

Consultation

Proposal to designate a Selective Licensing scheme in the Melcombe Regis Ward

1st February 2019



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Part 1 Introduction

Part 3 of the Housing Act 2004 ('the Act') gives Councils the power to introduce Selective Licensing schemes for privately rented properties in either the whole or part of their areas subject to certain conditions being met.

Selective Licensing is a scheme which requires private sector landlords to manage the properties they rent in a professional way. This is achieved by requiring landlords to obtain a licence from the Council for each property they rent in the licence area and to comply with the conditions detailed within the licence.

Landlords can be refused a licence if they do not meet a "fit and proper person" assessment and landlords that fail to obtain a licence or breach licence conditions commit a criminal offence and can be subject to a range of sanctions under a Selective Licensing scheme. These include civil penalties, criminal convictions with a fine and loss of control of their properties through Management Orders which allow the Council to take control of rented property and ensure it is managed correctly.

This consultation seeks views on a proposal to designate parts of the Melcombe Regis ward as a Selective Licensing scheme to bring about improvements in the way that the private rented sector is managed for the benefit of residents and businesses.

The Weymouth and Portland Borough consists of 32,760 residential properties of which approximately 17.8% (5831) are in the private rented sector.

The ward of Melcombe Regis consists of approximately 4274 properties of which some 46.2% are believed to be in the private rented sector.

Weymouth and Portland Borough Council values the contribution that professional landlords make to local communities by providing much needed homes. Privately rented properties are important because they can provide people with flexible, affordable and good quality homes. However, where there are high levels of private rented stock and associated poor standards of tenancy management then this sector can create problems for local communities. Issues include anti-social behaviour, fly-tipping, rubbish in front gardens, and excessive noise. Similarly, poor housing conditions associated with poor tenancy management, overcrowding, inadequate repairs management, failure to reference tenants properly, and failure to undertake necessary safety checks is disproportionately linked to privately rented accommodation.

Where high levels of private rented homes exist it is important to ensure that this sector provides flexible, affordable and well managed homes. Through Selective Licensing, landlords are legally required to operate to appropriate management standards, to ensure that the tenancies they create, do not adversely impact on local communities and tenants health and wellbeing. Where this is not the case Selective Licensing allows the Council to challenge

this behaviour and provides a range of sanctions which allow early interventions to take place. Improving the quality of existing homes in the private sector is a key part of our Housing Strategy.

A Selective Licensing scheme allows the Council and other agencies to tackle the worst landlords who operate in this area, whilst enabling a light touch approach for landlords who act professionally. Evidence from existing schemes operated around the country by other Local Authorities that the benefits of introducing a scheme into this area could include:

- Improved management arrangements for privately rented accommodation which leads to improved property conditions
- Targeted enforcement against criminal landlords who persistently fail to engage or improve their practices
- Quicker responses to, and resolution of, complaints to landlords about their tenants/properties
- Identifying landlords and tenants who are not paying the appropriate Council Tax for their properties
- Identifying tenants who are falsely claiming Local Housing Allowance
- Absentee or unprofessional landlords will be required to employ/provide a professional/suitable property management arrangements and respond to complaints in a timely and appropriate manner
- Disruption of criminal landlords operating in the area
- Promotion of confidence in the community
- Improving the reputation of private landlords in this area
- Improving the desirability of the area for private tenants
- Protecting the investment of professional landlords in the area
- Supporting landlords to achieve a benchmark standard of property management

This consultation document sets out the detail behind the proposal and invites views or comments from people, businesses and organisations that are likely to be affected by the proposal.

The consultation period will last for a period of 10 weeks. It starts on 1st February 2019 and will close on 12th April 2019.

Any decisions regarding the proposal will only be taken by the Council after it has fully considered the responses to the consultation, the supporting evidence and any other relevant information.

Your views and comments are therefore very important and we invite you to consider the information provided below. You can find details of how you can respond to the consultation on page 43 of this pack, including the link to the on-line questionnaire which is.

www.dorsetforyou.gov.uk/housing-consultation

Part 2 The Proposal

The Council is proposing to designate part of the Melcombe Regis ward as subject to selective licensing.

The Council is relying on the grounds set out in section 80 of the Housing Act 2004 (referred to as 'the Act' in this consultation document) which are set out below -

- a) that the area is an area of high levels of deprivation
- b) that the area is an area of high crime; and
- c) that making the designation will, when combined with other measures taken in the area by the Council, or by other persons together with the Council, contribute to the improvement of the social or economic conditions in the area.

The proposed designation area is shown below in Figure 1 and is focused on the Town Centre and Park district plus a small part of the Lodmoor Hill area within the Melcombe Regis ward.



Figure 1

The proposed area would consist of approx. 2655 residential properties of which 926 are thought to be in the private rented sector representing 15.8% of the borough wide privately rented stock (PRS).

All residential accommodation occupied under a tenancy or licence will be subject to licensing except for that provided as social housing as prescribed in the Housing Act. In designating an area for Selective licensing there is a duty placed upon the authority to ensure effective implementation and to determine all applications within a reasonable time. The proposed designation would last for a period of five year but must be subject to periodical reviews.

The proposed designation area covers less than 20% of Weymouth and Portland Councils geographical area and less than 20% of the privately rented properties in the Borough. Accordingly, if the proposed scheme is authorised following the consultation period, it will not require Secretary of State Approval and will be locally approved by Weymouth and Portland Council or its successor Unitary Authority.

A lists of streets within the proposed designated area is detailed below

STREET	AREA COVERED	DETAILS
ALBERT STREET	FULL	
AVENUE ROAD	FULL	
BATH STREET	FULL	
BELLE VUE	FULL	
BOND STREET	FULL	
BROWNLOW STREET	FULL	
BRUNSWICK TERRACE	FULL	
CAROLINE PLACE	FULL	
CASSIOBURY ROAD	FULL	
CHARLES STREET	FULL	
CHELMSFORD STREET	FULL	
CLIFTON PLACE	FULL	
COMMERCIAL ROAD	PARTIAL	ALL EXCEPT SWANNERY COURT
CRESCENT STREET	FULL	
CUSTOM HOUSE QUAY	FULL	
DERBY STREET	FULL	
DORCHESTER ROAD	PARTIAL	NUMBERS 1 TO 33 (ODDS)
EAST STREET	FULL	
EDWARD STREET	FULL	
FREDERICK PLACE	FULL	
GLOUCESTER MEWS	FULL	

GLOUCESTER STREET	FULL	
GOVERNORS LANE	FULL	
GRANGE ROAD	FULL	
GREAT GEORGE STREET	FULL	
GREENHILL	PARTIAL	NUMBERS 2, 4 AND 6 ONLY
HARDWICK STREET	FULL	
HELEN LANE	FULL	
KING STREET	FULL	
LENNOX STREET	FULL	
LOWER BOND STREET	FULL	
LOWER ST ALBAN STREET	FULL	
LOWER ST EDMUND STREET	FULL	
MAIDEN STREET	FULL	
MARKET STREET	FULL	
MELCOMBE PLACE	FULL	
MITCHELL STREET	FULL	
NEW BOND STREET	FULL	
NEW STREET	FULL	
PARK STREET	FULL	
PENNY STREET	FULL	
QUEEN STREET	FULL	
RANELAGH ROAD	FULL	
SCHOOL STREET	FULL	
SOUTH PARADE	FULL	
ST ALBAN STREET	FULL	
ST EDMUND STREET	FULL	
ST MARY STREET	FULL	
ST NICHOLAS STREET	FULL	
ST THOMAS STREET	FULL	
STANLEY STREET	FULL	
THE ESPLANADE	FULL	
TURTON STREET	FULL	
UPWAY STREET	FULL	
VICTORIA STREET	FULL	
WALPOLE STREET	FULL	
WATERLOO PLACE	FULL	
WESLEY STREET	FULL	
WEST STREET	FULL	
WESTHAM ROAD	FULL	

WILLIAM STREET	FULL	
WOOPERTON STREET	FULL	

Proposed scheme objectives

It is important that a selective licensing scheme has clear objectives. The Act requires that the making of the designation will, when combined with other measures taken in the area by the Council, or by other persons together with the Council, contribute to the improvement of the social or economic conditions in the area

Having given careful consideration to the proposed designation criteria, a series of draft objectives have been proposed. These are detailed below and should be read in conjunction with the proposed licence conditions detailed in Annex 1

To promote more effective partnership working and regulation of private sector landlords and managing agents to:

1. Improve the health of PRS tenants through improved professional standards of tenancy management
2. Improve the living environment for all residents by ensuring relevant licence conditions are met
3. Tackle crime and anti-social behaviour associated with the private rented sector that is affecting the local community
4. Improve resident satisfaction with the way in which PRS tenancies are managed within the designation

The objectives of the scheme seek to address the main issues of high deprivation and crime in the area by driving up management standards in the private rented sector. A consequent improvement in housing standards for tenants and a reduction in crime and anti social behaviour associated with residential accommodation will also be sought.

The proposed licence conditions have been developed with the scheme objectives in mind.

Mandatory conditions prescribed by schedule 4 of the Act that the Council must include relate to

- Gas Safety
- Electrical appliances and furniture
- Smoke alarms
- Carbon Monoxide alarms
- Tenant referencing and terms of occupation

In addition to the above, the Council can also decide to include other conditions with the aim of ensuring that the scheme objectives are met. Proposed locally applied conditions include

- Property Management
- Security and Crime
- External areas and Refuse and Waste
- Management/anti-social behaviour
- Energy Efficiency and affordable occupation
- Notification of a change in circumstances

A high proportion of private rented property

In considering whether to designate an area for selective licensing on the grounds of property conditions, migration, deprivation or crime, the Council may only make the designation if the area has a high proportion of property in the private rented sector.

The most recent government figures states that nationally the private rented sector currently makes up 20.5% of the total housing stock in England.

The current estimate of the proportion of privately rented properties in Weymouth and Portland is 17.8 %, which is lower than the national average.

However the proposed area currently has a private rented sector of 44.2% which is more than double the national average. The rate of owner occupation is 43.5%; this is much lower than the borough average of 67.4%. This indicates a concentration of privately rented accommodation in the area and suggests a lower demand for owner occupiers moving to the area and an unstable housing market when compared to the national average of owner occupation at 62.4%.

