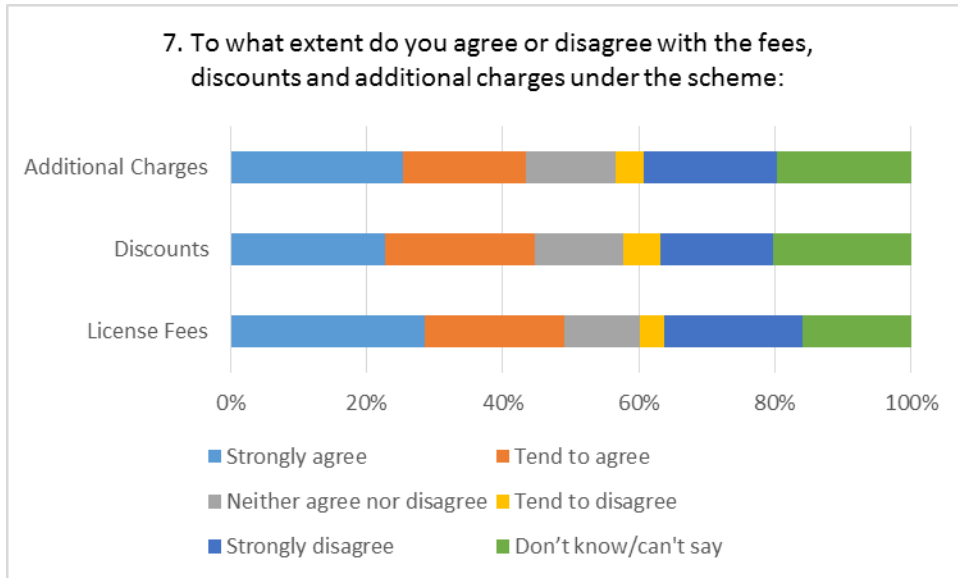
'The number of people, suitability of toilets, heating and kitchen facilities are already controlled. The fire service inspects all safety systems. This area is home to families of low economic status who will bear the brunt of the costs. The council should provide bins and places to store them.' (L0046)

- 4.5.11. This comment may suggest why there was some support from landlords for the proposed conditions. Landlords who already manage their properties effectively would apply a number of these conditions, so, in principle, agree with the proposed conditions. However, this doesn't imply agreement with the implementation of the scheme, as a whole.

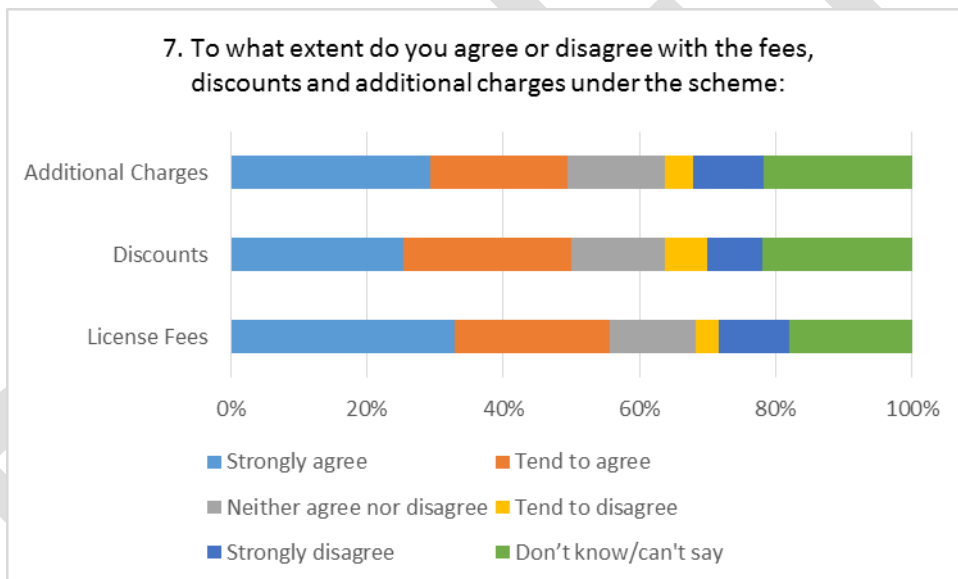
4.6. Question 7-8: Licence fees, Discounts and Additional Charges

- 4.6.1. Respondents were asked to what extent they agreed with the proposed licence fees, discounts and additional charges. A breakdown of the fees, discounts and charges was included in the introduction to the question. The fees were separated out into the cost for a licence for Additional Licensing and for Selective Licensing. For each, the proposed discounts for 'early bird' and accredited landlords were listed. Question 8 invited respondents to share their views of the proposed fees, discounts and additional charges.

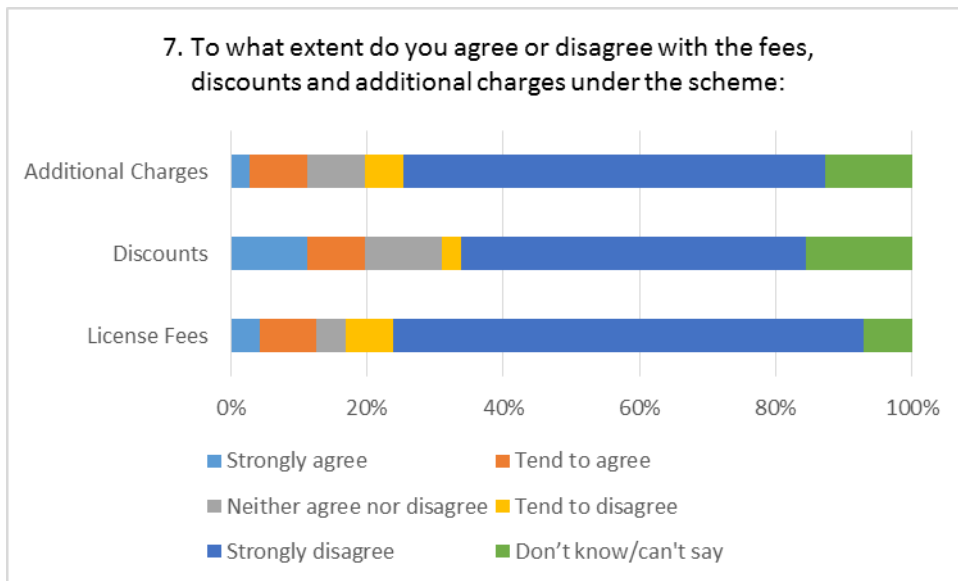
4.6.2. Q7. Table 1: Overall



4.6.3. Q7. Table 2: Residents

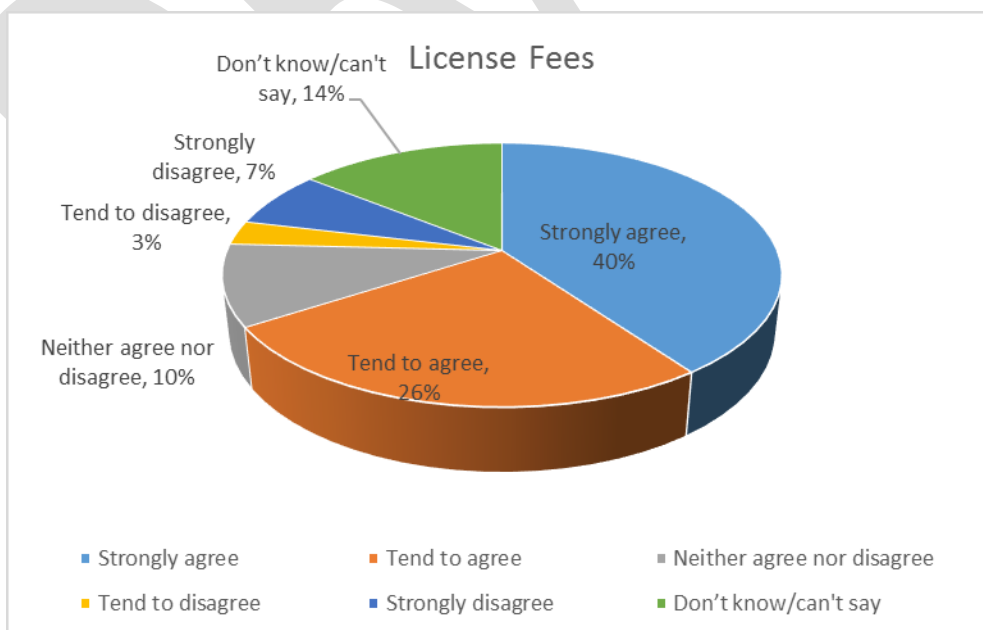


4.6.4. Q7. Table 3: Landlords

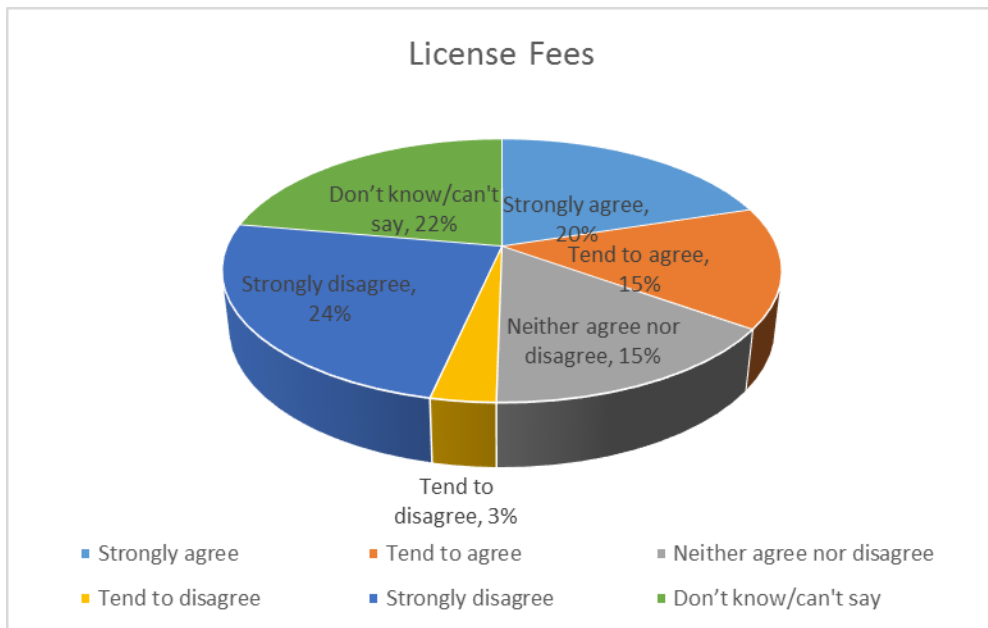


- 4.6.5. Overall, 49% of respondents agreed to some extent with the proposed fees, 45% agreed with the discounts and 43% agreed with the additional charges.
- 4.6.6. Residents were generally positive about the proposals, with 56% supporting the fees, and 50% supporting both the discounts and additional charges. Only 14% of all residents disagreed with the proposed fee structure. However, a lot of residents either didn't express a view either way or couldn't say (33%).
- 4.6.7. The main two resident types expressed differing views on the licence fee proposals, particularly regarding the fees:

4.6.8. Q7. Table 4: Homeowners views on licence fees

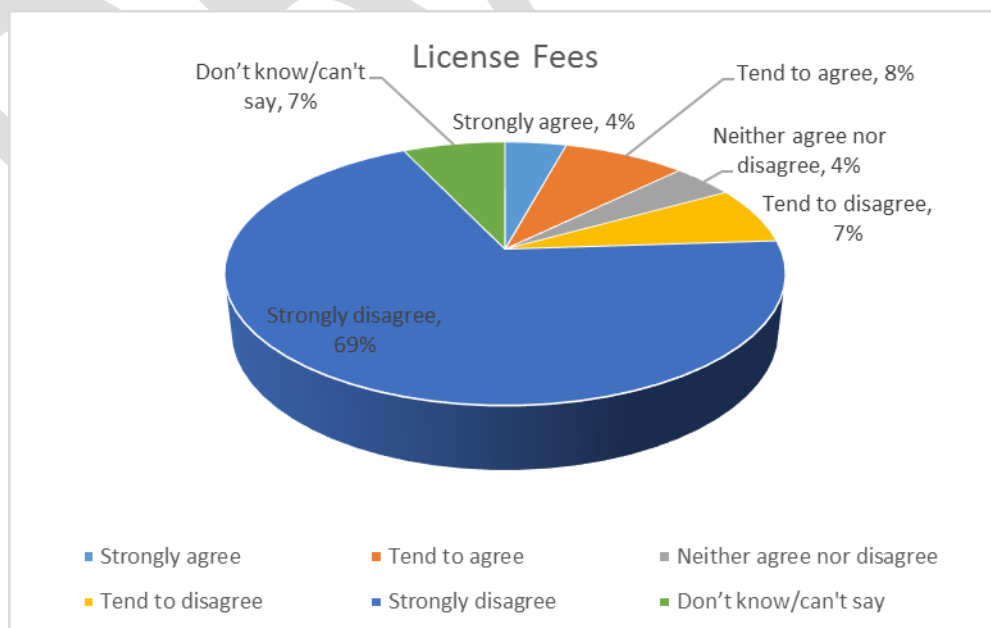


4.6.9. Q7. Table 5: Private Tenants views on licence fees



4.6.10. 66% of homeowners agreed to some extent with the licence proposed fee, however, only 35% private tenants agreed. 27% of private tenants disagreed with the fees. A lot of private tenants either couldn't decide (22%) or didn't express a view (15%). The greater variety of views by tenants may be due to consideration of the potential impact of charging a fee to landlords. As will be seen in the comments for this section, a number of tenants feared that the impact of imposing a licence fee would be an increase in their rent, or the reduction in maintenance spent on the property by landlords, seeking to off-set the cost of the licence.

4.6.11. Q7. Table 6: Landlords views on licence fees



4.6.12. Landlords were consistent in their views on the licence fee structure. In particular, 76% of landlords disagreed with the proposed licence fee, with 69% strongly disagreeing. Only 12% of landlords agreed to any extent with the proposed licence fee.