Table 1 highlights the proportion of total housing in Weymouth & Portland which is located in Melcombe Regis. The data illustrates that just under one in eight residential properties in the Borough are located in the Ward.

Area	Number of residential properties	Proportion of residential properties
Melcombe Regis	4,079	12%
Weymouth & Portland	32,760	100%
Address Base Data 2016, Ordnance Survey and Dorset County Council		

Table 1

The Melcombe Regis ward can be broken up into four smaller geographies known as ‘Lower Super Output Areas’ (LSOA). The Lower Super Output Areas in Dorset have all been named and the four that are within Melcombe Regis have been defined as: Melcombe Regis Lodmoor Hill, Melcombe Regis Park District, Melcombe Regis Carlton Road and Melcombe Regis Town Centre.

Table 2 illustrates the number of residential properties in each of the areas and highlights there are more properties in the town centre (one in three).

Area	Residential Address	Proportion of residential addresses
Lodmoor Hill LSOA	1,019	25.0%
Carlton Road LSOA	797	19.5%
Park District LSOA	875	21.5%
Town Centre LSOA	1,388	34.0%
Melcombe Regis (Total)	4,079	100.0%

Table 2

Table 3 below illustrates the high percentage of privately rented properties with Melcombe Regis when compared to Weymouth and Portland borough, County and National levels

<u>Tenure</u>						
Geography	Area	All Households	% Owner Occupied	% Publically Rented	% Privately Rented	% All others
Ward	Melcombe Regis	2,983	43.5	8.6	46.2	1.6
District	Weymouth and Portland	28,535	67.4	13.6	17.8	1.2
County	Dorset	180,213	72.7	12.4	13.3	1.6
County	Dorset, Bournemouth and Poole	326,117	68.7	11.9	18.1	1.3
National	National (England and Wales)	23,366,044	64.3	17.6	16.7	1.4

Table 3

Table 4 below illustrates the proportion of properties in Melcombe Regis that have been rented privately over the period from 1971 to 2011. The proportion of properties in the private rented sector has risen by over ten percentage points since the Census in 2001, and has consistently been much higher than the Borough, County and country as a whole.

Area	% Renting Privately				
	1971	1981	1991	2001	2011
Melcombe Regis	45.8	34.2	36.3	35.0	46.2
Weymouth and Portland	21.2	14.4	9.4	10.5	17.8
Dorset	25.0	16.8	8.2	7.7	13.3
England & Wales	21.6	13.1	7.3	8.7	16.7

Table 4

Figure 2 illustrates where the highest number of flats that are part of a shared house or bed-sit are located across the Ward and LSOA. The map highlights that the highest number are found in the Town Centre and the Park District. Data has been mapped by Census Output Area (the smallest census geography made up on average of 130 households).

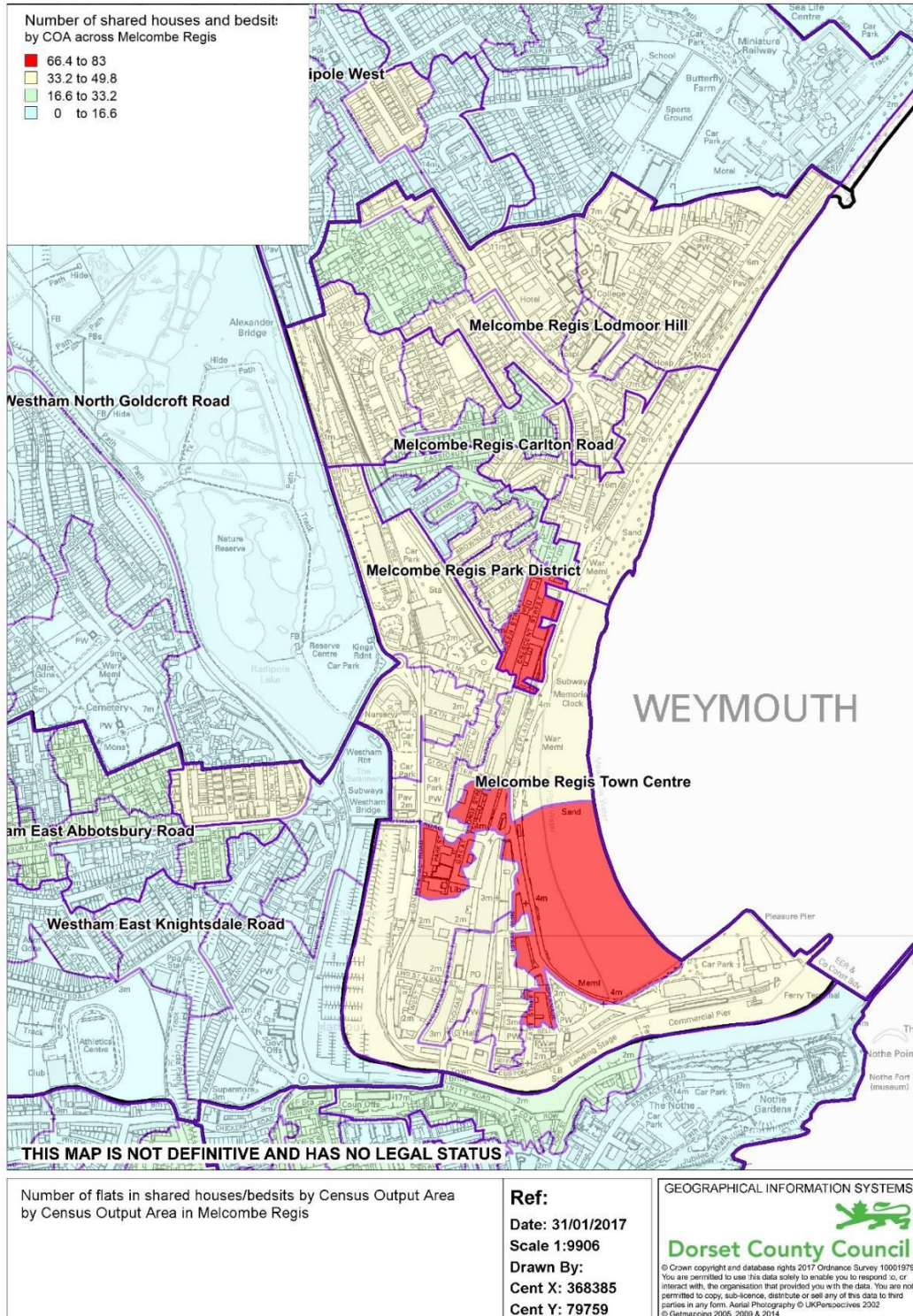
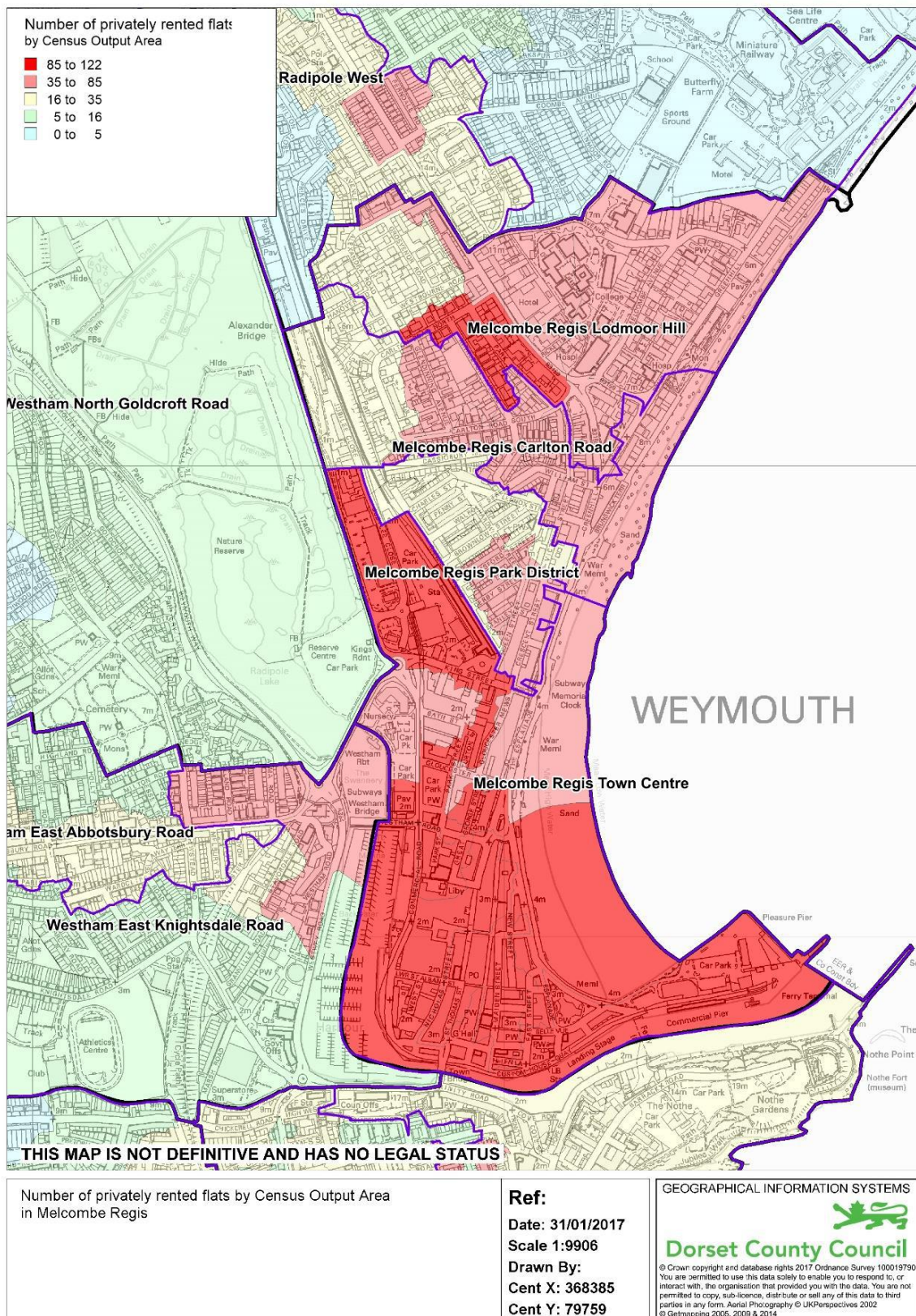


Figure 3 highlights areas with the highest numbers of private rental flats across Melcombe Regis based on data from the census and particularly highlights the town centre as an area with high numbers of privately rented flats.