4.6.13. Q8: Comments on licence fees, discounts and additional charges

4.6.14. As expected, there were a lot of comments for this section. Many respondents chose to comment on the costs involved, specifically the licence fee. Quite a few responses from residents saw the positives of imposing a licence fee:

'Landlords should not be allowed to get away with none compliance and the fees mean they are held to count for their properties and all rented properties should come under this new scheme.' (R0581)

'I agree with the fee, however if any landlord drops their standards at providing for their tenants they should be subject to fines until they put those problems right and raise their standards to the recognised levels again.' (R0369)

'Licenses should be higher and no discounts if landlords don't register fine should be at least £500.' (R0014)

'This will discourage people from renting out inappropriate and stop them not taking being a landlord seriously.' (R0018)

4.6.15. A number of the responses from residents commented on the discounts, with some agreeing with them, but others questioning whether discounts should be offered:

'Could offer a larger discount in the first year of scheme to get people signed up. Could offer early adopters/ first year registrations a permanent or 5 years discount to encourage signing up.' (R0159)

'While the concept of Early Bird discounts encourages rapid uptake amongst the good landlords, they are not the problem. The worst landlords will try to stay under the radar for as long as possible, so the charges for failure to register should be much higher.' (R0570)

'I do not agree with the level of discount available if you want a license you should have to pay for it, full stop.' (R0412)

4.6.16. A number of respondents commented on the finder's fee, thinking that the fee wasn't enough:

'The finder's fee seems low to me...I imagine it might be very difficult in some cases to track down owners of some properties. Maybe a sliding scale? Could there be some incentive for landlords registered in the UK for tax purposes, or disincentive to those registered in off-shore tax havens?' (R0589)

'Finder's fee should be much higher eg £2000+ 1) to act as a deterrent 2) to recompense LCC for the effort involved. Perhaps the landlord should be billed for the amount LCC has spent.' (R0063)

'Finder's fee- should be £1000 minimum £200 in my opinion won't be a reason to some people!' (R0183)

'I feel finder's fee should be higher, as council costs will be more than £200 to perform this, therefore it will impact on council tax payers.' (R0195)

- 4.6.17. There were a large number of negative responses from residents regarding the fees. The majority were concerned that the fees had the potential to increase rents. Some of the views expressed demonstrated the strength of feeling for the subject:

'All these charges - who gets the money from them? This will then force landlords to put up prices more and then this will make more problems for low income tenants.' (R0247)

'Just concerned about the cost of renting a property and worried that landlords may increase rent to cover these costs.' (R0250)

'I feel licences should be transferable. I also fear that this cost is going to be passed onto the tenants.' (R0278)

'My reason for disagreeing is that fees will be factored into rents by private landlords making renting more expensive. You might end up in effect taxing the tenant as a council.' (R0285)

'Too expensive. Will end up raising rents which clients will not be able to afford' (R0307)

'These charges are outrageous, the only people to pay in the long term is Morecambe residents in higher rents, in these times of austerity are we not being squeezed hard enough?' (R0547)

- 4.6.18. There was also the perception that due to the level of the proposed fees, the scheme was a money-making exercise:

'These fees just take money out of the West End with no benefit to anyone apart from the council's bank account.' (R0613)

'Excessive financial burdens on landlords will increase rents paid by tenants. Landlords should not have to pay for extra bureaucracy.' (R0104)

'Another council money making scam. The service should go ahead free of charge...' (R0121)

'Just another expense which will be passed on to the tenant by the landlord. Major income for local authority where will it be spent?' (R0137)

- 4.6.19. There was also the feeling that good landlords would pay the fees and bad one wouldn't, with the effect of the good paying for the bad:

'Abysmal- again the good landlords who already meet the conditions are being charged to meet the cost of poor landlords- DISGUSTING!!' (R0403)

'...No incentive or even discount suggested for good landlords. Why should they suffer due to the bad ones? (R0206)

- 4.6.20. A lot of the concerns raised by residents were also raised by landlords. Quite a few questioned the level of the licence fee, and how it was calculated:

'...why charge landlords so much, as the council will profit millions. But this is money taken out of the West End.' (L0035)

'How have these amounts been decided and how will my money be used' (L0039)

'These fees are unreasonable. You haven't thought about small landlords' affordability for this.' (L0045)

- 4.6.21. Some questioned how they were expected to be able to afford the proposed licence fee, in conjunction with other cost pressures such as rent arrears and changes to taxation:

'Landlords are facing huge financial challenges from tax increase due to the abolition of mortgage interest tax relief and removal of 10% F & F wear allowance. There are also stamp duty and CGT cost increases. The charges are too high and would be better spread over 3 years.' (L0069)

'Another cost to swallow up. Going to make a lot of people homeless, because there's a small profit margin already, especially in these areas where some of the tenants are not the best, with hygiene etc, costing the landlord with unnecessary repairs.' (L0030)

'Financial burden is unsustainable. Rental incomes from those on benefits & universal credit is shrinking. Non-payment of rent and absentees are increasing. Housing schemes tend to involve many additional costs to the landlord and to charge a fee on top makes it economically unsustainable. You are going to end up with more empty properties and fewer repairs. We need help!!' (L0016)

'A few will take money away from frontline for maintenance and improvements. The gov't phased in section 24 tax again takes money, pushing the most vulnerable to pay and lose out. Rental properties will be sold off to first time buyers, reducing supply.' (L0036)

'Fees are too high. I cannot afford this and maintain my properties. I have done my sums and the council will benefit millions, yet the West End will not benefit at all.' ((L0041)

'The fees are too high. Not all landlords are loaded. Should be £50 per property. This would cover the council's costs, and is fair to all landlords.' (L0044)

- 4.6.22. Other landlords raised the issue that the fees would discourage further investment in the area:

'The buy-to-let housing market is on its knees due to "initiatives" implemented by central government including stamp duty and removal of mortgage relief. These fees will only further discourage investment and make rental properties even more expensive for tenants. It will have the opposite effect of the intent. Reputable landlords will always provide their tenants with secure, clean and well-maintained accommodation and this is just another charge that will drive more out. Disreputable landlords will cut more corners and squeeze tenants even further. More regulation, and what looks like a huge money-making scheme if you are only employing two inspectors, is not the answer - never has been. You should be encouraging investment, not discouraging it.' (L0055)

'These fees are too high and will only take money out of the area. Rents will rise as a result. There are no discounts for multiple selective licenses. There has been no thought of the affordability of this what so ever. If you take so much money out of peoples businesses, with such little notice, how do you expect investment to continue in the area?' (L0067)

- 4.6.23. Landlords also shared the view that the fees were a tax on good landlords, to pay for enforcement on bad landlords, questioning the fairness of the approach:

'I think it is grossly unfair for Landlords that have a good reputation and look after their properties and tenants to a satisfactory standard to be burdened with this 'additional tax' from the council. Especially at a time when were already having to increase rents to try to cover the costs of section 24 of the finance act and the soon to be lost income from up-front costs. Unfortunately it will have to be passed on to tenants in the form of rent increases over the coming years and that's not something I'm looking forward to and I'm sure my tenants won't either.' (L0066)

'I am a responsible landlord that rents a house in the area - this house is way above the local standard with modern kitchen, bathroom, gas central heating & double glazing. My tenant is happy there & I deal with any maintenance issues straight away & have all safety certificates. So now you propose I have to pay for a licence to rent this house! Penalising me because there are bad landlords out there - great!' (L0019)

- 4.6.24. Some landlords questioned what they were getting for the expense:

'What will we get for paying for a license?' (L0014)

'We are responsible landlords with high quality accommodation why do we need to be licensed, what use is it to us. Just money for the council!' (L0020)

- 4.6.25. Although the comments from landlords was overwhelmingly against the proposed fees, one did show support for the fees:

'The landlord should be licensed, then his/her properties registered under that licence. Fee for landlord and fee per property - joint ownership, one licence.' (L0031)

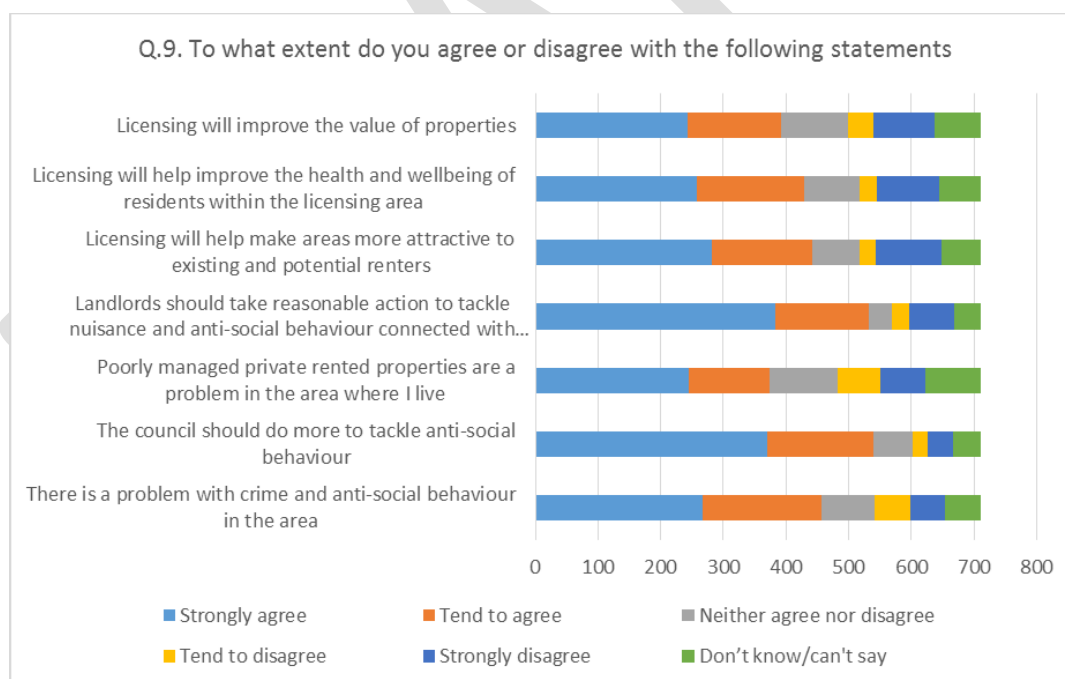
4.7. Question 9: The Local Area

4.7.1. Question 9 asked respondents for their views about the area where they lived, or where they had properties. Specifically people were asked whether they agreed or disagreed with the following:

- There is a problem with crime and anti-social behaviour in the area
- The council should do more to tackle anti-social behaviour
- Poorly managed private rented properties are a problem in the area where I live
- Landlords should take reasonable action to tackle nuisance and anti-social behaviour connected with their property
- Licensing will help make areas more attractive to existing and potential renters
- Licensing will help improve the health and wellbeing of residents within the licensing area
- Licensing will improve the value of properties

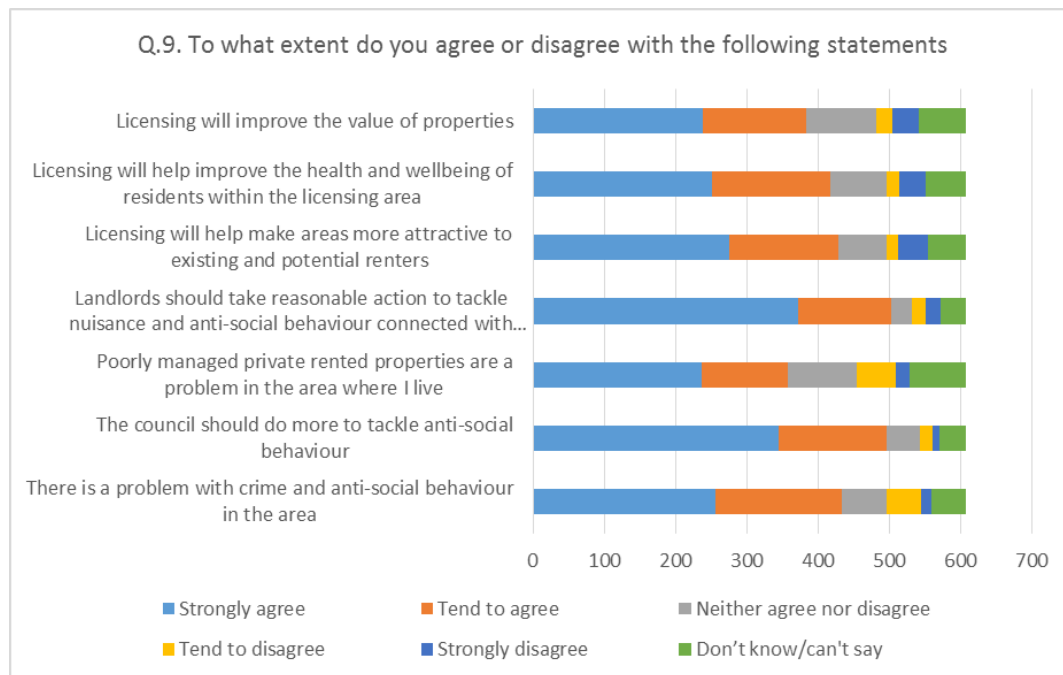
4.7.2. Although each of the statements addressed the area where licensing would likely be implemented, it is acknowledged that the phrasing of the third statement could have been misleading, especially for landlords who may live outside the specified area.

4.7.3. Q9. Table 1: Overall



4.7.4. Overall, respondents showed fairly strong agreement with the statements made in this question. On average, 64% of respondents agreed to some extent with the statements made. In particular, a lot of respondents agreed that the council (76%) and landlords (75%) should do more to tackle ASB. 64% of respondents believed that there was a problem with ASB in the area.

4.7.5. Q9. Table 2: Residents



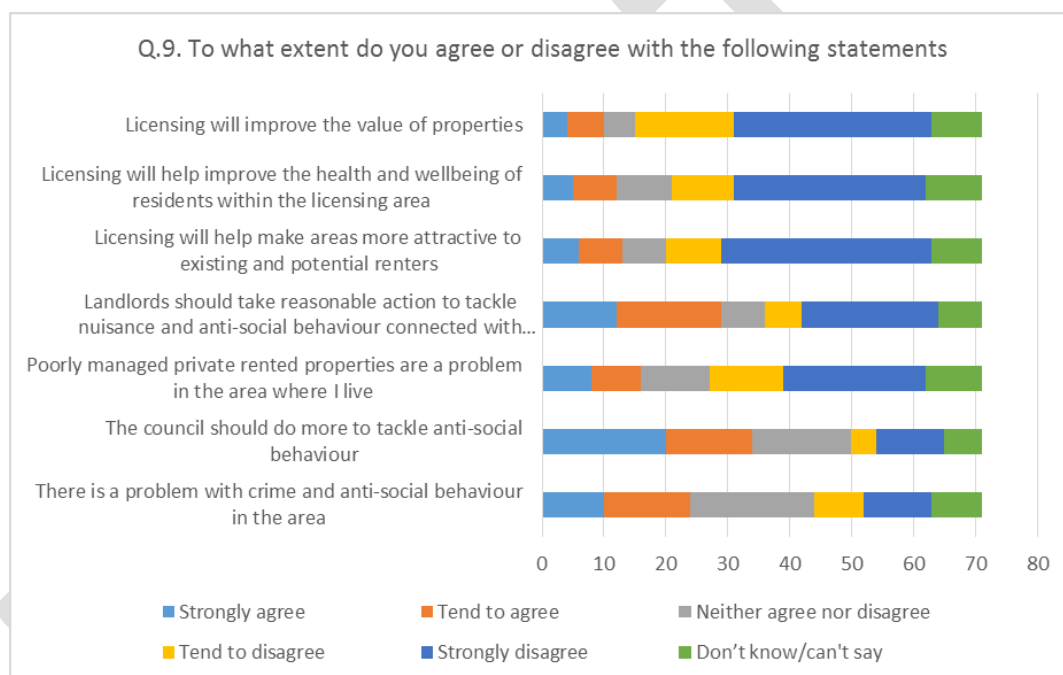
4.7.6. On average, 71% of residents agreed to some extent with the statements made. There was very strong support for the view that the council (82%) and landlords (83%) should be responsible for tackling ASB.

4.7.7. A comparison of the views of homeowners and private tenants shows contrasting views on some of the statements:

	Homeowners		Private tenants	
statement	Agree (to some extent)	Disagree (to some extent)	Agree (to some extent)	Disagree (to some extent)
There is a problem with crime and anti-social behaviour in the area	78%	6%	53%	29%
The council should do more to tackle anti-social behaviour	85%	3%	69%	17%
Poorly managed private rented properties are a problem in the area where I live	65%	7%	45%	33%
Landlords should take reasonable action to tackle nuisance and anti-social behaviour connected with their property	89%	4%	66%	23%
Licensing will help make areas more attractive to existing and potential renters	78%	6%	56%	26%
Licensing will help improve the health and wellbeing of residents within the licensing area	76%	5%	52%	28%
Licensing will improve the value of properties	70%	6%	48%	26%

- 4.7.8. The difference between the responses from homeowners in this question suggests a difference in perception of the issues in the West End. In particular, homeowners felt that there was a much bigger problem with ASB (78%, compared with 53% for Private Tenants) and poorly managed properties (65%, compared with 45% for Private Tenants).
- 4.7.9. Homeowners also felt that licensing would be more effective in attracting potential renters (78%), improving the health and wellbeing of residents (76%) and improving the value of properties (70%). In general, private tenants were more likely to disagree with the statements than homeowners. On average, 26% of private tenants disagreed with the statements, compared with only 5% of homeowners, playing down the impact of licensing.

4.7.10. Q9. Table 3: Landlords



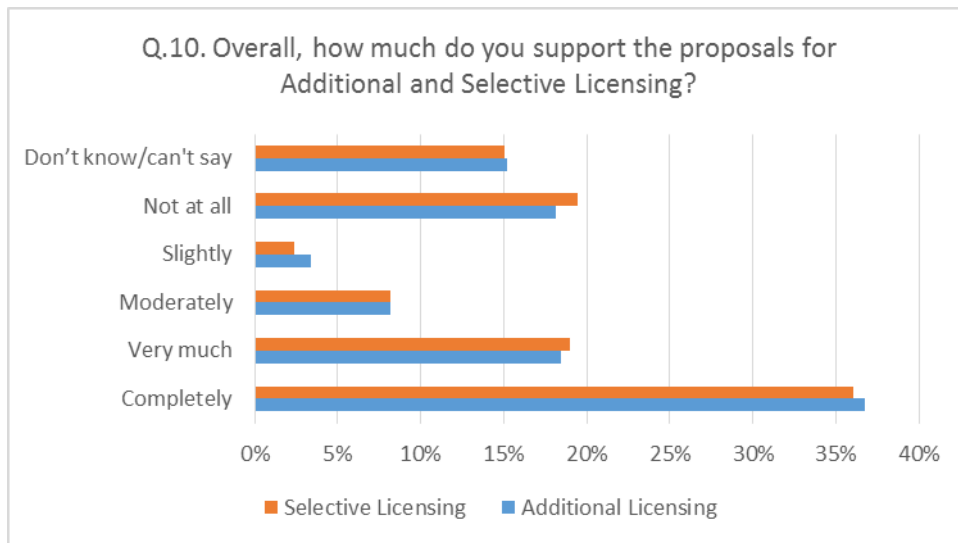
- 4.7.11. Landlord responses for this question tended to have strong views on the potential impact of licensing, but a mixture of views on some of the other statements. Landlords disagreed with the view that licensing would improve property values (68%), improve health and wellbeing of residents (58%) or would make the area more attractive (61%).
- 4.7.12. Regarding crime and ASB, there wasn't a definitive view on whether there was a problem. Only 34% of landlords felt there was a problem and 26% didn't think there was a problem. More landlords either couldn't say or didn't agree either way that there was a problem (38%). 48% of landlords felt that the council needed to do more to tackle ASB and 41% agreed that landlords should take reasonable action to deal with ASB connected to their properties – 39% disagreed.

4.8. Question 10-11: Overall level of support for licensing

- 4.8.1. Question 10 asked respondents to say, overall, how much they supported the proposals for Selective and Additional Licensing on a sliding scale from 'Completely' to

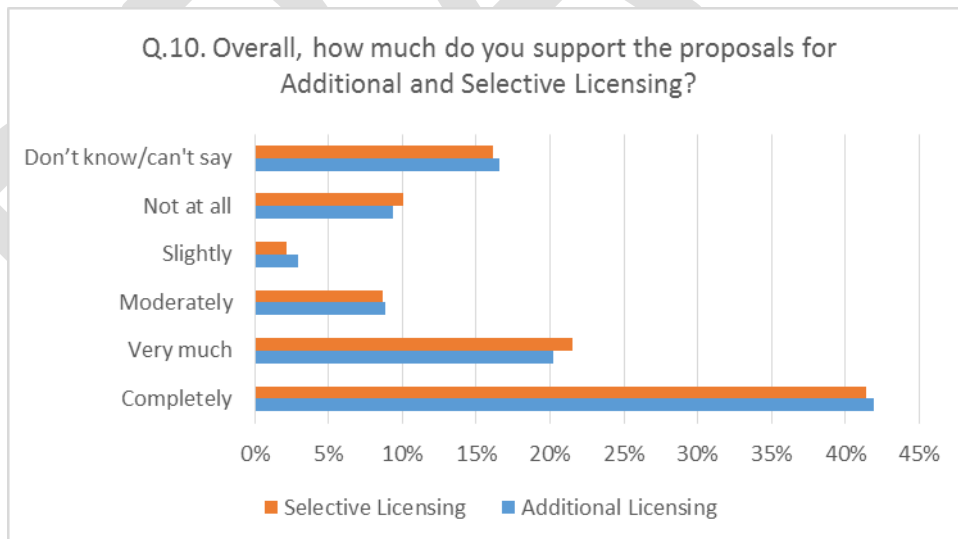
'Not at All'. Respondents were also invited to share their views in question 11's free text box.

4.8.2. Q10. Table 1: Overall



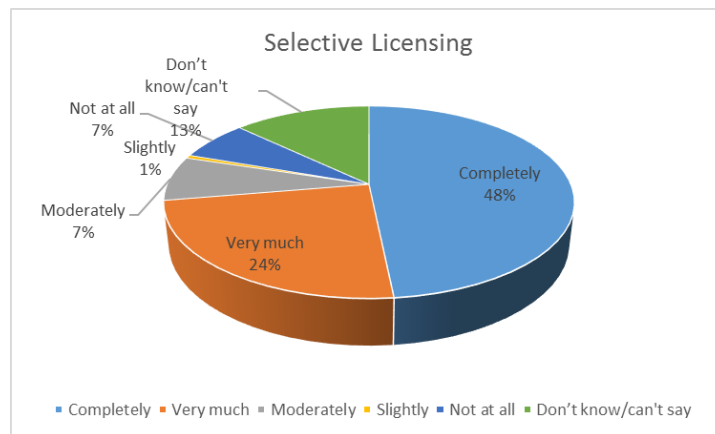
4.8.3. Overall, 55% of respondents supported both schemes completely or very much. 18% of all respondents didn't support additional licensing at all and 19% showed no support for selective licensing.

4.8.4. Q10. Table 2: Residents

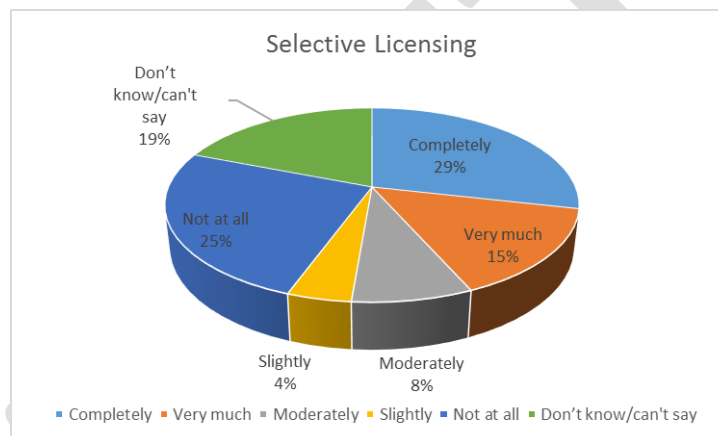


4.8.5. A large number of residents supported additional licensing (62%) or selective licensing (63%) completely or very much. 9% of residents showed no support for additional licensing, whilst 10% showed no support for selective licensing. When the two main resident groups are separated out it is possible to get a more accurate view from residents for the schemes. As there is little difference in views of selective and additional Licensing, the following charts focus on selective licensing:

4.8.6. Q10. Table 3: Homeowners views of selective licensing

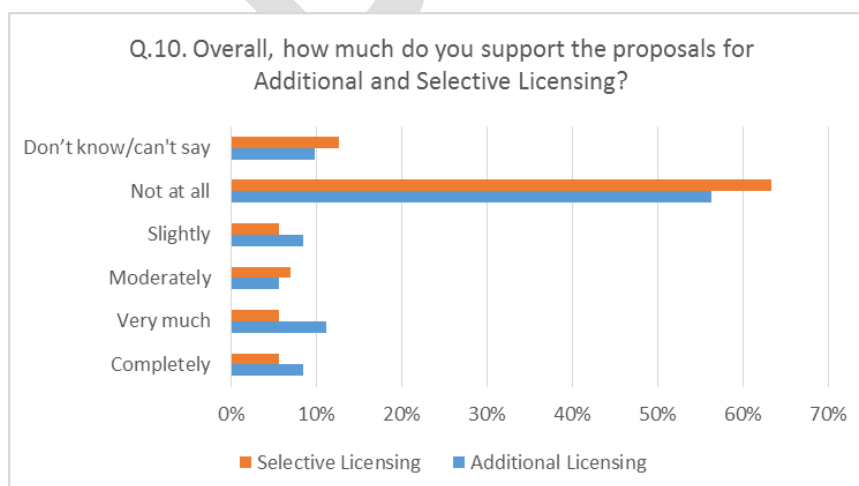


4.8.7. Q10. Table 4: Private tenants views of selective licensing



4.8.8. The two charts show quite a difference in opinion between homeowners and private tenants. 72% of homeowners either completely or very much support selective licensing. For private tenants, this drops to 44%, with 25% showing no support. The perception of the impact of licensing appears to be a lot more positive from homeowners than it is from private tenants.

4.8.9. Q10. Table 5: Landlords views of licensing



- 4.8.10. Landlords were generally against the proposals for licensing, with 56% showing no support for additional licensing and 63% showing no support for selective licensing. . Where there was support, it was more for additional licensing, with 19% completely or very much supporting the proposals, whereas, the figure was 12% selective licensing.

4.8.11. Q11: Comments on the proposals overall

- 4.8.12. Several residents spoke of their support for the proposed schemes:

'Hope it works to improve rented properties.' (R0363)

'It is about time the landlords were brought under control, they have got away with shoddy dilapidated property management for too long. I strongly feel that this should be mandatory for all rented properties and the landlords, too many do not care.' (R0581)

'Selected licensing should protect vulnerable people renting flats & houses as well as disabled...' (R0452)

'I live next door to a rented accommodation where we have to live with noise, anti-social behaviour & drug dealers. The landlord has no interest in what happens in his rented house, he is only interested in the money. I have complained to the landlord, police & the council over the years to no avail. It would be nice if this scheme would help improve the consideration of landlords to residents.' (R0545)

'I think the area has been targeted by slum lords and would be happy to see this being addressed.' (R0567)

- 4.8.13. Others thought the schemes looked good in theory, but questioned whether they would work in practice:

'It's good in theory if it gets neighbours sorted for nuisance or repairs to property, but getting it put into action is a long, drawn-out process, and should be quicker.' (R0515)

'It all sounds good in theory but I am not convinced it will actually work in practice as well as you think it will. Bad landlords will find ways round the rules and tenants will keep quiet for fear of massive rent increases or eviction. The suspicion cannot be dismissed that this is being proposed mainly as a way for the council to get even more money out of people.' (R0408)

- 4.8.14. Residents who were opposed to the scheme expressed concerns about cost or how effective the scheme would be. There was also concern for the knock-on effects:

'Total money grabbing scheme. You are targeting landlords when you should be targeting the perpetrators directly. Where are you going to house these people? You are not helping, just spiralling people into further poverty and then evictions will be at an epic level. This is a complete disaster based on no fact on pure fantasy and nothing more than a disaster waiting to happen.' (R0544)

'Landlords will find ways around everything...' (R0580)

'The proposals will make the area more attractive to potential renters? Are you being serious here?? Making landlords pay an extra charge will make them put the rents up and make the area LESS attractive to potential renters. Renters want cheap rents, not expensive rents. The person who dreamt up these proposals has obviously never been a renter on a budget. Tenants want LOW rents, not increased ones.' (R0586)

'This scheme will not target the bad landlords but will put rent up for those it is trying to protect.' (R0624)

- 4.8.15. Landlords showed their disapproval for the proposed scheme, highlighting that targeted enforcement should be prioritised, and that the council already has powers to tackle bad landlords:

'The council already has the powers they need to tackle the bad landlords, so why penalise the good ones. This will stop investment in the area.' (L035)

'Blanket licenses over selected areas is the wrong premise. Bad landlords whose properties are in disrepair (structural) that makes property unfit for habitation should be targeted. Leave those of us doing our best to provide housing for those at the bottom of the ladder to get on with it. Select problem properties individually rather than using a hammer to crack a nut...' (L0016)

- 4.8.16. A number of landlords highlighted the economic impact as an issue, but also felt that the good landlords would pay for the bad:

'I think its going to be a the final nail in the coffin for many good local landlords in the area and the rogue Landlords will carry on as normal due to a lack of good quality rental properties/landlords in the area once the good ones have sold up. With homeless people on the rise throughout the country due to changes to the benefit system and lack of affordable housing with many Landlords already selling up due to section 24 of the finance act is it a good idea to increase costs for landlords even further? I don't think so, however I strongly agree that more should be done by the council to tackle poor performing landlords/agents/properties just not at the expense of the ones the rest of us.' (L0066)

'This is a bad scheme that has not been thought through with the benefit of the area in mind. Too much money would be taken away from the landlord which would prevent maintenance/investment in the area. If the council takes £600 from landlords, that's £600 that landlords can't spend on the property. It hasn't been working in other areas and there has been no justification of the fees at all. The west End has been improving over the years and this will set it in reverse.' L0044)

'This area is already improving. This scheme will restrict investment and money being spent in the area.' (L0043)

'My mortgage company already stated they would not renew if this went ahead.' (L0047)

'This proposal is a complete waste of time. The Council are expecting landlords to do the job the council should already be doing and expect landlords to pay. There is no benefit in this scheme other than raising money for the council. Tenants will suffer. Properties will devalue. Investment will cease. Properties will remain empty resulting in less revenue for Council.' (L0068)

4.8.17. One landlord had some views on how the scheme could be administered:

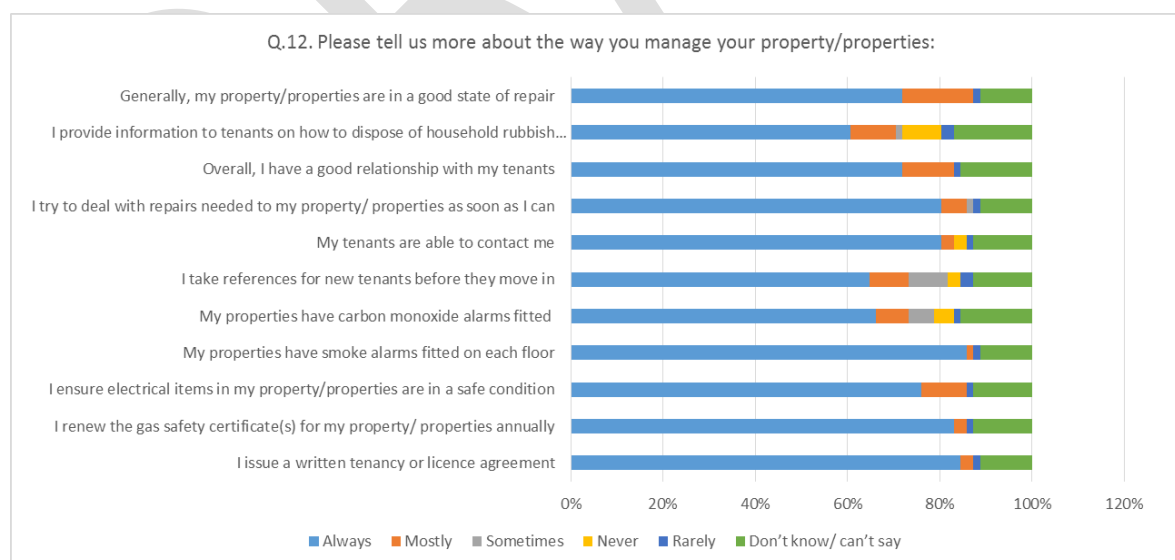
'Should be an incentive for good landlords with proven track record of quality. How will it be policed, will there be a dedicated team within the council? How will the council deal with potential conflicts between raising standard of PRS, whilst still discharging homelessness responsibilities through the PRS? If implemented, will council consider discounts for renewal of scheme if landlord/property has met all conditions? How about a sliding scale of fees - gold/silver/bronze to reward good landlords who are providing a quality accommodation service to tenants.' (L0054)