High Levels of Deprivation.

Evidence suggests that the proposed designation area is suffering from high levels of deprivation.

The Melcombe Regis ward is one of the most deprived areas in Dorset. The national measure for deprivation measured at a local level is called the Indices of Deprivation. This looks at deprivation at Lower Super Output Areas (LSOA) which has an average of 1,500 residents. There are 32,844 LSOAs in England, 249 in Dorset and 452 in Bournemouth, Dorset and Poole.

Three of the four LSOAs in the Melcombe Regis ward are amongst the top seven most deprived in the county across all the deciles of **deprivation** and are amongst the top 20% nationally

Three of the four LSOAs in the Melcombe Regis ward are considered to be in the top eight most deprived in the county for **Income** and are amongst the top 20% nationally

All four LSOAs in the Melcombe Regis ward are considered to be in the top ten most deprived in the county on the grounds of **health and disability** and are amongst the top 20% nationally for this decile of deprivation

Three of the four LSOAs in the Melcombe Regis ward are considered to be in the top 20% nationally for **Crime** (Burglary, Theft, Criminal Damage and Violence) with Melcombe Regis Town Centre LSOA are within the top 2% nationally.

Fuel Poverty

Fuel poverty in Dorset and Weymouth and Portland is in line with the national average, however there are several places with high incidences of fuel poverty. The Park District, Melcombe Regis, is the most notable, in spite of a focus on improving housing in the area in the past few years. The table below illustrates Fuel Poverty Statistics from the ONS in 2014 and highlights the very high proportion of properties in the Park District suffering from Fuel Poverty.

Area	Estimated number of households	Estimated number of Fuel Poor Households	Percentage of households fuel poor
England	22,542,270	2,379,357	11%
Dorset	189,624	20,074	11%
Weymouth and Portland	30,031	3,544	12%
Melcombe Regis LSOAs:			
Melcombe Regis Carlton Road	612	84	14%
Melcombe Regis Town Centre	1,031	159	15%
Melcombe Regis Park District	709	151	21%
Melcombe Regis Lodmoor Hill	777	71	9%

Table 5

Income

Office of National Statistics data puts the average annual household income in Melcombe Regis and Rodwell as £30,680 which is much lower than for Dorset as a whole which is £37,257 and Weymouth and Portland which is £34,551. The figure for England and Wales is £39,500.

Table 6 below shows the average weekly income for residents of Melcombe Regis, Weymouth and Portland, County and National levels. The weekly income for Melcombe Regis is lowest.

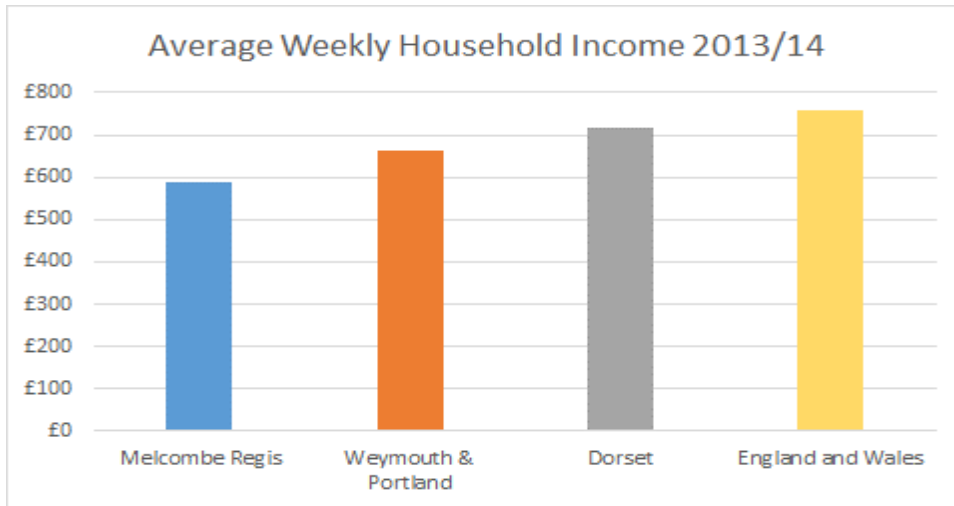


Table 6

Modelled data from Experian Mosaic suggests that the average annual household income per postcode. This is illustrated in the map below. This gives a better indication of likely distribution of household income across the ward.

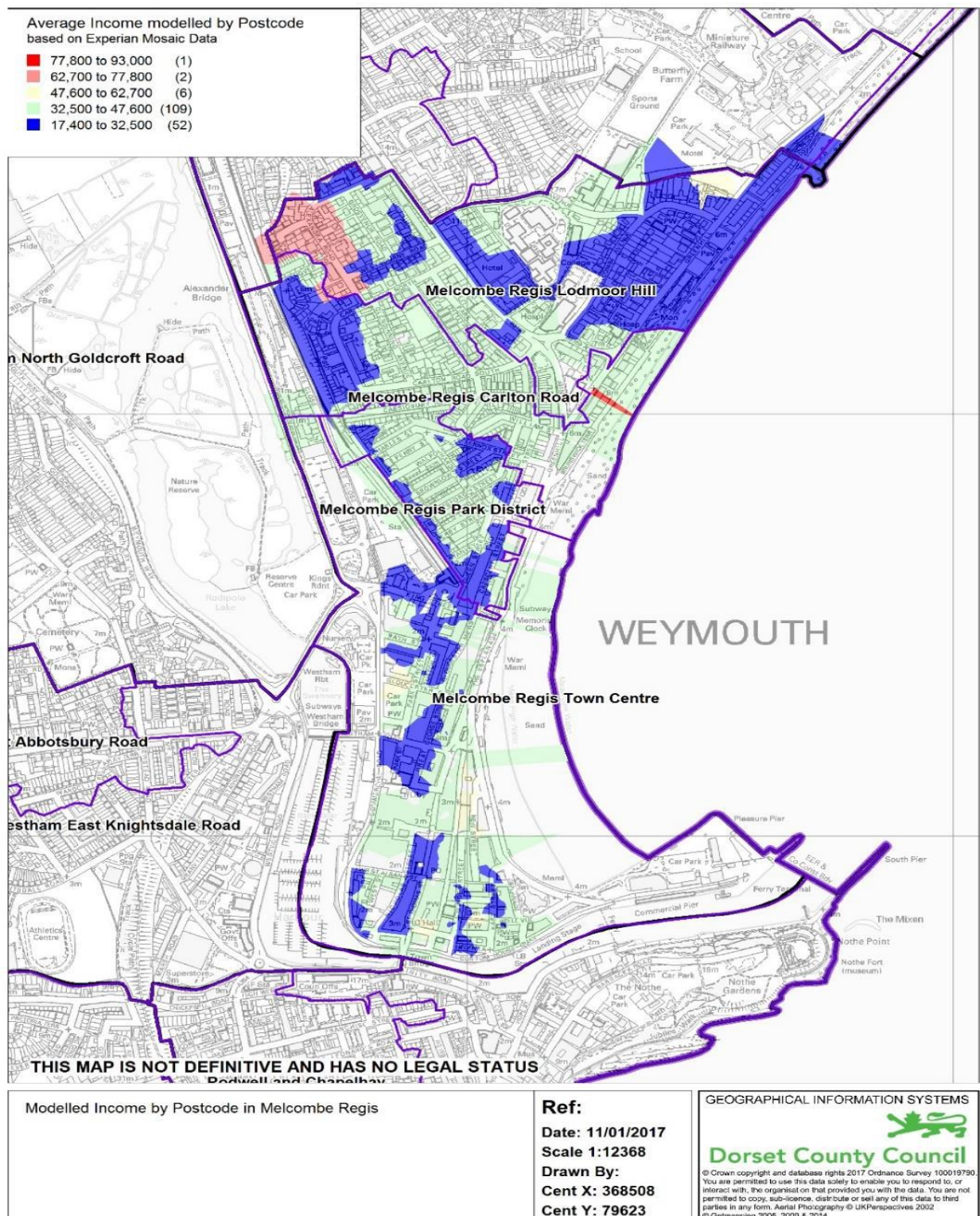


Figure 4 Average incomes modelled by postcode

Job Seekers Allowance

The chart below illustrates residents claiming Job Seekers Allowance. The levels are relatively low and are affected by seasonal trends that highlight a fall in those claiming Job Seekers Allowance during the summer months when more jobs are available throughout the holiday season.

The data illustrates that the proportion of the population claiming job seekers allowance is consistently higher in the Melcombe Regis Ward than for the borough as a whole.