4.9. Question 12 (Landlords): How properties are managed

4.9.1. This question asked landlords for details of how they managed their properties. Respondents were asked whether and how often they did the following:

- issue a written tenancy or licence agreement
- renew the gas safety certificate(s) for my property/ properties annually
- ensure electrical items in my property/properties are in a safe condition
- properties have smoke alarms fitted on each floor
- properties have carbon monoxide alarms fitted
- take references for new tenants before they move in
- tenants are able to contact landlord
- deal with repairs needed to my property/ properties as soon as I can
- have a good relationship with my tenants
- provide information to tenants on how to dispose of household rubbish and large bulky items
- generally, property/properties are in a good state of repair

4.9.2. Q12 (Landlords only). Table 1



4.9.3. On average, 75% of landlords always ensured the stated activities took place. Some of the activities took more priority than others. For instance, 86% of landlords ensured smoke alarms were always fitted on each floor and 85% issued written tenancy agreements. Some of the activities seemed to be prioritised less, such as always

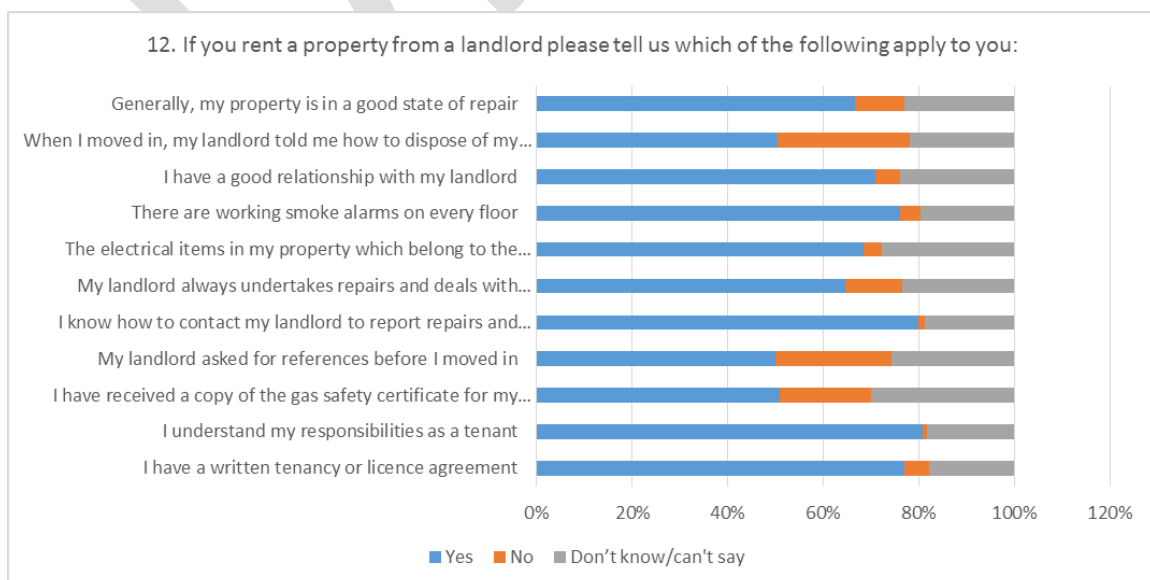
providing tenants with information on how to dispose of household waste and bulky items (61%) and taking references from new tenants when they moved in. A couple of landlords who attended drop-in sessions stated that they didn't request references as quite often other landlords would give good references to move on bad tenants. In addition, they stated that quite often it isn't the named tenant who is the issue, but new partners or friends, which the reference won't address.

4.10. **Question 12 (Private tenants only): How properties are managed**

4.10.1. Question 12 on the Residents questionnaire was addressed specifically to those living in private rented accommodation, although some other residents chose to partake in this question, possibly due to their personal experience of living in private rented accommodation. The question, similar to the question asked to landlords, asked tenants whether their landlord did the following:

- I have a written tenancy or licence agreement
- I understand my responsibilities as a tenant
- I have received a copy of the gas safety certificate for my property in the last 12 months
- My landlord asked for references before I moved in
- I know how to contact my landlord to report repairs and problems
- My landlord always undertakes repairs and deals with problems I tell him/ her about
- The electrical items in my property which belong to the landlord are in a safe condition
- There are working smoke alarms on every floor
- I have a good relationship with my landlord
- When I moved in, my landlord told me how to dispose of my household waste and large bulky items
- Generally, my property is in a good state of repair

4.10.2. **Q12 (Private tenants). Table 2: How properties are managed:**



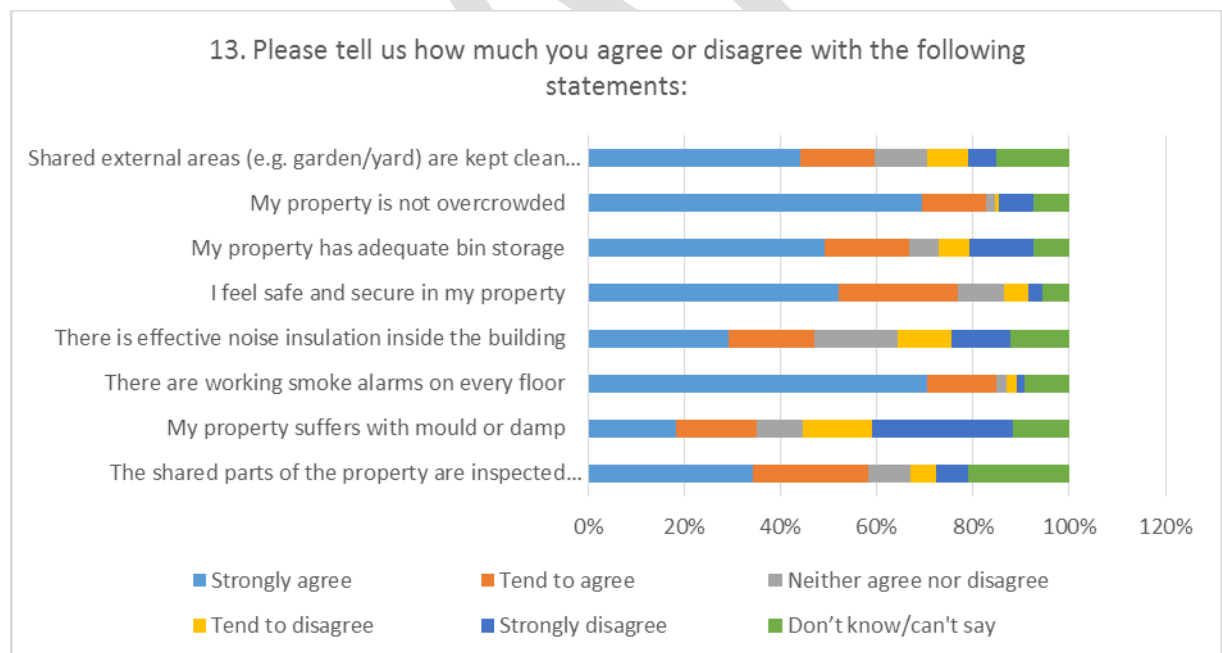
4.10.3. Of the examples listed in the question, 81% of tenants understood their responsibilities as a tenant, 80% knew how to contact their landlord for repairs and 77% said that they had a written tenancy agreement. 51% of tenants said that they had received copies of gas safety certificates, however 30% couldn't say whether they had or not. Similar to the response from landlords, only 50% of tenants had been asked for references when moving in.

4.11. **Question 13 (Private tenants only): Condition of properties**

4.11.1. Private tenants were asked for their views on the condition of the property in which they lived. Specifically, tenants were asked how much they agreed with the following statements:

- The shared parts of the property are inspected regularly and well managed
- My property suffers with mould or damp
- There are working smoke alarms on every floor
- There is effective noise insulation inside the building
- I feel safe and secure in my property
- My property has adequate bin storage
- My property is not overcrowded
- Shared external areas (e.g. garden/yard) are kept clean and tidy

4.11.2. Q13. Table 1: Conditions of property



4.11.3. There was a lot of agreement from tenants that there were working smoke alarms throughout their properties (85%) and that they weren't overcrowded (83%). 77% of residents felt safe and secure in their property. Some of the responses suggested there was room for improvement on some of the property conditions. Only 47% of tenants thought that there was effective noise insulation where they lived and 35% of tenants agreed to some extent that their property suffered with mould or damp.

4.12. **Question 14: Comments on private rented accommodation in the West End (residents only)**

4.12.1. Residents were invited to provide comments about private rented accommodation. Below is a selection of some of these comments:

'The newly refurbished block of houses on Chatsowrth Road have already lifted the area to an acceptable standard and the tenants seem decent people. It would improve the whole look of the West End if run down properties were brought up to the same standard, as the West End is a convenient and nice place to live.' (R0015)

'The area where bins are located are always getting fly tipped on either by local shops or people dumping household items, beds, mattresses, couches, chairs etc.' (R0059)

'I think properties left empty for a long period, possibly 5 years, should be taken off the owner by the council and put back into rental market...' (R0181)

'General poor appearance and condition of buildings, the tenants don't appear to have any pride or interest in where they live. It's such a shame, beautiful old buildings just being left to go to rack and ruin. The landlords do not seem to care as long as they get their money.' (R0225)

'I feel overall the area is improving but feel there should be more family homes and no flats / multi occupancy buildings.' (R0250)

'The common perception is that the west end is a dumping ground for drug users etc. some mechanism to encourage a greater mix of residential and rental properties might be considered as private dwellings usually lead to improvements not only in the general area but in rental living standards.' R0285)

'I used to live in a very damp flat but I am now in a very good flat. I feel a lot healthier. I have seen more houses/ flats being repaired in the area. Could do with gates on the front of the houses being replaced more neighbourhood watch areas please, more police walking about streets need better quality doors and windows and back gates.' (R0331)

'I wish there was a register of reputable private landlords easily available. I wish more DHS tenants were taken on a personal basis rather than assume all DHS tenants are bad news. We aren't all bad!!!' (R0369)

'Generally good housing stock, some problem landlords but these can be addressed by housing inspectors, not by charging good landlords. Set the standards then inspect? And penalise non-compliance and use funds to realise problem landlords.' R0476)

4.13. **Question 16 (Landlords only): Suggestions for how Lancaster City Council can help landlords manage properties**

4.13.1. Landlords were invited to share their views of how the council could support them to manage their properties. A lot of landlords commented that the best way for the council to help them was to not introduce the proposed schemes:

'This scheme will impact the area in a negative way. Banks have refused to lend money in other areas where these schemes are in place, stopping investment dead. Landlords have no powers over anti-social behaviour. Values will drop. I already know landlords who have pulled out of buying properties in the area. The best thing the Council can do is look at the department and the powers it already has and make it more efficient / effective' (L0035)

'Leave me to manage my properties as I have been doing for years. Focus your efforts on bad landlords, but don't charge good ones, especially without an explanation on how the money will be used.' (L0039)

'We could be more effective in our management of rented homes by not being charged up to £500 per property...' (L0054)

'Yes. Leave me alone. Stop trying to take money off me. Pay universal credit directly to landlord. Don't do this licensing scheme as it will stop investment in the area and push up rental prices for tenants' (L0044)

- 4.13.2. Some landlords took the opportunity to make some suggestions for how the council could help them manage more effectively:

'If schemes go ahead then they must be supported by certificates and publicity that gives the scheme maximum credibility - recognition that houses reach council approved standards.' (L0069)

'There is little help available when people are really behind with their rent and are not obeying the rules of the house, so we don't have to ring solicitors.' (L0005)

'Offer proper support for people with mental health issues. Offer support with regard to universal credit, tenants are not coping, landlords don't get paid.' (L0008)

'Provide a database of bad tenants.' (L0043)

'A register of rogue tenants would be very handy.' (L0066)

'Hold landlord meetings. Have a proper redress system...' (L0047)

5. Conclusion

- 5.1. The fact that the council were looking to introduce an initiative to address some of the underlying issues in the West End was clearly welcomed. Overall, there was quite a lot of support for the proposed schemes from residents, with slightly more support for Additional Licensing than for Selective Licensing. Homeowners were, overall, more enthusiastic about the licensing proposals. This may have been borne out of a desire for something to happen to change the status quo. It could, therefore, be argued that the proposal of an alternative initiative would have met with similar support.

- 5.2. Tenants, whilst being largely in favour of proposals that sought to improve housing conditions and more secure tenure, nevertheless expressed some caution about the impact. There was broad support for licensing conditions, but less so for the licence fees,

with only 35% of tenants showing support for the proposed fee structure. It is possible that the fear of increased rents lead to tenants being less supportive of the fee structure.

5.3. Landlords were overwhelmingly against the introduction of the licensing schemes. That is not to say that there wasn't any support for licensing. In principle, most landlords approved of the conditions, wanting every landlord to attain the same standard. However, there was such disapproval for the introduction of a fee per property, and the level of those fees, that lead landlords to reject the schemes overall. Some landlords stated that they could understand if they had to obtain a licence, with some also suggesting that landlords should be subject to the Disclosure and Barring Service. However, the cost per property was perceived as a money-making activity.

5.4. Although fewer landlords completed the survey than residents, there was a much greater level of participation by landlords in the drop-in events, to the extent that more drop-in sessions were offered. In addition to their participation at the drop-ins, a number of landlords made individual representations to the consultation team. These have been included in Appendices 4-6.

5.5. A number of themes emerged from the consultation, raised by landlords, residents and other stakeholders. The themes consisted of issues, currently existing in the area, or the perceived benefits or risks involved with implementing the licensing schemes. Residents' responses tended to focus on issues that currently existed in the West End of Morecambe and the benefits they perceived the scheme bringing, whereas landlords tended to highlight risks associated with implementing the schemes. It should be added that although these types of responses were typical from the two main respondent types, they were by no means exclusive. This section will consider the some of the most common issues that were currently prevalent in the area:

5.5.1. **Crime and Anti-Social Behaviour** – From the survey, 71% of residents felt that there was an issue with ASB in the area. Many chose to comment on how it had impacted on their lives. Homeowners in particular (78%) were concerned about the impact on their health and wellbeing and on the value of their property. Residents generally felt that landlords weren't solely responsible for dealing with crime and ASB – the Council and Police also bore responsibility, however the individuals responsible for ASB should face stiffer penalties. Although landlords were opposed to the proposed scheme, a number did recognise the issue of crime and ASB, but expressed concern that they were being left to deal with manage the issue alone.

5.5.2. **Refuse and fly-tipping** – During the consultation period, many residents shared their frustrations regarding the state of the back alleys, in particular. Responses to the questionnaire suggest that landlords could do more to provide for the storage of refuse and recycling. However, a number blamed other residents for the state of gardens and alleyways.

5.5.3. **Housing Conditions** – Homeowners tended to comment on the state of disrepair of neighbouring properties. Responses to the survey by homeowners suggested that they hoped licensing would improve the condition of properties.

5.6. The majority of residents felt that licensing would benefit the area. For most, licensing was seen as a way to improve the underlying conditions prevalent in the area. Homeowners, in general, were more positive about the impact and the benefits of licensing. Consistently, throughout the survey, homeowners agreed with the proposals in greater proportion than tenants. This was also evident from the residents who attended the drop-in sessions. There seemed to be more enthusiasm for the scheme from homeowners – tenants tended to be positive about the principle of the scheme, however, were more likely to question whether it would work in practice:

5.6.1. **Reducing neighbourhood problems** – responses to the questionnaire showed that residents felt that licensing would help reduce issues such as ASB and rubbish, with 74% agreeing that it would. 83% of residents felt that landlords being responsible for ASB should be a condition of the licence.

5.6.2. **Housing conditions and property maintenance** – 80% of residents felt that licensing would ensure properties were better maintained and managed. 78% of homeowners felt licensing would make the area more attractive and 70% felt that it would increase house values.

5.6.3. **Landlords** – Most respondents felt that licensing would help identify (73%) and tackle poorly performing landlords (65%). They also felt it would support good landlords to do their job (70%). Despite their overall opposition to the proposed scheme, a significant number of landlords who responded felt the scheme would identify poor landlords (44%).

5.6.4. **Health, Safety and Wellbeing** – Overall, 66% felt that licensing would improve resident's health and safety. There was a lot of support for the inclusion of conditions which required landlords to provide adequate security for properties (81%) and fire precautions/means of escape (87%). The majority of respondents felt that licensing would have a positive outcome on the health and wellbeing of residents (60%). In particular, 76% of homeowners thought licensing would have a positive effect.

5.7. As stated previously, there was a lot of concern about the impact of licensing on the area. In general, landlords were more likely to highlight risk, consistent with landlords overall rejection of the licensing proposals. However, a lot of residents, homeowners and tenants, perceived risks in implementing the schemes. When considering whether to introduce licensing or not, consideration must be made of the following risks that were raised:

5.7.1. **Rent increases** – Almost every landlord who attended the drop-in events stated that as a direct result of the imposition of licence fees, they would have to raise rents. On the questionnaire, a large number of landlords stated that they would have to raise rents to compensate. Landlords were not alone in highlighting this risk, a number of tenants and homeowners feared that a direct result of the licence fee would be a rise in rents.

5.7.2. **Universal Credit** – The roll-out of Universal Credit, where housing element has been paid directly to tenants, has led to an increase in tenants having rent arrears. Landlords raised concerns that the full roll-out of the system would lead to more tenants being in rent arrears. A group of landlords shared information regarding their current levels of

rent arrears (Appendix 6). Landlords felt this would have a serious impact on their income. Perception is that an extra cost at this time would compound the issue.

- 5.7.3. **Increase in homelessness** – landlords stated that they would have to seriously consider who they rented property to. Tenants who posed a risk for rent arrears may have their tenancies terminated. One landlord, in particular, drafted a letter (Appendix 4) to warn their tenants that a result of the licence fee would be that he would have to terminate some of their tenancies.
- 5.7.4. **Investment in the area** – Landlords expressed concern that the implementation of the area would not only stigmatise the area, but would affect investment. There was a fear that banks would not lend to landlords for properties within the designated licensing area. Some stated that they were already struggling to sell houses, as the prospect of the property being licensed was putting off interested buyers.
- 5.7.5. **Reduced investment in properties** – As the cost of licensing and other financial worries add up, landlords would not be able to afford, or choose not to pay for the maintenance of their properties. Landlords stated that rather than improve housing conditions, licensing risked conditions getting worse.
- 5.7.6. **The good pay for the bad** – Landlords stated that if a scheme came in, the good landlords would pay for the licences but the rogue landlords would continue to evade enforcement and not pay to license properties. In effect, those who already met the required standards would pay for enforcement against those who caused all the issues, with some viewing it as a tax on good landlords. A number of landlords asked what they would get for their licence fees, considering they already did everything required of them.
- 5.8. We are satisfied that the consultation offered opportunity for everybody in the area to participate and share their views, concerns and ideas. Lancaster City Council sought the opinions of those directly affected and the wider community. We have endeavoured to include views that are representative and reflect the general feeling of people who live and work in the West End of Morecambe.

Appendix 1: Licensing Private Rented Housing in the West End of Morecambe (Residents)

Licensing Private Rented Housing in the West End of Morecambe

Introduction

Lancaster City Council is proposing to introduce two licensing schemes to improve the standards and management of housing in the private rented sector (PRS) in the District and we want to know your views. You can do this by completing this questionnaire. The two schemes are:

Additional Licensing

Lancaster City Council currently operates a mandatory licensing scheme across the district as required by law for particular types of house in multiple occupation (HMOs). Additional licensing broadens the definition of a HMO, bringing more properties under the remit of HMO licensing.

Selective Licensing

Selective Licensing is a scheme which allows a local authority to introduce licensing conditions to all other private rented housing within a designated area.

This questionnaire is organised in 3 sections:

Section 1: Licensing for privately rented properties

Section 2: Your views about private rented housing

Section 3: About you

If you are a homeowner or do not rent property in Morecambe you will not need to complete questions 12 and 13.

Your responses will be completely anonymous. However, if you wish Lancaster City Council to follow up on any of your answers, please provide us with your contact details at the end of the questionnaire. All information collected in this questionnaire will be treated in accordance with the Data Protection Act 1998.

The survey should only take about 10 minutes to complete. Please return this questionnaire by Friday 15th December 2017, using the prepaid envelope supplied. **If you prefer, this questionnaire will be available online until Friday 15th December at www.lancaster.gov.uk/rented.**

Full details of the licensing proposals, the licensing conditions and the fees can also be found on the website.

If you require help or have any questions about the proposals or the content of this questionnaire, you can contact us in the following ways:

Email: licensingconsultation@lancaster.gov.uk

Telephone: 01524 582257

If you require paper copies of the proposals or the map, please let us know using the contact details above.

1. Please select one of the following to proceed:

- ☐ I am a private tenant in Morecambe
- ☐ I rent my home from the council or a housing association
- ☐ I own my own home (individually or shared, with or without a mortgage)
- ☐ I am a business owner and I rent/own a property in the area
- ☐ None of the above (please specify)

Section 1: Licensing Proposals for privately rented properties

2. To what extent do you agree or disagree that Additional and Selective Licensing will help:

Please tick one option for each line <input checked="" type="checkbox"/>	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know/ can't say
Reduce neighbourhood problems e.g. noise, nuisance and rubbish	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensure that properties are better maintained and managed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improve the health and safety of tenants living in properties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identify poorly performing landlords	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assist poorly performing landlords to raise their standards	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Support good landlords	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. If the council introduces Additional and Selective Licensing, which areas should it cover?

Please go to www.lancaster.gov.uk/rented to find a map of the proposed licensing area.

- ☐ The whole of Harbour and Heysham North
- ☐ The areas already proposed
- ☐ Don't know/unsure

Section 1: Licensing proposals for privately rented properties – Licensing Conditions

Question 3 contains some of the proposed licensing conditions for privately rented accommodation. A full list of the proposals can be found at www.lancaster.gov.uk/rented

4. To what extent do you agree or disagree that licences under the proposed scheme should contain the following conditions:

Please tick one option for each line <input checked="" type="checkbox"/>	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know/ can't say
Landlords should adequately manage anti-social behaviour by their tenants	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Landlords should provide tenants with written tenancy agreements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The number of people living in a property should be controlled	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A suitable number of toilets, bathrooms and kitchen facilities, should be provided	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The provision and type of heating should be of a satisfactory standard	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The property should have satisfactory insulation for energy efficiency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The means of escape from fire and other fire precautions should be of a satisfactory standard	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The property should have adequate security (e.g. to prevent burglaries)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Landlords should make satisfactory arrangements for the storage of refuse and recycling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. To what extent do you agree or disagree that the proposed licensing conditions are reasonable and appropriate for improving the standards of housing and the management of properties in the West End?

- ☐ strongly agree
- ☐ tend to agree
- ☐ neither agree nor disagree
- ☐ tend to disagree
- ☐ strongly disagree
- ☐ don't know/ can't say

6. If you have any further comments about the proposals for Additional and Selective Licensing, please use the box below

Section 1: Licensing proposals for privately rented properties – Fees, discounts and additional charges

The fees listed below are a one-off charge and will cover a property for the duration of the licensing scheme, unless ownership of the property changes.

Properties covered by Additional Licensing	accredited Landlord	non-accredited landlord
Standard fee (property up to and including 5 dwellings)	£550	£650
Fee for each additional dwelling over 5 under the same control by the proposed licence holder	£50	£60
Early bird discounted fee for completed new licence within a specified timeframe	£350	£450
Properties covered by Selective Licensing	accredited Landlord	non-accredited landlord
Standard fee	£500	£600
Early bird discount for new licence application	£300	£400

Self-Contained flats

Properties covered by Selective Licensing	accredited Landlord	non-accredited landlord
Standard fee (first flat)	£500	£600
Standard fee (second flat in the same	£150	£250
Early bird discount – first flat	£300	£400
Early bird discount – second flat	£50	£150

Additional charges

Incomplete application (the early bird discount is not available to incomplete applications)	£100
Finder's fee: Where landlords do not apply to licence and have to be found by the council. Landlords will be subject to prosecution.	£200
Application to vary a licence	£50

Application for change of ownership

If a licensed property is sold, the licence is not transferable and the new owner will need to apply for a new licence

7. To what extent do you agree or disagree with the fees, discounts and additional charges under the scheme:

[illegible]

Whether you are a tenant, landlord, homeowner or business owner, we'd like to know your views about the local area.

If you are a landlord or managing agent please tell us about the area or ward that your property or most of your properties are located.

[illegible]

10. Overall, how much do you support the proposals for Additional and Selective Licensing?

Please tick one option for each line <input checked="" type="checkbox"/>	Completely	Very much	Moderately	Slightly	Not at all	Don't know/ can't say
Additional Licensing of HMOs	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Selective Licensing of all private rented properties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

11. If you have any other comments about the proposals for licensing, please use the box below

Section 3: About you - Tenants*

*Please complete **Q.12/13** if you currently live in a rented property, whether it is from a private landlord or the property is managed by the council or a housing association. If not, please continue to **Q.14**.

12. If you rent a property from a landlord please tell us which of the following apply to you:

Please tick one option for each line. Please leave blank if not applicable <input checked="" type="checkbox"/>	Yes	No	Don't know/ can't say
I have a written tenancy or licence agreement	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I understand my responsibilities as a tenant	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have received a copy of the gas safety certificate for my property in the last 12 months	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My landlord asked for references before I moved in	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I know how to contact my landlord to report repairs and problems	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My landlord always undertakes repairs and deals with problems I tell him/her about	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The electrical items in my property which belong to the landlord are in a safe condition	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There are working smoke alarms on every floor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I have a good relationship with my landlord	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
When I moved in, my landlord told me how to dispose of my household waste and large bulky items	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Generally, my property is in a good state of repair	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

13. Thinking about the property you live in, please tell us how much you agree or disagree with the following statements.

Please tick one option for each line <input checked="" type="checkbox"/>	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know/ can't say
The shared parts of the property are inspected regularly and well managed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My property suffers with mould or damp	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There are working smoke alarms on every floor	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
There is effective noise insulation inside the building	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel safe and secure in my property	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My property has adequate bin storage	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
My property is not overcrowded	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Shared external areas (e.g. garden, yards) are kept clean, tidy and safe	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

14. If you have any comments about private rented accommodation in the West End, please use the box below:

Section 3: About you

The following questions will help us to analyse and understand the questionnaire responses to ensure that they are representative of the local area. The information you provide will be kept confidential and only be used for this purpose. Combined results will be made available in reports, individuals will never be identified.

15. Please tell us your residential postcode excluding the last letter (you will remain anonymous if you leave out the last letter of your postcode)

16. If you would like to be provided with feedback from the consultation, please provide your email address below. Your details will not be shared with any other third party and will be treated in the strictest confidence in accordance with the Data Protection Act 1998.

- ☐ No, I do not agree to provide my email address
- ☐ Yes (please specify below)

17. Are you?

- ☐ Male
- ☐ Female
- ☐ Prefer not to say

18. Age

- ☐ 18 or below
- ☐ 19-24
- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64
- ☐ 65 or above
- ☐ Prefer not to say

19. Do you have a health problem or disability which limits your day-to-day activities, which has lasted, or is expected to last, at least 12 months?

- ☐ Yes, limited a lot
- ☐ Yes, limited a little
- ☐ No

20. Which ethnic group do you consider you belong to:

- ☐ White
- ☐ Asian/ Asian British
- ☐ Black/African/Caribbean/ Black British
- ☐ Chinese
- ☐ Mixed/multiple ethnic background
- ☐ Prefer not to say
- ☐ Other (please specify)

Thank you for completing this survey. Please return using the prepaid envelope provided by Friday 15th December. We will compile your responses and publish the results of the survey at the end of the consultation. The results will be available soon after at

www.lancaster.gov.uk/rented

If you would like us to contact you regarding any of your answers, please leave your details below. All data shared with us will be kept strictly confidential

Name:	
Telephone number:	
Address:	

Licensing Private Rented Housing in the West End of Morecambe

Introduction

Lancaster City Council is proposing to introduce two licensing schemes to improve the standards and management of housing in the private rented sector (PRS) in the District and we want to know your views. You can do this by completing this questionnaire. The two schemes are:

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Selective Licensing

Selective Licensing is a scheme which allows a local authority to introduce licensing conditions to all other private rented housing within a designated area.

This questionnaire is organised in 3 sections:

Section 1: Licensing for privately rented properties

Section 2: Your views about Private Rented housing

Section 3: About you

Your responses will be completely anonymous. However, if you wish Lancaster City Council to follow up on any of your answers, please provide us with your contact details at the end of the questionnaire. All information collected in this questionnaire will be treated in accordance with the Data Protection Act 1998.

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Telephone: 01524 582257

Email: licensingconsultation@lancaster.gov.uk

If you require paper copies of the proposals or the map, please let us know using the contact details above.