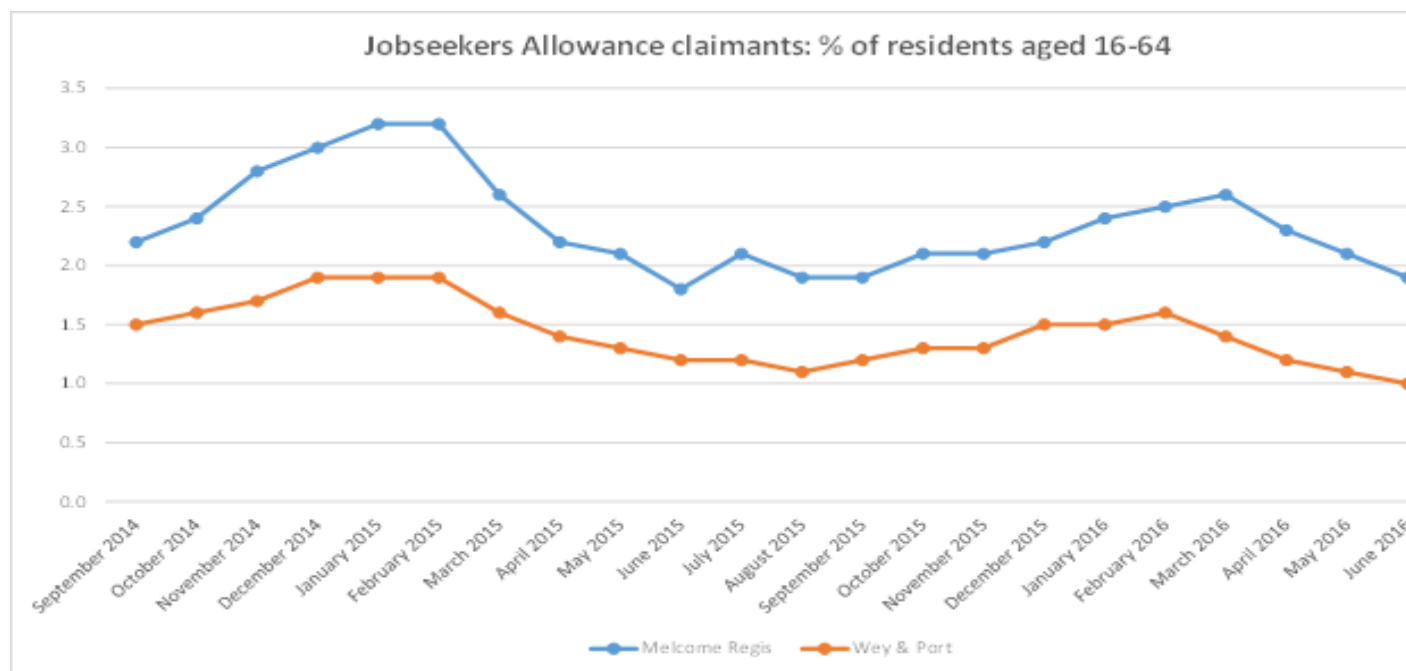


Figure 5 JSA % Claimants

Employment Support Allowance

Whilst Job Seekers Allowance has fallen slightly, the proportion of people claiming Employment Support Allowance has risen significantly in Melcombe Regis from 2.1% in May 2009 to 16.1% in May 2015. This suggests that one in six of the working age population are unable to work due to illness or disability. The rise in Employment Support Allowance reflects similar rises across the County and in the country. However, the levels are much higher in Melcombe Regis

Date	Melcombe Regis ESA Numbers	Melcombe Regis % ESA	Weymouth and Portland ESA Numbers	Weymouth & Portland % ESA	Dorset ESA Numbers	Dorset % ESA	England and Wales ESA Numbers	England & Wales % ESA
May 2009	85	2.1%	400	1.0%	1,460	0.6%	256,940	0.7%
May 2010	130	3.2%	680	1.7%	2,430	1.0%	472,800	1.3%
May 2011	185	4.6%	890	2.2%	3,180	1.3%	592,000	1.6%
May 2012	315	7.8%	1,580	4.0%	5,640	2.4%	1,009,430	2.8%
May 2013	480	11.9%	2,350	5.9%	8,590	3.6%	1,547,290	4.3%
May 2014	545	13.8%	2,760	7.1%	10,210	4.3%	1,897,950	5.2%
May 2015	635	16.1%	3,070	7.9%	11,330	4.8%	2,080,890	5.7%

Table 7 ESA claimants

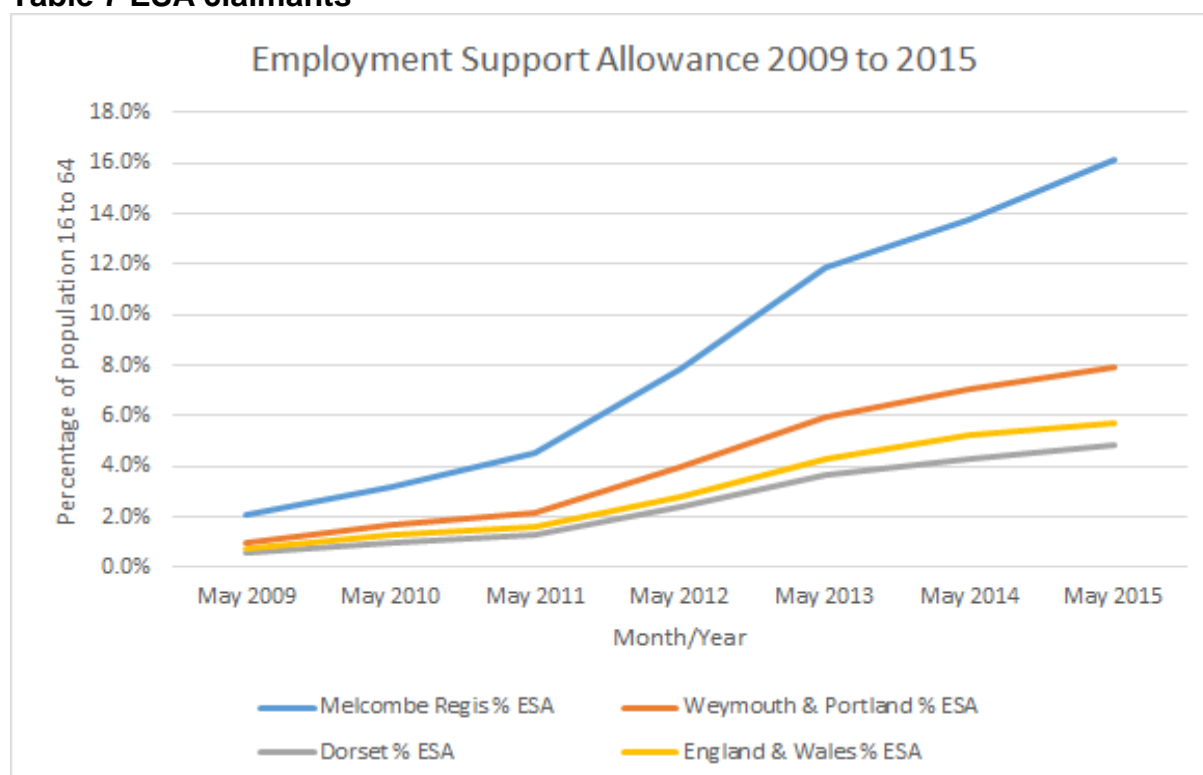


Figure 6 ESA claimants by graph

High levels of crime

Total crime is very high in the Melcombe Regis ward with a figure of 528.2 crimes per 1,000 population compared to 122.6 for Weymouth and 103.7 for England and Wales.

Recorded total crime in the ward increased by 46% between 2014 and 2016.

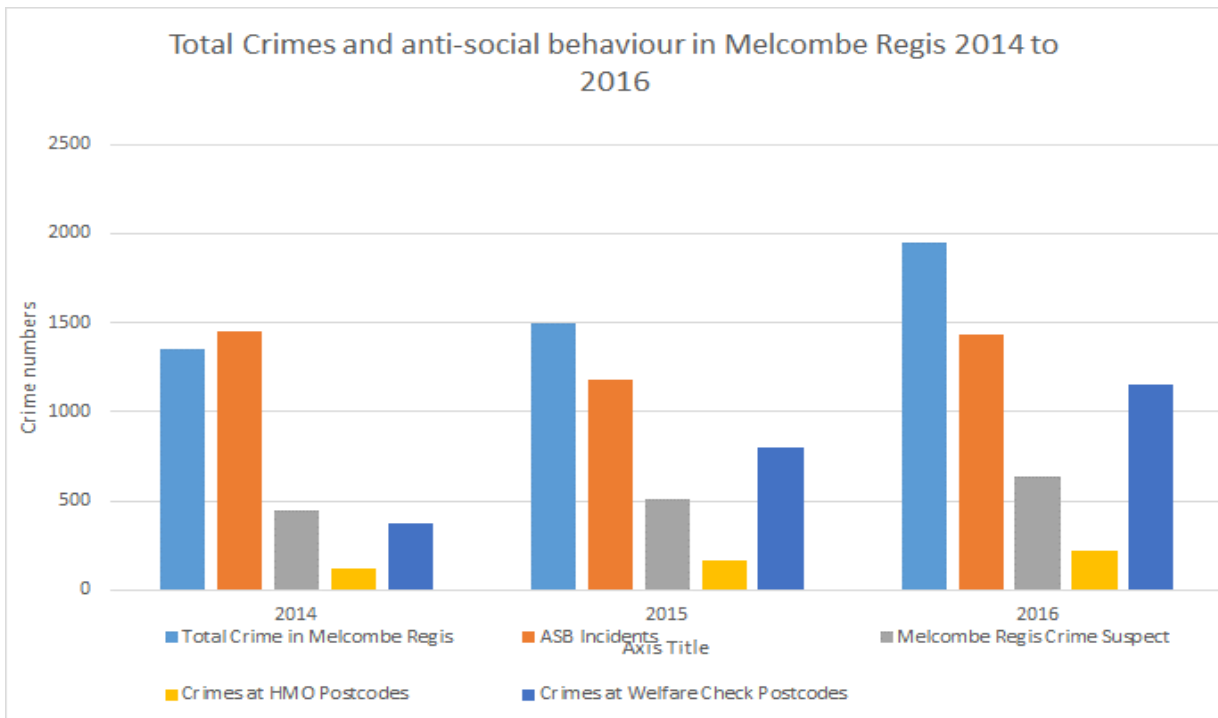


Figure 7

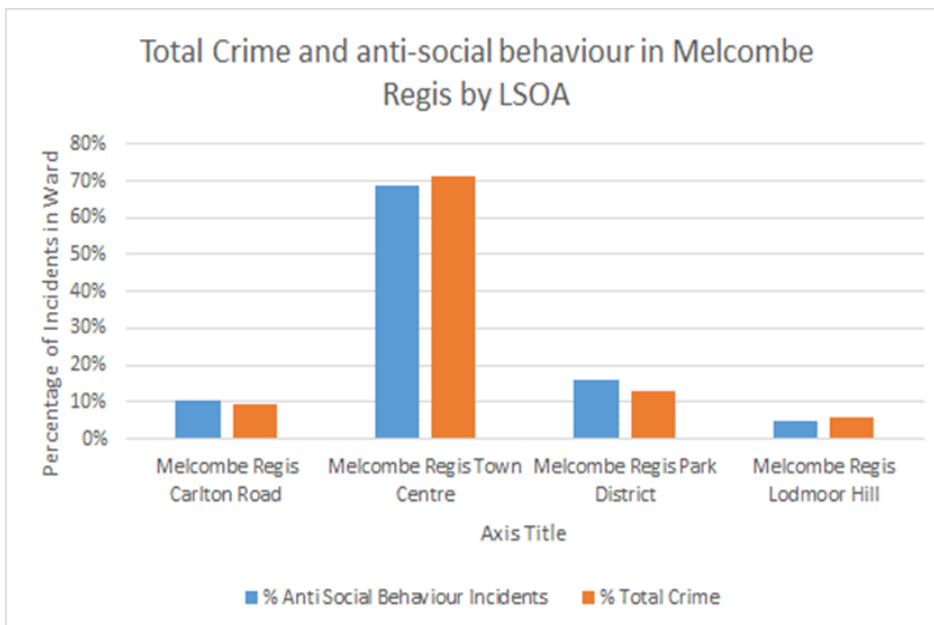


Figure 8

The varied physical make-up and dynamic of the ward has led to further analysis of reported crime. Melcombe Regis contains both the commercial core of Weymouth, an extensive night-time economy (NTE), high proportions of transient rental residents and a predominantly younger demographic.

The ward also covers the main built-up part of the Esplanade and beach front area. However, analysis of crime within the ward during the first half of 2018/19 revealed that crime not associated with the NTE constituted 61% of total crime in the ward.

Analysis of the crime data has enabled the production of maps showing the crime hotspots in the ward. The map below shows the hotspots for theft, burglary, criminal damage and violent crime between April 2017 and March 2018. The crime data shows crime hotspots within the ward which correlate with areas of high levels of private rented sector homes.

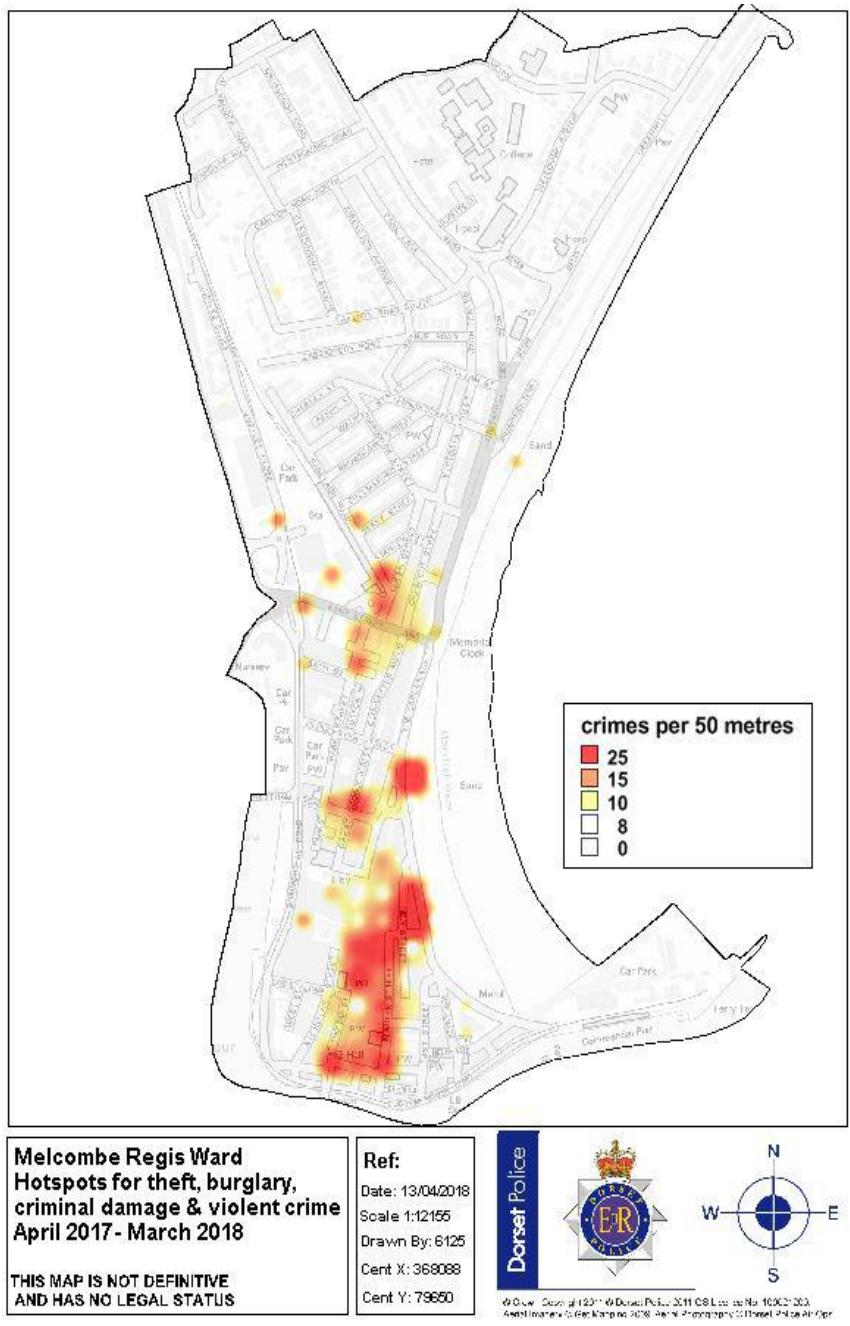


Figure 9

Part 4 Other Factors

The evidence collated in Section 3 considers all the factors that indicate the proposed area is suffering from high levels of deprivation and crime, however it is important to note that other factors were also considered but discounted. These are outlined in the sections below.

Low housing demand

The Housing Act 2004 defines low demand by the value of residential premises, the turnover of occupiers of residential premises and the number of residential premises which are available to buy or rent and the length of time they remain unoccupied. Evidence suggests that this is currently not an issue significantly affecting Melcombe Regis.

A significant and persistent problem caused by anti-social behaviour

Melcombe Regis has higher recorded levels of anti-social behaviour than any other ward in Dorset. It is therefore evident that the ward is 'experiencing a significant and persistent problem caused by anti-social behaviour'. However, to satisfy this condition it is also necessary to show that 'some or all of the private sector landlords who have let premises in the area (whether under leases or licences) are failing to take action to combat the problem that it would be appropriate for them to take'. Evidence of this however tends to be anecdotal and whilst the introduction of Selective Licensing will allow the Council to take action to deal with anti-social behaviour associated with privately rented properties it is not currently a qualifying criteria that can be evidenced as grounds to make a selective licensing designation.

Poor property conditions

There is evidence of poor property conditions within the Melcombe Regis ward that a Selective licensing scheme would assist the Council in addressing. However, whilst poor property conditions are a qualifying condition for selective licensing, a licensing scheme is not itself permitted to be a vehicle for improving housing standards. The Council must rely on its existing enforcement powers to achieve that goal under part 1 of the Housing Act 2004.

The evidence of poor property condition is not therefore currently considered to be a qualifying condition to support the introduction of a selective licensing scheme, however the introduction of selective licensing will greatly enhance intelligence on the private rented sector and facilitate more effective intelligence led interventions using Housing Act powers.

High levels of migration

Examination of demographic data does not currently suggest that levels of migration are high in Melcombe Regis and this is not currently considered a qualifying condition to support the introduction of a selective licensing scheme.

Part 5 Conclusion

Weymouth and Portland Borough Council have clearly demonstrated that the proposed area has a high proportion of privately rented properties. Furthermore the Council considers the proposed area to be suffering with high levels of deprivation and high crime.

High levels of Deprivation

The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 states that in deciding whether an area is, or is likely to become an area of high levels of deprivation a local authority must take into account (among other matters) –

- The employment status of adults
- The average income of households
- The health of households
- The availability and ease of access to education, training and other services for households
- Housing conditions
- The physical environment
- Levels of crime

Guidance issued by the Department for Communities and Local Government (*Selective licensing in the private rented sector – A Guide for local authorities* March 2015) ('the Government guidance') identifies the following factors which (among other matters) the Council should consider when deciding if an area is, or is likely to become an area of low housing demand:

- The local housing authority may only make a designation if a high proportion of the housing in the area is in the private rented sector
- The scheme should state what actions the local housing authority intend to take to combat issues associated with the deprivation. This includes licence conditions to ensure properties are managed properly and can contribute to an improvement in the wellbeing of the occupants and wider community
- The outcome of the designation should be (together with other measures) a reduction of the problems with housing in the private rented sector contributing to the high level of deprivation

The Council has considered all of the above in turn and when reviewing the evidence set out in this consultation document we find an area of high levels of private renting, where high deprivation is evident. We have developed scheme objectives and licensing conditions which will contribute to improvements for the occupants and wider community with the aim of reducing the problems with housing which are contributing to the high level of deprivation.

High Levels of Crime

The Selective Licensing of Houses (Additional Conditions) (England) Order 2015 states that in deciding whether an area is an area of high crime a local authority must take into account

- That the area suffers from high levels of crime
- That the criminal activity affects those living in the private rented sector or other households and businesses in the area:
and
- That making a designation will, when combined with other measures taken in the areas by the local housing authority, other persons together with the local housing authority or by the police, contribute to a reduction in the levels of crime in the area, for the benefit of those living in the area.

DCLG (now MHCLG) guidance requires that the licensing scheme must be part of a wider strategy to address crime in the designated area and can only be made if a high proportion of properties in that area are in the private rented sector. In particular the local housing authority should consider:

- Whether criminal activities impact on some people living in privately rented accommodation as well as others living in the areas and businesses therein;
- The nature of the criminal activity
- Whether some of the criminal activity is the responsibility of some people living in privately rented accommodation

The scheme should show what measures the local housing authority will be able to take through licensing to reduce criminal activity in the area, such as imposing conditions in licences to ensure properties are safe from intruders. The outcome of a scheme designation under the crime criteria together with other measures should lead to a reduction in crime in the area.

The Council has considered all of the above in turn and when reviewing the evidence set out in this consultation document we find an area of high levels of private renting, where high levels of crime are evident. We have developed scheme objectives and licensing conditions which will contribute to reducing criminal activity and when together with other measures should lead to a reduction in crime in the area.

For the reasons set out in this consultation document the Council considers that the requirements of section 80 of the Act are satisfied in relation to the proposed area.

A bullet point summary of the evidence can be found in Annex 2

Part 6 Selective Licensing

What is a Selective Licensing scheme?

Part 3 of the Housing Act 2004 contains the legal provisions which allow a Council to make a Selective Licensing designation in their area.