1. Please select one of the following to proceed:

- ☐ I am a landlord of a property (or properties) in Morecambe
- ☐ I am a managing agent of a property (or properties) in Morecambe
- ☐ I am both a landlord and a managing agent of a property (or properties) in Morecambe
- ☐ None of the above (please specify)

Section 1: Licensing proposals for privately rented properties

2. To what extent do you agree or disagree that Additional and Selective Licensing will help:

Please tick one option for each line <input checked="" type="checkbox"/>	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know/ can't say
Reduce neighbourhood problems e.g. noise, nuisance and rubbish	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Ensure that properties are better maintained and managed	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Improve the health and safety of tenants living in properties	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Identify poorly performing landlords	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assist poorly performing landlords to raise their standards	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Support good landlords	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

3. If the council introduces Additional and Selective Licensing, which areas should it cover?

Please go to www.lancaster.gov.uk/rented to find a map of the proposed licensing area

- ☐ The whole of Harbour and Heysham North
- ☐ The areas already proposed
- ☐ Don't know/unsure

Section 1: Licensing proposals for privately rented properties – Licensing Conditions

Question 3 contains some of the proposed licensing conditions for privately rented accommodation. A full list of the proposals can be found at www.lancaster.gov.uk/rented

4. To what extent do you agree or disagree that licences under the proposed scheme should contain the following conditions:

Please tick one option for each line <input checked="" type="checkbox"/>	Strongly agree	Tend to agree	Neither agree nor disagree	Tend to disagree	Strongly disagree	Don't know/ can't say
Landlords should adequately manage anti-social behaviour by their tenants	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Landlords should provide tenants with written tenancy agreements	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The number of people living in a property should be controlled	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
A suitable number of toilets, bathrooms and kitchen facilities, should be provided	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The provision and type of heating should be of a satisfactory standard	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The property should have satisfactory insulation for energy efficiency	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The means of escape from fire and other fire precautions should be of a satisfactory standard	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The property should have adequate security (e.g. to prevent burglaries)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Landlords should make satisfactory arrangements for the storage of refuse and recycling	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5. To what extent do you agree or disagree that the proposed licensing conditions are reasonable and appropriate for improving the standards of housing and the management of properties in the West End?

- ☐ strongly agree
- ☐ tend to agree
- ☐ neither agree nor disagree
- ☐ tend to disagree
- ☐ strongly disagree
- ☐ don't know/ can't say

6. If you have any further comments about the proposals for Additional and Selective Licensing, please use the box below

Section 1: Licensing proposals for privately rented properties – Fees, discounts and additional charges

The fees listed below are a one-off charge and will cover a property for the duration of the licensing scheme, unless ownership of the property changes.

Properties covered by Additional Licensing	accredited Landlord	non-accredited landlord
Standard fee (property up to and including 5 dwellings)	£550	£650
Fee for each additional dwelling over 5 under the same control by the proposed	£50	£60
Early bird discounted fee for completed new licence within a specified timeframe	£350	£450
Properties covered by Selective Licensing	accredited Landlord	non-accredited landlord
Standard fee	£500	£600
Early bird discount for new licence application	£300	£400

Self-Contained flats

Properties covered by Selective Licensing	accredited Landlord	non-accredited landlord
Standard fee (first flat)	£500	£600
Standard fee (second flat in the same	£150	£250
Early bird discount – first flat	£300	£400
Early bird discount – second flat	£50	£150

Additional charges

Incomplete application (the early bird discount is not available to incomplete applications)	£100
Finder's fee: Where landlords do not apply to licence and have to be found by the council. Landlords will be subject to prosecution.	£200
Application to vary a licence	£50

Application for change of ownership	If a licensed property is sold, the licence is not transferable and the new owner will need to apply for a new licence
-------------------------------------	--

7. To what extent do you agree or disagree with the fees, discounts and additional charges under the scheme:

[illegible]

Section 2: Views about private rented housing in Morecambe

Whether you are a tenant, landlord, homeowner or business owner, we'd like to know your views about the local area.

If you are a landlord or managing agent please tell us about the area or ward that your property or most of your properties are located.

9. To what extent do you agree or disagree with the following statements:

[illegible]

10. Overall, how much do you support the proposals for Additional and Selective Licensing?

[illegible]

11. If you have any other comments about the proposals for licensing, please use the box below

Section 3: About you – Landlords / Managing Agents

12. Please tell us more about the way you manage your property/properties:

[illegible]

13. How many properties (HMOs/self-contained flats/family homes) do you rent out in Morecambe?

- | | | |
|----------------------------|------------------------------|-----------------------------------|
| <input type="radio"/> 1 | <input type="radio"/> 11-20 | <input type="radio"/> 101 or more |
| <input type="radio"/> 2-5 | <input type="radio"/> 21-50 | |
| <input type="radio"/> 6-10 | <input type="radio"/> 51-100 | |

14. Are you a member of any landlord accreditation scheme?

- ☐ no
- ☐ A nationally recognised Landlord's Accreditation Scheme (NLA,RLA)
- ☐ Another Landlord's Scheme (please state)

15. Please tell us how long you have been a landlord or managing agent:

- ☐ Less than 2 years
- ☐ 3-5 years
- ☐ 6-10 years
- ☐ More than 10 years

16. Do you have any suggestions for how Lancaster City Council could help you manage your property/properties more effectively?

Section 3: About you

The following questions will help us to analyse and understand the questionnaire responses to ensure that they are representative of the local area. The information you provide will be kept confidential and only be used for this purpose. Combined results will be made available in reports, individuals will never be identified.

17. Please tell us your residential postcode excluding the last letter (you will remain anonymous if you leave out the last letter of your postcode)

18. If you would like to be provided with feedback from the consultation, please provide your email address below. Your details will not be shared with any other third party and will be treated in the strictest confidence in accordance with the Data Protection Act 1998.

- ☐ No, I do not agree to provide my email address
- ☐ Yes (please specify below)

19. Are you?

- ☐ Male
- ☐ Female
- ☐ Prefer not to say

20. Age

- ☐ 18 or below
- ☐ 19-24
- ☐ 25-34
- ☐ 35-44
- ☐ 45-54
- ☐ 55-64
- ☐ 65 or above
- ☐ Prefer not to say

21. Do you have a health problem or disability which limits your day-to-day activities, which has lasted, or is expected to last, at least 12 months?

- ☐ Yes, limited a lot
- ☐ Yes, limited a little
- ☐ No

22. Which ethnic group do you consider you belong to:

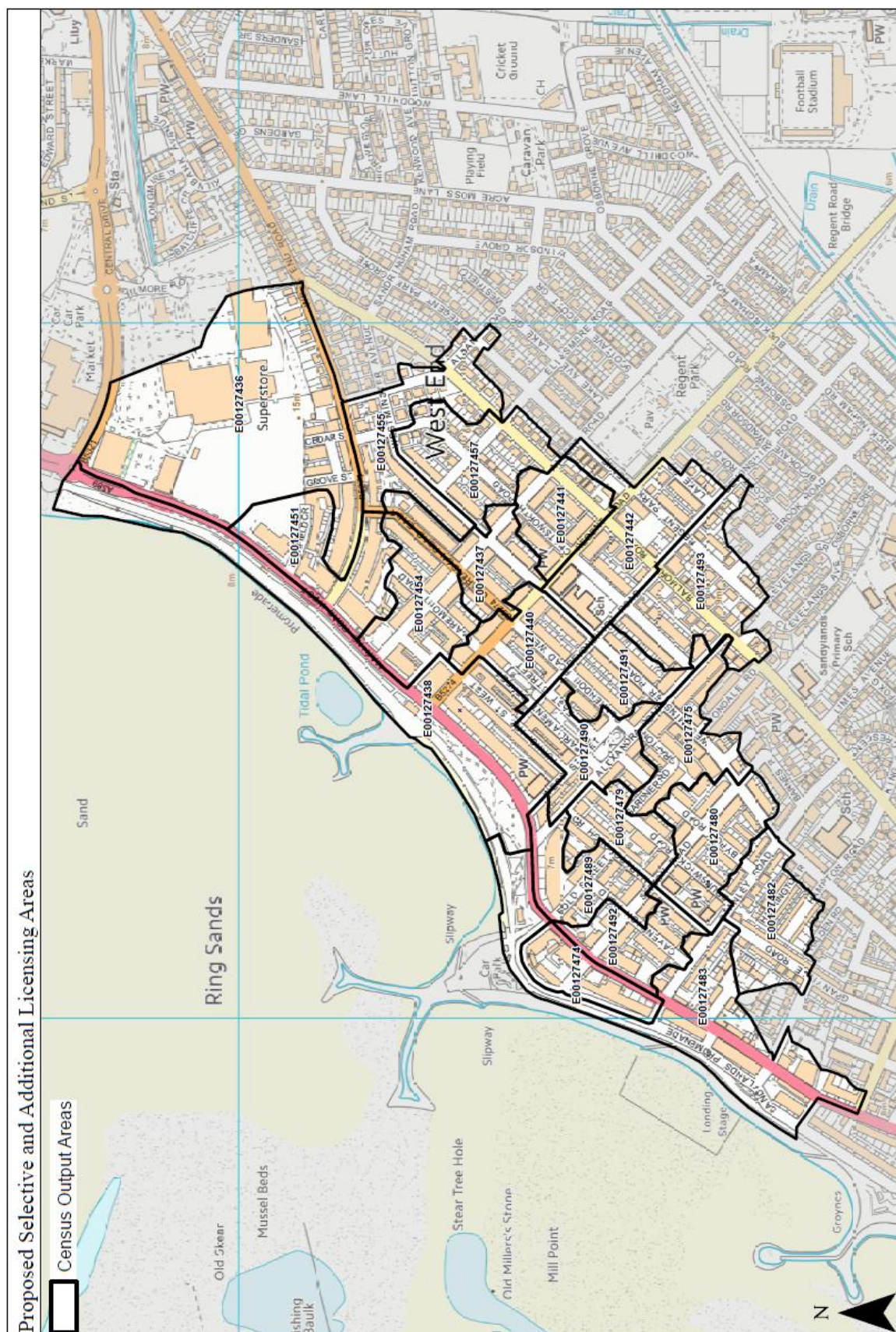
- ☐ White
- ☐ Asian/ Asian British
- ☐ Black/African/Caribbean/ Black British
- ☐ Chinese
- ☐ Mixed/multiple ethnic background
- ☐ Prefer not to say
- ☐ Other (please specify)

Thank you for completing this survey. Please return using the prepaid envelope provided by Friday 8th December. We will compile your responses and publish the results of the survey at the end of the consultation. The results will be available soon after at www.lancaster.gov.uk/rented

If you would like us to contact you regarding any of your answers, please leave your details below. All data shared with us will be kept strictly confidential

Name:	
Telephone number:	
Address:	

Appendix 3a: The Proposed Licensing Area



LANCASTER CITY COUNCIL

Selective Licensing Conditions

(Housing Act 2004)

In these conditions 'house' refers to the building or part of a building which is licensed in accordance with Part 3 of the Housing Act 2004.

1. Mandatory Conditions: Schedule 4 of the Housing Act 2004

1.1 Gas Supply

If gas is supplied to the house the licence holder must provide to Lancaster City Council a gas safety certificate issued by a Gas Safe Registered engineer, within the previous 12 months at the time of the application and thereafter annually or on demand.

1.2 Electrical Appliances:

The Licence Holder must keep all electrical appliances and furniture supplied in a safe condition and must provide a declaration as to their safety at the time of application and thereafter on demand.

1.3 Furniture and Furnishings

The Licence Holder must ensure that furniture and furnishings supplied by them are compliant with the Furniture and Furnishings (Fire)(Safety) Regulations 1988 (as amended 1989 and 1993) and must provide a declaration as to their safety at the time of application and thereafter on demand.

1.4 Smoke Alarms

The Licence Holder must ensure that smoke alarms are installed in the property and kept in proper working order and provide a declaration as to their condition and positioning to Lancaster City Council on demand.

1.5 Tenant References

The Licence Holder must demand references from persons who wish to occupy the house and must provide evidence of pre-let reference checks undertaken to the Council upon request.

1.6 Terms of Occupation

The Licence Holder must supply to the occupiers of the house a written statement of the terms on which they occupy the property. A copy of the terms will be provided to the Council on demand.

Additional Conditions of Licence Imposed by Lancaster City Council.

The Licence Holder must ensure that the premises fully comply with the conditions set out below unless notified otherwise.

2 Notification/Consultation of Changes

The licence holder shall:

- inform Lancaster City Council (The Authority) if they no longer reside at the address given and provide The Authority with new address details within 21 days of a change.
- inform The Authority if there is a change in managing agent, within 21 days of such a change.
- If the licence holder is a managing agent they must inform The Authority if the person who is specified as the main contact ceases to be employed by them and inform the authority of a new contact, within 21 days of such a change.
- If the licence holder is a managing agent they must inform The Authority if they cease to have an interest in the property, within 21 days of such a change.

Fit and proper person

The licence holder shall:

- inform The Authority if since becoming the licence holder he contravenes any of the below sections 2.3(a) – (d). This must be done within 21 days of such a contravention.

The following are the criteria by which The Authority assessed whether the licence holder or manager is a fit and proper person.

- a) Committed an offence involving
 - I. Fraud
 - II. Dishonesty
 - III. Violence
 - IV. Drugs
 - V. Sexual Offences Act Schedule 3
- b) Practised unlawful discrimination on grounds of sex, colour, race, ethnic or national origins or disability in connection with a business.
- c) Contravened any provision of housing or landlord and tenant law. In particular:
 - I. subject to proceedings by a local authority
 - II. where the local authority has had to carry out works in default
 - III. subject to a management order under the Housing Act 2004
 - IV. Or been refused a licence or breached conditions of a licence.
- d) Acted in contravention of any Approved Code of Practice.

3 Management of the property

3.1 General

The licence holder shall:

- ensure that arrangements are in place for regular inspection of the premises to ensure that fire escapes and fire alarm systems are in good order and that common areas including external yard and garden areas are clean and tidy.
- Ensure that all repairs to the house or any installations, facilities or equipment within it are carried out by competent and reputable persons
- Ensure that if accommodation is provided on a furnished basis and includes electrical appliance, copies of user manuals or equipment provided as part of the agreement for occupation of the house are provided.
- Ensure that all occupiers are made aware of the licence and conditions.

3.2 Occupancy

The licence holder shall:

- Ensure that rooms other than bedrooms are not used for sleeping purposes
- not allow occupancy levels to exceed those set by The Authority and indicated on the licence.
- If the property is a house in multiple occupation (HMO), ensure that the house is compliant with Lancaster City Council's approved standards for Houses in Multiple Occupation. These standards will be reviewed periodically to ensure that they remain appropriate to the type of multi occupied housing within the Council's area and needs of residents. Copies can be obtained from Private Housing Services.

3.3 Safety

The licence holder shall:

- ensure that the installation of the automatic fire detection system and emergency lighting is in accordance with standards set by The Authority in consultation with the Fire Authority and appropriate to the design of the property.
- inform the authority of any changes to the positioning or type of some alarm fitted in the property.
- ensure that all means of escape from fire in the house and all apparatus, systems and other things provided by way of fire precautions are in and are maintained in good order and repair and are kept free from obstruction.

- ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance and to keep any such alarm in proper working order and to supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm.
- keep electrical appliances (supplied by him to the occupier) in a safe condition and supply to the authority at the time of application and thereafter on demand, with a declaration by him as to the safety of such appliances. This should be in the form of a test certificate from a competent electrician, a copy of which must be available for inspection by the tenants.
- supply to the authority at the time of application and thereafter on demand, a copy of a periodical electrical safety certificate for the electrical installation. This should be carried out by a competent electrician and a copy of this must be available for inspection by the tenants.

3.4 External areas, refuse and waste

The Licence Holder shall:

Ensure that the:

- a) the exterior of the property is maintained in a reasonable decorative order and state of repair and does not adversely affect the amenity or character of the area
- b) At all times any gardens, yards and other external areas within the curtilage of the house are kept in a reasonably clean and tidy condition and free from rodent infestation, and
- c) Suitable and adequate provision is made for storage of refuse generated in the property and that arrangements for storage, recycling and collection of refuse are as required to ensure compliance with local authority arrangements in that area, that occupants are made aware of those arrangements and that failure to comply with them is made a breach of the terms of their tenancy or licence.
- d) Access is available at all times to adequate, external, refuse storage.