Under section 80, a Council can designate the whole or any part or parts of its area as subject to selective licensing. Where a selective licensing designation is made it applies to privately rented property in the area. Subject to certain exemptions specified in the Selective Licensing of House (Specified Exemptions) (England) Order 2006, all properties in the private rented sector which are let or occupied under a licence, are required to be licensed by the Council.

Following changes in the law on 1 April 2015, Councils now need to apply to the Secretary of State for the Department for Communities and Local Government for confirmation of any scheme which would cover more than 20% of their geographical area or that would affect more than 20% of privately rented homes in the local authority area.

Under these new arrangements, if a Council makes a designation that covers 20% or less of its geographical area or privately rented properties, the scheme will not need to be submitted to the Secretary of State, provided the authority has consulted for at least 10 weeks on the proposed designation. However, if the Council makes one or more designations that are in force partly concurrent to an existing scheme, and cumulatively all the designations cover more than 20% of the area or the private rented stock, those new designations will need to be submitted to the Secretary of State for approval.

Also, if two new designations account for more than 20% of the area or private rented stock when added together, they would both need to be submitted to the Secretary of State for approval.

When considering whether to make a selective licensing designation a local housing authority must first identify the objective or objectives that a designation will help to achieve – it must identify whether the area is suffering problems (providing evidence of these problems) that are being caused or are attributable to any of the above criteria for making a designation and what it expects the designation to achieve.

A Council must also consider whether there are any other courses of action available to it that would achieve the same objective or objectives as the proposed scheme without the need for the designation to be made. Only where there is no practical and beneficial alternative to a designation, should a scheme be made.

If a Council decides that there is no practical and beneficial alternative to the scheme, section 81 (4) (b) of the Housing Act 2010 states that they must not make a designation unless they consider that making the designation will

significantly assist them to achieve the objective or objectives (whether or not they take any other course of action as well).

Councils must also ensure that selective licensing complements other measures. It should only be used where existing measures alone are not sufficient to tackle the underlying housing problems of a specific area. Local authorities should also carefully consider any potential negative economic impact that licensing may have in their area and some of the other possible effects of the designation (and to include any risk assessment they may have carried out).

Councils should ensure that the exercise of the power is consistent with their overall housing strategy and seek to adopt a coordinated approach in connection with dealing with homelessness, empty properties, regeneration and anti-social behaviour both as regards combining licensing with other courses of action available to them and with measures taken by others. The selective licensing scheme must also be consistent with housing market renewal activity.

Local authorities must also demonstrate the role of other partners (if any) such as the Police or Social Services, in ensuring the designation reaches its goal.

It is important for local authorities to demonstrate how licensing will work in conjunction with existing initiatives (such as landlord accreditation) and partnerships. A Council must decide what other measures they, or other persons together with the local authority, will take together with the selective licensing scheme to eliminate or mitigate the problems identified in the area and how they will work together. A local authority must also assess what outcomes will be delivered through the making of the scheme and taking other measures. Licensing is not a standalone tool.

If a Selective Licensing designation is approved, it can last for up to five years and the landlord of every privately rented property in the designated area would have to obtain a licence from the Council, subject to a number of exemptions set out below.

A selective licence will not be required for the following properties:

- HMOs which are required to be licensed under Part 2 of the Housing Act 2004;
- Properties subject to a “temporary exemption notice”;
- Properties subject to a Management Order;
- Properties which are occupied under a tenancy or licence which has been granted by a non-profit registered provider of social housing;
- Properties which are occupied under a tenancy or licence which has been granted by a profit-making registered provider of social housing in respect of social housing (within the meaning of Part 2 of the Housing and Regeneration Act 2008) or
- Properties which are occupied under a tenancy or licence which have been granted by a body which is registered as a social landlord under Part 1 of The Housing Act 1996;

- Properties let under tenancies or licences described as ‘exempt’ from the requirement to be licensed by the Selective Licensing of Houses (Specified Exemptions) (England) Order 2006/370.

A person would have to apply to the Council for a licence in accordance with certain requirements which the Council would specify. In particular, the Council is entitled to require that the application be accompanied by a fee. (See below).

When applying for a licence, landlords will have to provide evidence that they are “fit and proper persons” and that they manage their properties correctly, including taking appropriate action against tenants who are causing anti-social behaviour. A landlord would require a licence for each property in the designated area, subject to the exemptions listed above.

The Council has the power to refuse to grant a licence to the applicant, or it can grant the licence to some other person if both it and the applicant agree. Applicants have the right to appeal against certain Council decisions relating to the grant, refusal, variation or revocation of licences. The Council must follow procedures when making these decisions and advises landlords of their right of appeal when appropriate.

A licence would be valid up to the expiry of the scheme. Every licence will have a set of conditions which the licence holder would be required to comply with. There are certain mandatory conditions which a Council must include in the licence. For example, if gas is supplied to the property, a licence holder would have to produce to the Council annually a gas safety certificate obtained within the last 12 months. The Council has the discretion to add other conditions.

What happens if a property is let without a Licence?

It is a criminal offence to let a property in an area designated for selective licensing without a licence. Failure to apply for a licence could lead to prosecution and the offence is punishable by a fine. However, from the 6 April 2017, under the Housing and Planning Act 2016 a Council can impose a Civil Penalty of up to £30,000 as an alternative to a prosecution for this offence.

In addition, the tenants of the property or the Council could apply to the First Tier Tribunal Property Chamber for a Rent Repayment Order. This means that a landlord could be ordered to repay the rent they received during the period in which the property was unlicensed (subject to certain limits set out in sections 96 and 97 of the Housing Act 2004).

A landlord is also prevented from serving a Section 21 Notice under the Housing Act 1988 in relation to a shorthold tenancy of the whole or part of any property which is an ‘unlicensed house’.

The Council must make what is called an ‘Interim Management Order’ in respect of a property which should be licensed under a Selective Licensing scheme but isn’t and the Council considers that:

- There is no reasonable prospect of the property being so licensed in the near future, or
- The 'health and safety' condition is satisfied. The 'health and safety' condition is that the making of an Interim Management Order is necessary for the purpose of protecting the health, safety or welfare of persons occupying the house, or persons occupying or having an interest in premises in the vicinity.

An Interim Management Order lasts for a maximum period of 12 months, during which time the Council has the right to do anything in relation to the property which the landlord would be able to do, save for certain powers such as, for example, creating tenancies (the landlord must consent to this in writing) or selling the property. In certain circumstances, a Final Management Order can replace an Interim Management Order. A Final Management Order can last for a period of up to 5 years.

A licence holder (or person upon whom restrictions or obligations are imposed by the licence) will also commit a criminal offence if they fail to comply with any condition of a licence. This offence is punishable by a fine not exceeding £5,000. Although, from the 6 April 2017, under the Housing and Planning Act 2016 a Council can impose a Civil Penalty of up to £30,000 as an alternative to a prosecution for this offence. However, prosecution is always a last resort, wherever possible we will work with landlords to educate and assist them in meeting their licensing duties.

Part 7 Objectives and outcomes of the proposed designation

The objectives of the scheme are detailed below and WPBC consider that when combined with other measures they will contribute to a reduction in deprivation and crime in the proposed designation

To promote more effective partnership working and regulation of private sector landlords and managing agents to:

1. Improve the health of PRS tenants through improved professional standards of tenancy management
2. Improve the living environment for all residents by ensuring relevant licence conditions are met
3. Tackle crime and anti-social behaviour associated with the private rented sector that is affecting the local community
4. Improve resident satisfaction with the way in which PRS tenancies are managed within the designation

The requirement to be licensed

If introduced, the proposed designation will require landlords to obtain a licence for their property, subject to certain exemptions. It is worth noting that the legislation does not permit licences to be transferred and therefore should a property be sold from one landlord to another, a new licensing application would need to be applied for.

Where a landlord is not eligible, landlord licences can be refused. An example of this would be if the landlord was not a 'fit and proper' person or they had poor management arrangements in place. However, the Council will work closely with proposed licence holders and where a refusal is likely landlords will be informed and advised to delegate the responsibility of holding the licence to a more appropriate person. This secures the licensing of the property and ensures effective management arrangements are in place.

If a landlord fails to meet their duty to licence the property they may be subject to a prosecution in the Magistrates' Court or alternatively issued with a Civil Penalty of up to £30,000.

An unlicensed landlord once prosecuted could, through a Rent Repayment Order, be forced to repay up to 12 months Housing benefit (now replaced by universal credit) they received whilst the property remained unlicensed.

Following prosecution landlords remain responsible for licensing their properties should they still meet the licensing criteria. Evidence from other schemes nationally reveals that in the majority of cases where prosecution has been

successful landlords have gone on to comply with the licensing requirements and ensure that both the management arrangements and the property are up to the required standard.

The ability to deal effectively, appropriately and robustly with landlords who do not responsibly manage their properties will play a key role in promoting confidence in the local area, encouraging inward investment and increasing the area's desirability by directly addressing the concerns of residents and reputable landlords that the practices of bad landlords, if unchallenged, would act to damage the reputation of the area, reduce demand amongst potential tenants and lower property values.

In extreme cases, the Council can apply a management order to a property and the landlords may risk losing their property for a period of up to five years, as the Council can step in and take over the management.

Ensuring landlords and managers are “Fit and Proper” persons

Selective Licensing, if introduced will ensure that all privately rented properties in the area are managed by persons who have passed the ‘fit and proper’ test. In order to get a licence, landlords will have to show that they and their Managing Agents are “fit and proper” persons as well as providing information on how they manage their properties. When deciding whether a landlord/managing agent is “fit and proper” we will look at whether they have:

- a) Committed any serious criminal offences (fraud, violence, drugs or sexual offences);
- b) Discriminated illegally against anyone;
- c) Breached laws that relate to renting property.

Should a Landlord not be considered fit and proper, they will be advised to delegate the responsibility of holding the licence to a more appropriate person or provided with support to improve management arrangements. This will secure the licensing of the property and ensure effective management arrangements are in place, which benefits both the tenants and neighbouring properties.

This approach may also enable better joint working with police and other agencies on a range of issues including proceeds of crime, illegal immigration, safeguarding of children and vulnerable adults, benefit fraud and Council Tax fraud.

The ability to contribute effectively to these issues should have a positive effect on confidence in the local area, changing the perception of the impacts of the private rented sector amongst residents and supporting the promotion of community cohesion.

Improving safety standards

If Selective licensing is introduced, the Council will have the power to require the landlord/agent to carry out the following actions in respect of each property that requires a licence in the area:

- a) Submit a current gas safety certificate every year;
- b) Install and maintain smoke alarms.
- c) Portable appliance testing (PAT) certification – if appliances are supplied with the property.

The above certificates confirm the testing of appliances and installations by registered engineers ensuring that they are in a satisfactory condition. These testing and inspection requirements reduce the risk of harm to tenants occupying the property and those living in neighbouring properties.

The delay or failure in testing, places tenants at an increased risk of injury or harm from potentially unsafe appliances and installations.

The assurance provided to neighbours and potential tenants regarding these fundamental safety issues will help to promote private renting in the area as a positive housing choice, improve the perception of the sector and increase confidence in the local housing market.

Licence conditions

Once a licence is issued, licence holders are legally bound by the licence conditions which ensure effective property management.

Evidence from other schemes nationally suggests that selective licensing conditions have resulted in an improvement in the management of properties, benefiting the tenants and the neighbouring community. Landlords will be required to provide their tenants with advice on the effective use of all appliances in the property, refuse disposal arrangements and any security measures installed.

Selective Licensing allows the Council to revoke licences in circumstances where landlords have shown poor management standards or have breached the conditions of their licence.

In considering the licence conditions to be applied under the proposed designation the Council has given consideration to the experience of other Local Authorities in operating their own schemes and seeks the views of partner agencies, residents and landlords through the consultation process.

Improving management arrangements

The proposed designation of selective licensing in the area will address the issues of poor property and tenancy management in privately rented

accommodation, which can impact on local communities in a negative way. Selective licensing landlords investing in the area are more likely to be reputable. Potential investors must acknowledge that property management is more than just an income and, as part of the Selective Licensing regime, support and advice will be provided to new landlords.

As part the 'fit and proper test' referred to above, the Council will also check that the management arrangements in place for the property are satisfactory. Landlords who are successful in obtaining a licence will have to comply with the conditions of the licence. These conditions ensure that the property is managed effectively. Landlords, who do not comply with their licence conditions, may find themselves prosecuted and fined, if found guilty with the maximum fine being £5,000 or subject to a civil penalty. In extreme cases, the Council can apply a management order to a property and the landlords may risk losing their property for a period of up to five years, as the Council can step in and take over the management.

A civil penalty can be issued as an alternative to prosecution for each separate breach of the Houses in Multiple Occupation management regulations. A civil penalty can only be imposed as an alternative to prosecution. The maximum penalty is £30,000. The amount of penalty is to be determined by the local housing authority in each case.

Civil penalties of up to £30,000 as an alternative to prosecution for certain specified offences; Extension of rent repayment orders to cover illegal eviction; breach of a banning order and certain other specified offences.

On 6 April 2018, new measures came into force:

- Banning Orders for the most serious offenders;
- A database of rogue landlords and property agents against whom a banning order has been made, which may also include persons convicted of a banning order offence or who have received two or more financial penalties.

Selective Licensing will introduce a consistent level of property management services among all private landlords in the proposed area, thus assisting prospective private tenants in making a positive, confident choice about their next home in Melcombe Regis within a sector often branded as the "tenure of last resort". Reputable landlords will be assured that if a Selective Licensing scheme were in place, those landlords whose business practices do not meet the required minimum standards would be encouraged and supported to improve their management standards. Landlords who are not willing to work with the Council could face being refused a licence and ultimately having a Management Order imposed against the property, however the Council is committed to working with landlords and the use of enforcement will always be considered as a last resort.

Part 8 Selective licensing, the Housing Strategy and a co-ordinated approach

The Council must ensure that any exercise of the power to designate an area of selective licensing is consistent with the Council's overall Housing Strategy.

Also, the Council must seek to adopt a co-ordinated approach in connection with dealing with homelessness, empty properties and anti-social behaviour, both –

- a) as regards combining licensing with other courses of action available to them, and
- b) as regards combining licensing with measures taken by other persons.

The Council's Housing Strategy was originally published back in 2013 but was reviewed in 2017. Three chapters within the strategy refer to objectives consistent with a licensing scheme namely:

Chapter 5 Supported Housing and Supporting Independence
Chapter 6 Private Renting, Standards and Energy Efficiency
Chapter 7 Sustainable Communities

While the overarching aims of the Strategy were to:

- Provide the maximum opportunity to access and support the provision of new affordable homes
- Prevent and resolve homelessness
- Work closer with the private rented sector in maintaining standards and extending housing opportunities
- Improve energy efficiency and address fuel poverty
- Provide housing and support for younger and older people and other vulnerable groups
- Provide effective and efficient housing services appropriate to users' needs

Homelessness Policy:

The Council's Homelessness and Homelessness Prevention Strategy 2014-19 has the following objectives that are directly linked to the use of the private rented sector and are complimentary to a licensing scheme.

- Work closer with the private rented sector in maintaining standards and extending housing opportunities;
- Improve energy efficiency and address fuel poverty;
- Provide housing and support for younger and older people and other vulnerable groups.

The Council operates a Rent in Advance scheme for the benefit of households seeking to access good quality private rented accommodation and leases property from private landlords to meet homelessness obligations. Melcombe Regis has long been an area providing temporary accommodation for homeless

or other vulnerable households, with the proportion of applicants to the Housing register resident in the ward being high.

Empty Homes Policy:

The Council has an adopted policy for tackling empty property based on the principle of 'Incremental Intervention'. Advice and assistance is available from a dedicated officer within the Housing team, while loans are also available to bring empty property back into use. Enforcement action is considered on a case by case basis and can include the use of management Orders where appropriate.

Anti-Social Behaviour

Weymouth & Portland Borough Council provides an Anti-social behaviour (ASB) service for residents in the borough. The team is co-located with Dorset Police, based at Weymouth Police Station and deals with complaints of anti-social behaviour ranging from neighbour disputes, through to drug dealing, working alongside a range of services including housing associations, drug and alcohol outreach services and youth offending services.

Dorset Police has a Neighbourhood Policing Team (NPT) operating in the ward, focusing on threat, risk, harm and vulnerability. The stated priority of the NPT officers is to look after the people in the ward who are the victims of crime and anti-social behaviour. The NPT will be key partners in proposed licensing scheme and an invaluable resource for landlords and tenants.

A list of initiatives and existing partnerships that the Selective Licensing scheme will engage with is detailed in Annex 3

Part 9 Other courses of action and possible effects of designation

The Council must not make a selective licensing designation under section 80 of the Act unless: –

- a) they have considered whether there are any other courses of action available to them (of whatever nature) that might provide an effective method of achieving the objective or objectives that the designation would be intended to achieve; and
- b) they consider that making the designation will significantly assist them to achieve the objective or objectives (whether or not they take any other course of action as well).

This means that the Council must consider whether there are any other courses of action available to it that would achieve the same objective as the proposed scheme without the need for the designation to be made.

Local authorities should carefully consider any potential negative economic impact that licensing may have on their area – particularly the risk of increased costs to landlords who are fully compliant with their obligations. It is also important for local authorities to consider some of the possible effects of a making a designation and to include any risk assessment they may have carried out.

Information about the Council's consideration of other possible courses of action and the possible effects of the proposed designation can be found in Annex 4

Part 10 Proposed selective licence conditions

As explained in the consultation document a selective licence would be granted with a set of conditions that must be adhered to. Failing to adhere to any licence condition is a criminal offence and may result in either prosecution and a fine, or a civil penalty, if found guilty. However, from the 6 April 2017, under the Housing and Planning Act 2016 a Council can impose a Civil Penalty of up to £30,000 as an alternative to a prosecution for this offence.

The Licence conditions ensure the property is managed correctly, complaints of anti-social behaviour are dealt with appropriately and in a timely manner, gas and portable appliance test certificates are supplied to the Housing team and smoke alarms are kept in working order, amongst other things. The proposed conditions have been drawn up from experience of others schemes and in consultation with internal and external partners to deal with issues which are of real concern in the community. We actively invite your comments as to whether these proposed conditions best reflect the issues in the proposed area.

The proposed Selective Licence conditions can be found in Annex 1 of this report.

Proposed Fees

As explained above, the Council has the power to charge landlords a fee for processing their application for a selective licence. The proposed fee takes into account all costs incurred by the Council in carrying out its selective licensing functions. The Housing Act 2004 also allows Councils to take into account costs incurred by them in carrying out their functions in relation to Interim and Final Management Orders (so far as they are not recoverable under that part of the Act).

The proposed licensing fees are based upon a clear, simple and easy to understand charging system that will cover the costs of administering and monitoring the Selective Licensing scheme to ensure the scheme is self financing.

The Council proposes to charge a basic fee which will be reduced for landlords applying early and also provide a reduced fee for accredited landlords. Landlords of multiple properties may also be offered a reduced fee as the administration of their applications will be less onerous for subsequent applications. We want a Selective Licensing fee structure that rewards landlords who comply in a timely manner or can evidence a desire to manage their properties professionally.. We recognise the current economic climate for landlords and we are therefore willing to consider, and request your views on longer payment terms enabling landlords to pay the fee over a longer period.

We welcome your comments on the proposed fee structure:

Proposed Fee structure:

Date of valid Application received.	Proposed Fee; Non Accredited landlord	Proposed Fee. Accredited landlord LLAP membership
0-3 mths prior to commencement date or new owner letting property	£ 550.00	£ 495.00
0-3 mths prior to commencement. Multiple owner Initial fee + fee/subsequent letting	+£ 300.00 / unit	+ £ 270.00 / unit
0-3 mths after commencement or new owner letting property	£ 580.00	£ 522.00
0-3 mths after commencement or new owner. Multiple owner (3+ props). Initial fee + fee/subsequent letting	+£ 320.00 / unit	+£ 288.00 / unit
3-6 mths after commencement or new owner letting property	£ 600.00	£ 540.00
3-6 mths after commencement or new owner. Multiple owner (3+ props). Initial fee + fee/subsequent letting	+£ 400.00 / unit	+£ 360.00 / unit
>6 mths + after commencement or date of new owner letting property	£ 750.00	£ 675.00

Part 11 How is the consultation being carried out?