3.5 Security.

The Licence Holder shall:

Ensure that the security provisions for the access to the dwelling (including but not limited to locks, latches, deadbolts and entry systems) must be maintained in good working order at all times.

- ensure that where window locks are fitted, keys are provided to the relevant occupant.
- ensure that where a burglar alarm is fitted to the house the occupant is informed in writing the details on how the code for the alarm can be changed and under what circumstances, and provide details when required on how this can be arranged.
- ensure that where previous occupants have not surrendered keys arrange for a lock change to be undertaken, prior to new occupants moving in.
- ensure that where alley gates are installed to the rear of the licensed property, take responsibility for holding a key and make satisfactory arrangements for the occupiers access.

3.5 Management of Anti-social behavior

The licence holder shall:

ensure that all steps as are reasonable and practical are taken to prevent either the existence of the house or the behaviour of the occupants from adversely affecting the amenity or character of the area in which it is situated, and use of the premises for illegal purposes.

The licence holder must:

- Provide a written action plan to Lancaster City Council outlining procedures for dealing with anti-social behaviour at the time of application. This must be reviewed annually and submitted on request.
- Obtain tenant references prior to granting a tenancy as to previous tenancy conduct, including behaviour of that of the proposed occupier and household.
- If a licence holder receives a reference request for a current or former tenant for the purposes of an application to rent a property from another Licence Holder he must respond to the request in writing within a reasonable period and either i) decline the request for a reference ; or ii) when giving a reference state whether or not he is aware of any allegations of anti-social behaviour made against the tenant and if such allegations have been made, give details of the same including details of whether (to his knowledge) the allegations have been admitted or have been found proven in any court or tribunal.
- Cooperate with Lancaster City Council, Lancashire Constabulary and other agencies in resolving complaints of anti-social behaviour. The Licence Holder and/or their nominated managing agent are required to undertake an investigation of any complaints regarding their tenants. Written records of these will be required.
- The licence holder/management agents must make regular (at least monthly) inspections of the property to ensure that the property is in a decent state of repair and that the occupiers are not in breach of tenancy terms and conditions.
- Ensure that each tenant is made aware that they are responsible for their own behaviour and the behaviour of other occupiers and visitors. Tenants must be made aware that if they, other occupiers, or their visitors:
 - Cause nuisance or annoyance to neighbours;
 - Use abusive or threatening language or behaviour to neighbours;
 - Fail to store or dispose of refuse properly; or cause damage to fixtures, fittings, fire prevention or alarm equipment or installations, or to the fabric of the premises;

- Fail to give access to the landlord or his agent for the purpose of maintaining communal areas or, upon reasonable notice, to inspect or undertake works within their accommodation

they will be liable to enforcement action which may include possession proceedings either under the terms of the tenancy, pursuant to s.21 of the Housing Act 1988 or pursuant to Grounds 13 or 14 of Schedule 2 to the Housing Act 1988.”

3.5 Information to be displayed

The licence holder shall:

- ensure that his/her name, address and telephone number or that of his manager are displayed in the property and in the case of an HMO in the common parts.
- have in place suitable emergency and other management arrangements in the
- event of their absence
- ensure that tenants are given clear advice on what action is to be taken in the event of an emergency and given contact details
- ensure that tenants are given clear advice on management arrangements in the event of their absence,

Appendix 3c: Proposed Licence Fees

Selective and Additional Licensing – Proposed Fees

Single Occupancy households

	Accredited landlord	Non Accredited landlord
Standard Fee	500	600
Early Bird for new licence application fees	300	400

Self-contained flats

	Accredited Landlord	Non Accredited landlord
Standard Fee (first flat)	500	600
Standard fee (second flat in the same building)	150	250
Early Bird discount		
First flat	300	400
Second flat	50	150

House in multiple occupation

	Accredited Landlord	Non Accredited landlord
Standard Fee Property up to and including 5 units	550	650
Fee for each additional unit over 5 under the same control as the proposed licence holder	50	60
Early Bird for new licence within the additional licencing area of Morecambe	350	450

Additional Fees

Incomplete application (the early bird discount is not available to incomplete applications)	Additional £100
Finder's Fee: Where landlords do not apply to licence and have to be found by the council. Landlords will be subject to prosecution.	Additional £200
Application to vary a licence	£50
Application for change of ownership	If a licensed property is sold, the licence is not transferable and the new owner will need to apply for a new licence.

Without prejudice

Dear All

I am writing out of courtesy to advise you that I am going to possibly have to implement a change to your current tenancy subject to the outcome of the Council's consultation. The Council is currently undertaking a consultation relating to charging for selective /additional licences which is meant to improve the living standards for tenants and improve the local area. The Council are suggesting implementing a charge for this licence which will mean I will need to issue a new tenancy reflecting the cost of the licence and any additional rules that are implemented in this licensing scheme.

Unfortunately I fear I will need to serve notice to those that I feel will be unable to make the additional rent payments. The cost of the licence on top of the implementation of universal credit means it will be impossible for certain tenants to fulfil their new rent payment.

As we already have a good tenant / landlord relationship and all maintenance is always carried out I believe you will not benefit from any of the proposal but instead this will be a stressful time for you and your family in finding new accommodation as I will only be able to rent out to those that can cover the cost. In certain circumstances I will look to sell the properties if we feel we cannot cover the cost of licencing / arrears due to universal credit and continue to provide what I believe to be well maintained rental properties.

I would suggest if you feel that licensing is pointless / disagree with the fees suggested then please can you contact 01524 582257

or email :- licensingconsultaion@lancaster.gov.uk and express your concerns and ask for advice about finding new accommodation if necessary.

[REDACTED]

Appendix 5a: Letter from Landlord to Consultation Team

I am writing in response to the councils intended Tax on landlords.

Let me start by telling you a little about my business practice. I am a landlord who over the last few years has invested heavily in property in Morecambe. It's how I make a living and an investment for my future retirement. One tenet of my practice is to only buy houses I would live in myself. I don't buy flats or multi occupancy properties, I only purchase houses. As these houses are an investment in my future it pays me to keep my properties in tip top condition, there is no future for me in letting my properties deteriorate and become second rate. I cater to families looking for long term lets; I choose my tenants with care and must say all my families have been with me for years. All my properties are insured and have at least 2 smoke alarms fitted, have carbon monoxide monitors, have their gas systems checked yearly and their electrical systems checked every 5 years. I have all the relevant certificates on file. All my tenants have tenancy agreements. Most of my properties, but not all, are managed for me by an agent who requires a high standard of practice from me. After all he has the standard of his own business to maintain. I have never had to evict a tenant.

Bearing this in mind why does the council see fit to penalise me with a tax supposedly to stop rogue landlords? One can't help think the council have seen schemes like this rolled out in various towns across the country and see it as a good way to earn revenue. I do all the work to a high standard and you get paid for it. I have visited one of the drop in clinics and nothing that was said convinced me otherwise. When asked, why am I being taxed? and if the scheme you propose is to eradicate rogue landlords why not simply go after them directly? The answer was rather vague leaving me with the distinct impression I put money in and get nothing out.

The study carried out to support the proposal is very flimsy and lacks any credibility. I will not go into lengthy critical analysis of the report but will highlight 2 major errors. Why was Lancaster chosen to offer a comparison to Morecambe? One is a University City, the other once had a Marine land. These population centres are like chalk and cheese, surely a comparison to a town like Burnley would have offered greater accuracy. Just because 2 towns are close to one another doesn't mean comparisons can be made to offer credibility to the report. A second failure is to offer arguably skewed objective data with a conspicuous lack of subjective data to support it. From speaking to the council staff present at the drop in centres the impression is one of the council having already made up their minds to go ahead with their proposals, making any such criticism moot.

Bearing in mind as a landlord I face an extra 3% tax on any house purchased, payable before I even pick up the keys. This has as I am sure you are aware made a significant impact on the sale of houses and economy country wide. House sales are down. One of our local estate agents has ceased trading this month. I personally will not purchase any further property within your marked boundary. If I feel like this I am sure others will too. What will this do to property sales in the West End? What will it do to house prices? Can you see a cycle of deprivation starting? Look at Burnley and the areas Burnley council taxes, look at

the house prices there. I've seen houses within them going for £20,000. The area within your boundary will be seen as a less desirable location; you are in fact saying the area within the boundary is rough and less desirable than areas outside your self imposed demarcation zone. I imagine this will impact landlords too, as who wants to rent a property in the rough part of town.

A thought you may consider, who will cover these extra costs you are imposing on us? The customer will. Business always passes on price hikes to their customers, landlords are no different. I intended to completely change the heating system, including combi boiler and new radiators in one of my properties. As stated I keep my properties in tip top condition to keep my tenants happy and to keep my investment solid. I am waiting for the outcome of this consultation period before going ahead with this work. If I'm hit with extra costs the work will not be carried out. Both my tenants and I become a victim of your tax.

With reference to Q2 on your questionnaire, lets say for argument sake and bearing in mind they are adults with free will, that I can influence to a slight degree the behaviour of my tenants in the areas of noise and rubbish. If I own one house in a street of 10 houses how can I have any influence on the other 9 people living on the street? They may be house owners who drop their rubbish wherever they want. How does your tax keep that street clean?

Q4, I do all of these things already

You seem to set great store in being an accredited landlord as provided by the 'residential landlord association accreditation scheme' (RLAAS). A stellar scheme that so obviously raises the bar for landlords everywhere, or does it? You seem to think so as you offer a discount on the tax you are to levy on a landlord being a member of this association. Let me draw your attention to the following paragraph taken verbatim from their instructions on how to achieve such accreditation.

"6. Landlord Development Training To ensure that accredited landlords possess the basic knowledge and skills required for successful property management they must complete the approved RLA landlord development training course based upon the ANUK/LGA Landlord Handbook. ***This "Core" training must be completed within 12 months of submitting an application for membership and may be undertaken through an approved on-line training course or by attendance at a venue based training course.***"

Let me draw your attention to the sentence highlighted. I apply to the RLAAS for accreditation, pay their fee and then I then have 12 months to pass an online course. Do they visit me to interview me, do they check my business practice, assess my accounts, make sure my business plan is viable and working, do they check on the bills I pay, do they visit my house to check on health and safety, count my smoke alarms or interview my tenants? No they give me accreditation after I pay them a fee and fill in an online form; they even give me a year to do that! Do tell what worth do you think is there in being accredited? Why do I get a discount for filling in an online form?

In conclusion and with reference to Q5, I am an ethical business man and landlord, having me pay you money will not improve my business practise at all or improve the health and well being of my tenants. If you sincerely want to improve the standards of housing and the management of properties in the West End then target problem landlords, don't financially penalise the good ones.

Thanks for reading my brief critique.

Appendix 5b: Letter from Landlord

[REDACTED]
[REDACTED]
[REDACTED]

Dear Sir/Madam

Please find my thoughts relating to the proposed licensing for private rented housing in the West end of Morecambe. Most you will know anyway, I am just summarising. We are all aware that this issue has deteriorated over many years in Morecambe, not just in the West End.

The selling off of good social housing nationally limits supply of affordable low rent housing to enable people to take on low paid jobs. Selling housing stock off with large discounts and then unable to rebuilding more reduces supply. Selling off assets to pay for services is only a short term gain. For the tenant, I have seen them go on to mortgage that property, stop working, once the money runs out and the house repossessed expect the council to re house them again.

Because skills are limited, and the lacking of any real industry in the area, prospects are few. So there becomes a large number of good solid large Victorian properties becoming run down and derelict. These are seen to be a lot of a building for little money. Absentee and unscrupulous land lords see this avenue as a good way to house the most vulnerable and desperate, and seeking council housing benefit payments, and mainly using agents to run the properties on their behalf. (without these landlords, these desperate tenants would be in B&B or homeless due to the shortage of social housing)

In the past these tenants would have been housed in a council house with low rent. With the short supply, the less desirable tenants have to seek housing from the private sector. They have no option but to take on anything that they can get. Hence the reason Morecambe has a bad housing situation. Mainly brought about from the selling off of council housing throughout the country. Bad tenants pushed towards old seaside resorts for the reasons above.

Housing Associations with council help play a very good key role to turn things around for Morecambe, but this is a long term game. In the short to medium term buying up many properties and leaving them empty restricts supply further, and runs the area down greatly whilst derelict. Sadly it is taking many years to secure the finance to complete this process.

Housing Associations charge mainly a market value in rents, not cheap rents. The new development Morecambe 1 attracts above the market rental value. Any social tenant living in Morecambe 1 will be unable to take on low paid work because they will be unable to afford the rents charged. Therefore dependant on social handouts, and trapped in the system. Housing Associations will not entertain where ever possible undesirable tenants. It is known that a tenant will deliberately put them self in arrears reducing the risk of eviction. Crazy but true.

The absentee and unscrupulous landlord mainly plays no part in running their properties, and agents only do what they are required to do. Quite often unable to spend money on essential repairs because the landlord does not permit.

The new proposal has been thought up to tackle the issues. If there was a plentiful supply of good housing, the problem would solve itself because no one would rent the poor accommodation, and the poor houses would be sold off enabling renovation from a good landlord, or most likely sold off again to first time buyers. A good over supply in rental accommodation would keep rents affordable. But the influx of poor tenants don't suddenly become good tenants, just that they now live in better housing. Underline issues still remain, and antisocial behaviour cannot be controlled by a landlord without legal backing to approach tenants about the way they conduct them self.

For myself, I have been a property landlord for over 25 years. Almost every property I purchased was in a poor derelict state of repair, and the vast majority where unoccupied. With the help from NatWest bank, I have fully renovated each property taking between six to twelve months to fully complete each property. I spend between one to two thousand pounds every month with ongoing essential maintenance. My big concern is the introduction by the government section 24 tax to phase in income tax on the interest costs from the loans on any rental property. This on its own will take away most of the maintenance budget. This only applies to private landlords that are not set up within a limited company. A massive unfair disadvantage for the private landlord.

If this licensing tax comes into force, this we eliminate any chance of continued maintenance making the problem worse not better having the opposite effect to what you have set out to improve. The only way I could possibly continue would be to increase rents, or simply let the properties deteriorate that I can only rent to the most desperate. This puts the people who can least afford it under more pressure. If either is unachievable, I will be forced out of business with the likelihood that my single houses will go to first time buyers reducing rental property further in the area, and blocks of flats been bought by absentee landlords with offshore limited companies adding to the problem and not contributing towards the system.

Additionally Universal Credit has hit me hard with some of my tenants becoming severely in arrears from their inability to budget their daily expenditure. When a large back dated payment reaches them eventually, they blow the lot on anything they thought they could never afford. Universal Credit give no account to a tenants past history whether it be drink, drugs, dishonesty or what ever, NOT INTERESTED. They will not talk to me about a tenant unless I can tell them what that tenants National Insurance number is. I have to continue housing a tenant with no rent for 3-4 months while Universal Credit deals with a claim, then pay the tenant direct with no correspondence what so ever.

The proposed licensing will not give the landlord any new powers to deal with any kind of antisocial behaviour by a tenant or visiting person to that property. If a landlord does try to sort out these kind of matters, the landlord can be accused of harassment, and the law protects the tenant. The role of a landlord has become more of a social worker (unpaid). In the past, social services, council and the police would have tried to deal with the issue as they have the powers to implement and protect others.

Landlords in Morecambe are picking up the pieces from society's fallout that is not from our making. Taking a written reference is not worth the paper it's written on. The accredited scheme gave me no benefit when I joined back in 1996. By joining, this just put me on the radar for the council to visit all my properties. When the council visited my properties, they said they were amongst the best they have ever been round. Any additional works where always carried out, some expensive alterations required to do now seen as unnecessary. whilst I always complied over and above, the worst absentee landlords that never joined escaped any council visits.

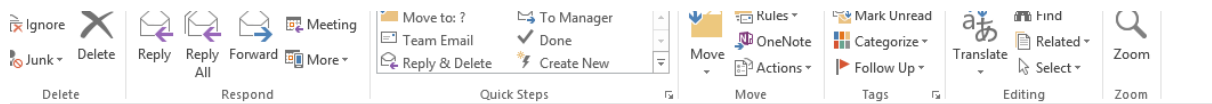
Where it is suggested that we must make regular inspections of the property.....

This is harassment on the tenant. It is where they live, and can imply that they are not behaving with suspicion that a breach in the tenancy is taking place. NOT GOOD. No thought about someone coming around your own home regular, how would you like it??

I do fear that the costs for licensing combined with other taxations from the government will force me out of business. I work full time with many visits late at night and weekends running the houses. If I am forced out of business, all my tenants will be looking for affordable rental accommodation that will no longer be available.

Regards, [REDACTED]

Appendix 6: Email from Landlord



rent arrears

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Good Afternoon [REDACTED]

I have finally had all of the information back from the Landlords I have asked, as you can imagine, it has ben difficult to get people to divulge figures.

I have asked 9 Landlords in the area for their figures [REDACTED] Some Landlords have a small number of properties and others have large portfolios. I have been asked to keep the names anonymous.

In total , the number of tenancies involved with these Landlords are 281

The number of tenancies in arrears are 149

Number of tenancies with rent exceeding :

2 weeks - 49

4 weeks - 29

8 weeks - 37

12 weeks- 34

There are many different reasons for these arrears. A main risk at the moment are those tenancies that are dependant on Universal Credit. I have had to wait upto 3 months for funds to come through. As a Landlord I cannot communicate directly with universal credit and over the past 12 months, 7 tenants have absconded with Universal Credit payments owed to me, at a cost of £9749.88. Not all Landlords can swallow this loss and as a result there is already a decline in the number of Landlords willing to take on tenants who are on Universal Credit as it is a risk they cannot afford to take . Every Landlord I have spoken to has lost money due to Universal Credit.

All good Landlords will try to help tenants with payment plans, but costs incurred by Landlords can limit how flexible a Landlord can be.

As in any business, all costs need to be budgeted for in advance , allowing for the flexibility of rent payments to those who need the help the most and monies put aside for maintenance and repairs as well as mortgage repayments. Incurring unforeseen extra charges onto Landlords, such as the costs included with joining and maintaining a licensing scheme, especially without allowing for Landlords to implement these costs into yearly budgets will restrict flexibility and will have a negative effect on these businesses and the Private Rental Sector locally.

Kind Regards

[REDACTED]



National Landlords Association

Response to Morecombe, City of Lancaster Council's proposal for selective licensing

December 2017

Introduction

1. The National Landlords Association (NLA) exists to protect and promote the interests of private residential landlords.
2. The NLA represents more than 72,000 individual landlords from around the United Kingdom. We provide a comprehensive range of benefits and services to our members and strive to raise standards within the private rented sector.
3. We seek a fair legislative and regulatory environment for the private rented sector, while aiming to ensure that landlords are aware of their statutory rights and responsibilities.
4. We thank City of Lancaster Council for providing us with the opportunity to comment on the selective licensing proposal.

Executive summary

5. Having considered the evidence presented and having undertaken our own evaluation of the circumstances faced by the residents of City of Lancaster, our position can be summarised by the following brief points:
 - Landlords have very limited authority when dealing with matters related to antisocial behaviour, especially if it happens outside the curtilage of the property.
 - The council fails to provide evidence of a direct link between recorded housing crime and the private rented sector.
 - The scheme will lead to a further displacement of problem tenants in Morecombe to neighbouring areas.
 - Selective licensing will have the effect of stigmatising the area.
 - The documentation provided fails to indicate that sufficient funding will be available to support the introduction of licensing.
 - The council fails to say how it will prevent malicious claims of antisocial behaviour being made, which could result in tenants losing their tenancies.
 - The document says that the council will use all its legal powers. However, if the existing powers had already been used, the issues would have been solved and the council would not need to introduce selective licensing.
 - The council has not published a strategy to deal with chaotic and antisocial tenants. Such a strategy should run in conjunction with the current proposal.
 - The council fails to say how the proposal will tackle rent-to-rent and subletting, or even Airbnb.
6. We contend that the flaws in the process and proposals, as outlined above, must be rectified before this application is progressed. Furthermore, once the necessary data has been identified and provided, this consultation exercise should be repeated (if permissible) to ensure engagement with all relevant stakeholders.

General feedback on proposals

7. The ability to introduce licensing is a powerful tool. If used correctly by City of Lancaster Council, it could resolve specific issues. We have supported many local authorities in the introduction of licensing schemes that could benefit landlords, tenants and the community.
8. We believe that any regulation of the private rented sector must be balanced. Additional regulatory burdens should focus on increasing the professionalism of landlords, improving the quality of private rented stock and driving out the criminals who act as landlords and blight the sector. These should be the shared objectives of all the parties involved to facilitate the best possible outcomes for landlords and tenants alike. Good practice should be recognised and encouraged in addition to the required focus on enforcement activity. This is not the case here.
9. In addition, the proposal does not take into account rent-to-rent, or those who exploit people (both tenants and landlords), and criminals will always play the system. For instance, there is no provision for landlords who have legally rented out a property that has later been illegally sublet. The council is not allocating resources to tackle the problems that criminals will cause. Often, landlords are victims just as much as tenants. What support will the council provide for the landlords to whom this has happened?
10. The issue of overcrowding is difficult for a landlord to manage. A landlord will tell the tenant how many people are permitted to live in the property and that the tenant is not to sublet it or allow additional people to live there. Beyond that, how is the landlord to manage this matter without interfering with the tenant's welfare? Equally, how will the council assist landlords when this problem arises? It is impractical for landlords to monitor the everyday activities or sleeping arrangements of tenants. Where overcrowding does take place, the people involved know what they are doing and they know that they, not the landlords, are the criminals. The council already has the powers to deal with this. We are concerned that these powers are not being used.
11. The proposal fails to address the link between homelessness and the effect that licensing has on tenants in Morecombe. The impact that a selective licensing scheme will have on tenancies is absent from the document.
12. Landlords are usually not experienced in the management of antisocial behaviour and do not have the professional capacity to resolve tenants' mental health issues or drug and alcohol dependency. If there are allegations about a tenant causing problems (e.g. antisocial behaviour) and a landlord ends the tenancy, the landlord will have dispatched their obligations under the selective licensing scheme, even if the tenant has any of the above issues. This moves the problems around Morecombe but does not actually help the tenant, who could become lost in the system. There is no obligation within selective licensing for the landlord to resolve an allegation of antisocial behaviour. Rather, a landlord has a tenancy agreement with a tenant and this is the only thing that the landlord can legally enforce.
13. City of Lancaster Council has many existing powers. Section 57(4) of the Housing Act 2004 implies that a local authority must not make a designation 'unless (a) they have considered whether there are any other courses of action available to them [...] that might provide an effective method for City of Lancaster Council with the problem or problems in question'. The council already has powers that can

be used to rectify the problems and, hence, the ability to tackle many of the issues that it wishes to overcome in all parts of West Midlands. These include:

- criminal behaviour orders
- crime prevention injunctions
- interim management orders
- empty dwelling management orders
- improvement notices (for homes that do not meet the Decent Homes Standard)
- litter abatement notices (section 92 of the Environmental Protection Act 1990)
- fixed penalty notices or confiscation of equipment (sections 8 and 10 of the Noise Act 1996)
- directions regarding the disposal of waste (e.g. section 46 of the Environmental Protection Act 1990)
- notices to remove rubbish from land (sections 2–4 of the Prevention of Damage by Pests Act 1949).

14. At the start of a tenancy, the landlord outlines to the tenant their obligations in relation to noise (and other matters, such as waste disposal, compliance with relevant laws and having consideration for their neighbours). The landlord can manage a tenant only to the extent of their mutually agreed contract for living in the rented property, not for the tenant's activities in the street or neighbouring streets. In the case of a noise complaint, the council would have to inform the landlord that the tenant was being excessively noisy. The landlord then has the right either to warn the tenant or to end the tenancy. If the allegation is false or disingenuous, how is the landlord to know? If the same allegation is made on more than one occasion, the landlord may end the tenancy based on an unproven allegation or because the council says that there is a problem. This does not solve the problem but rather moves it around the borough. The same applies to household waste and antisocial behaviour issues. The tenant could be labelled as guilty without having faced a trial. Under the reference condition of selective licensing, a guilty judgment can be made without an accusation being tested by a court.
15. Ending a tenancy will be one way for a landlord to resolve an allegation of antisocial behaviour even if it is malicious. This will not resolve the issue of high tenancy turnover; it will exacerbate it.
16. The introduction of licensing is likely to increase costs for tenants without solving the problems that the council is trying to target. It will likely move the issues around the borough and displace them to new landlords. The issues would be better resolved by a more erudite approach to dealing with nuisance and a separate policy to tackle criminals acting as landlords.
17. Often when tenants are nearing the end of their contract/tenancy and are in the process of moving out, they will dispose of excess household waste by a variety of methods. This includes putting waste out on the street for the council to collect. This is made worse when the council does not allow landlords access to municipal waste collection points. Local authorities with a large number of private rented sector properties need to consider a strategy for the collection of excess waste at the end of tenancies. We would be willing to work with the council to help develop such a strategy.

Negative impacts of discretionary licensing

18. One of the dangers of the proposed selective licensing scheme is that the costs will be passed on to tenants. This would increase costs both for those who rent in Morecombe and for the council. The increased costs to Morecombe residents would particularly hit those most vulnerable and least able to tolerate a marginal increase in their cost of living. Also, the council has failed to explain that, as well as the council's costs for the licence, landlords will likely cover their increased costs by raising rent prices. The failure to explain this shows a lack of understanding of how the private rented sector works. This could mean that landlords will look for tenants from other councils as some are offering incentives (e.g. Haringey is offering £4000 plus the London Local Housing Allowance rate). London boroughs like Hackney have already placed people in Preston. The introduction of selective licensing would draw their attention to Morecombe too.
19. Areas that have been subject to the introduction of selective licensing have seen lenders withdraw mortgage products, thereby reducing the options available to landlords who are reliant on finance. Downstream, this increases overheads for landlords and costs for tenants rise. The lenders that withdraw mortgage availability from a landlord will appear on that landlord's credit history. Other mortgage lenders will put a higher cost on the landlord, which will ultimately reach the tenant.
20. Defining Morecombe as a problem area will not encourage lending or investment into the area. By proposing to introduce licensing, the council is implying that there are social problems that could deter investment. The council does not acknowledge the impact that the stigmatisation of discretionary licensing would likely have. Property prices would be affected and all car and house insurance premiums would increase, but the council has not told Morecombe residents about this. We assert that failure to provide such information indicates a substandard, and ultimately superficial, consultation exercise.
21. The social housing sector has made many efforts to remove problem tenants (see table below). How does the council expect landlords to solve these tenants' issues when the professional sector has failed? Many of the tenants who have been removed from the social sector are now living in the private rented sector without any support. Selective licensing will have a greater impact on those who are evicted from social housing as they will fail the reference check required by the private rented sector and will be refused access.

Mortgage and landlord possession statistics 2016¹

Year (calendar)	Landlord type		Claims issued
	Private*	Social	
2016	54,583 (39.7%)	82,789 (60.3%)	137,372 (100%)
*includes all accelerated claims			

Current law

¹ www.gov.uk/government/statistics/mortgage-and-landlord-possession-statistics-october-to-december-2016

22. A landlord currently has to comply with over 100 pieces of legislation and the laws with which the private rented sector must comply can be easily misunderstood. A landlord is expected to give the tenant a 'quiet enjoyment' of the property. Failure to do so could result in a harassment case being brought against the landlord. The law within which landlords must operate is not always fully compatible with the aims of the council. For example, a landlord keeping a record of a tenant could be interpreted as harassment.
23. Licensing is introduced to tackle specific issues. Many of these are related to tenants, which the council has identified. The challenge for local authorities is to work with all the people involved and not simply to blame one group – landlords, for example. We are willing to work in partnership with the council to develop tenant information packs, assured shorthold tenancies and the accreditation of landlords, along with targeting the worst properties in a given area.
24. We would also argue that a problem that is restricted to a few poorly managed and/or poorly maintained properties would not be appropriately tackled by a licensing scheme that is not proportional. In many situations, the council should consider enforcement notices and management orders. The use of such orders would deliver immediate results. Why, instead, does the council wish to address this problem over a period of five years and through a licensing scheme? A targeted, street-by-street approach, working on specific issues in a coordinated manner with other relevant agencies, such as community groups, tenants and landlords, would have a much greater impact.
25. We would also like to see the council develop a strategy that includes action against any tenants who are persistent offenders. These measures represent a targeted approach to specific issues, rather than a blanket licensing scheme that would adversely affect all professional landlords and tenants alike, while leaving criminals able to operate covertly. Many of the problems are caused by mental health or drink and drug issues. Landlords cannot resolve these issues and will require additional resources from the council.
26. In relation to the reduction of antisocial behaviour and the authority that landlords have to tackle such activity within their properties, it should be pointed out that landlords and agents can only enforce a contract; they cannot manage behaviour (ref: House of Commons briefing note SN/SP 264, paragraph 1.1). In most circumstances, the only remedy available to landlords who are confronted with cases of serious antisocial behaviour in one of their properties will be to seek vacant possession. In many instances, they will need to serve a section 21 notice, rather than a section 8 notice, identifying the grounds for possession. The former is simpler and cheaper and repossession (at present) is more certain. No reason needs to be given for serving a section 21 notice and, in this case, the perpetrator tenant can hypothetically approach the local authority for assistance to be rehoused (ref: Homelessness Guidelines cl 8.2). Crucially, no affected party needs to offer evidence against an antisocial householder, thereby reducing the risk of intimidation, harassment and, ultimately, unsuccessful possession claims. The issue of antisocial behaviour will, thus, not appear as a factor in the repossession. However, when providing evidence to support a licensing application, the document should clarify the position of all the relevant issues under landlord and tenant law.

Requests for supplementary information

27. We are extremely concerned about the gaps in evidence and justification that occur throughout the licensing proposal.
28. We would like clarification on the council's policy in relation to helping a landlord when a section 21 or section 8 notice is served, when the property is overcrowded or when the tenant is causing antisocial behaviour. What steps will the council take to support the landlord? It would be useful if the council put in place a guidance document before the introduction of the scheme to outline its position regarding helping landlords to remove tenants who are causing antisocial behaviour.
29. We would like a breakdown of antisocial behaviour complaints made over the last five years, subdivided into antisocial behaviour that has proven to be housing related and for the different housing sectors (owner, social and private rented).
30. We would like to know what consideration the council has given to homelessness where tenants cannot access the private rented sector.
31. The council says that one of the reasons that selective licensing is being introduced is the size of the private rented sector. Does the council plan to reduce the private rented sector in these areas? If so, where does the council wish to see the private rented sector grow?
32. The council fails to say what additional services will be provided for mental health. This will have an impact on adult social care budgets for the county council and this budget is already under pressure. How much money has been allocated from the county to meet this?
33. Finally, we would like a breakdown of the number of orders and powers listed in paragraph 13 that City of Lancaster Council has used over the past five years.