Before making a selective licensing designation the Council must take reasonable steps to consult persons who are likely to be affected by the designation and consider any representations made during the consultation and not withdrawn.

This consultation is being carried out over a 10 - week period and will be widely publicised using various channels of communication. Everyone who responds to this consultation will have their view acknowledged and responded to. All comments received will be fully considered.

Once the consultation has been completed the results will be published and made available to the local community. This feedback will be in the form of a summary of the responses received during the consultation and will explain how the responses have been acted on or not, with full reasons. Following this, a report will be produced based on the findings and will be presented to the Lead Member for Housing and Neighbourhoods.

Persons to be consulted

The Council is required to take reasonable steps to consult with persons likely to be affected by the designation. This should include local residents, including tenants, landlords and where appropriate, their managing agents and other members of the community who live or operate businesses or provide services within the proposed designation. It should also include local residents and those who operate businesses or provide services in the surrounding area outside of the proposed designation that will be affected. Everyone who responds to this consultation will have their views fully considered.

Our comprehensive engagement and consultation process with partners, stakeholders and

- Private landlords
- Managing agents (where appropriate)
- Accredited private landlords
- Private tenants
- Local communities
- Tenant and resident associations
- Landlord associations
- Citizens Advice Bureau
- Registered providers of social housing
- Local community committees
- Locally elected members
- Local businesses
- Dorset Constabulary
- Other Weymouth and Portland Council teams including, Homelessness and Housing Advice

- Other statutory agencies including Dorset police Dorset County Council Dorset Waste Partnership and Dorset and Wiltshire Fire and Rescue Service.

Methods of consultation

- The main method of consultation will be by use of the Council's website. Website: www.dorsetforyou.gov.uk/housing-consultation
- We will write to all accredited landlords, all licensed landlords and their managing agents, and landlord, tenant and resident associations who operate in and around the proposed area.
- We will write to all residents and business or services within the proposed area of selective licensing and surrounding area;
- The consultation will be promoted on social media, such as Facebook and Twitter
- We will supply a press release to local media.
- Questionnaires will be available to landlords, residents and businesses who operate within the proposed area.
- Holding road show events will be considered to allow those people affected to come along and discuss the selective licensing proposals. Road shows could also give an opportunity for landlords to talk about what requirements will be placed on them by the scheme, if it is approved. Details of events, if required will be sent out at a later date or will be promoted on www.dorsetforyou.gov.uk/housing-consultation
- Members of Housing team will be attending community meetings, for example - Community Network events.
- Articles about the proposals will be published in local community newsletters.

How do I respond to the consultation?

In order for your comments to be considered, you must provide them to us by 12th April 2019.

The consultation questionnaire referred to in this report can be completed **ONLINE**

Everyone who responds to this consultation will have their view acknowledged and responded to. All responses received will be fully considered. If you would like any further information or wish to talk to us generally about the selective licensing proposals please contact:

Email: HousingConsultation@dorset.gov.uk.

Web: www.dorsetforyou.gov.uk/housing-consultation

The postal address for any communications is:

Weymouth & Portland Borough Council,
South Walks house,
South Walks Rd
Dorchester,
Dorset
DT1 1UZ

We look forward to receiving your comments and views

Annex 1

Draft Conditions for Selective Licensing of the Private Rented Sector in Melcombe Regis

The following are the licence conditions to which the licence holder (or their nominated agent where specified) must adhere, as required by section 90 and Schedule 4, Housing Act 2004. If you do not understand the requirements, please contact the Council who will be able to help you.

In these conditions, “house” is meant to refer to the building or part of a building, which is licensed under Part 3 of the Housing Act 2004.

“Authority” is meant to refer to the local housing authority, namely Weymouth and Portland Borough Council.

Item	Condition
	<u>Housing Act 2004 Prescribed Conditions:</u>
Gas	If gas is supplied to the house, the Licence Holder must produce to the Council annually for their inspection, a gas safety certificate obtained in respect of the house within the last 12 months.
Electrical Appliances and Furniture	The Licence Holder must keep all electrical appliances and furniture supplied in a safe condition and must supply the Council, on demand, a declaration as to the safety of such appliances and furniture.
Smoke Alarms	The Licence Holder must ensure that smoke alarms are installed on each storey of the house on which there is a room used wholly or partly as living accommodation; keep them in proper working order; and must supply the authority, on demand, with a declaration by him as to the condition and positioning of such alarms.
Carbon Monoxide Alarms	The Licence Holder must ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance; keep any such alarm in proper working order; and supply the Council, on demand, with a declaration by him as to the condition and positioning of any such alarm. N.B Reference to a room includes a hall or landing.
Tenant References	The Licence Holder must obtain references from all persons who wish to occupy the house. The Licence Holder shall provide a copy of the said references to the Council on demand.
Terms of Occupation	The Licence Holder must provide each occupier of the house with a written statement of the conditions of the terms on which

	<p>they occupy the house. The Licence Holder shall provide a copy of the said terms to the authority on demand.</p> <p><u>Scheme specific conditions</u></p>

Property Management	<p>The Licence Holder must provide every tenant with information relating to their occupation of the property. The statement must include information relating to:</p> <ul style="list-style-type: none"> • The management of deposits by the Licence Holder; • Details of any deposit required, what it covers and arrangements for return; • An inventory of contents; (See below) • Details of rent payable and payment dates; • Details of any utilities (gas, electric, water) and any other payments included in the rent; • The responsibility for payment of Council Tax; • Refuse disposal arrangements (See below); and • Contact details for reporting faults. <p>The Licence Holder shall provide a copy of the information to the Council on demand.</p> <p>The Licence Holder must ensure that the occupiers of the house are provided with written details of the following on commencement of the tenancy;</p> <ul style="list-style-type: none"> • Name and address of the licence holder or managing agent • A contact address, daytime telephone number • An emergency contact telephone number <p>In multiply occupied property this information must be clearly displayed within the house. Where the property is occupied by a single household, the licence holder shall provide the tenants with a copy of the licence certificate and conditions which is in force.</p> <p>The emergency number for the licence holder/agent or representative shall also be made available and must be notified to the Council.</p> <p>The Licence Holder must ensure:</p> <p>a) All occupants of the house receive written confirmation detailing arrangements in place to deal with repairs and emergencies and to report nuisance and anti-social behaviour.</p>

b) If accommodation is provided on a furnished basis and includes electrical appliances, the Licence Holder must provide the occupier copies of user manuals for equipment provided as part of the agreement for the occupation of the house.

c) Throughout the period of the licence, that the electrical appliances provided by the landlord are covered by a valid portable appliance test (PAT) certificate. Where a PAT certificate expires during the term of the licence, an up-to-date certificate must be made available to the Council within 28 days of the expiry date.

d) A detailed inventory (including waste and recycling containers) is agreed with each occupant upon commencement of their occupation of the house and kept on file by the licence holder at their business address. The Council's Housing team may be able to assist with this condition.

e) Where the property is a house in multiple occupation the Licence Holder must produce to the Council annually for their inspection, a Fire Detection & Alarm System Certificate (in accordance with BS5839) obtained in respect of the house within the last 12 months.

f) All occupiers are made aware of the licence and conditions.

g) The water supply or drainage system, or the gas or electricity supply that is used by the occupiers of the house is not unreasonably interrupted.

h) The Licence Holder and/or his manager must ensure that the property is inspected at regular intervals, of at least once every 12 months, to ensure that the conditions of the tenancy agreement are being adhered to. Should the Licence Holder receive a complaint about the property or tenancy, the Licence Holder and/or his manager must ensure that the property is inspected to investigate such complaint. For example, if a complaint was made with regards to the accumulation of rubbish in the garden of the property. Similarly in the event that payments of two months' rent are missed, a visit must be made to the property to advise of debt counselling services, or to ensure that the property is secure, tidy and has not been abandoned.

<p>Security / Crime</p>	<p>The Licence Holder must ensure that:-</p> <p>a) Where a burglar alarm is fitted to the house, the occupant must be informed in writing the circumstances under which the code for the alarm can be changed, and provide details when required on how this can be arranged.</p> <p>b) Where lockable alley gates are installed to the rear of the licensed property, the licence holder must take responsibility for holding a key and make satisfactory arrangements for the occupiers' access.</p> <p>c) All new occupants must be provided with appropriate crime prevention information including written information advising how they can reduce the likelihood of being a victim of burglary by ensuring that all reasonable steps are taken to secure the house e.g., by locking external doors, closing and locking windows, security marking personal belongings.</p> <p>d) All new occupants must be provided with details of the Neighbourhood Police Team.</p> <p>The team can be contacted by phoning 101, via an Online Form at the Dorset Police Website, or email to force.control@dorset.pnn.police.uk</p> <p>Further useful information can be found on the ASK NED section of the Dorset Police Website.</p>
<p>External areas, Refuse and Waste</p>	<p>The Licence Holder must ensure that:-</p> <p>a) The exterior of the property is maintained in a reasonable decorative order and state of repair;</p> <p>b) All outbuildings, yards, forecourts and gardens surrounding the house are maintained, in repair and kept in a clean, tidy and safe condition, free of graffiti, accumulations of waste, fly tipping deposits and infestations.</p> <p>c) Any tenant likely to qualify for an assisted collection service from DWP is signposted to that service and arrangements made for the collection of waste from the property. An application can be made online at dorsetforyou.com or by phone on 01305 221040.</p> <p>d) All tenants have access to waste and recycling containers sufficient for the number of occupants, and that these containers provide adequate means of separation of waste and</p>

	<p>recycling by type, as per the guidance issued by the Dorset Waste Partnership on. https://www.dorsetforyou.gov.uk/bins-recycling-and-litter/about-the-dorset-waste-partnership-and-recycle-for-dorset.aspx .</p> <p>e) Where necessary for the emptying of waste and recycling containers from secure areas, the Council has the required access key / code or specific arrangements are made with the Dorset Waste Partnership.</p> <p>f) All refuse containers are returned within the curtilage of the property on the same day that they are emptied by the Council.</p> <p>g) Arrangements are made immediately for the proper collection and disposal of any rubbish additional to that within the bins and such rubbish is stored within the curtilage of the property, at the rear if feasible.</p> <p>h) Any kind of refuse which the Council will not ordinarily collect (e.g. large items, hazardous waste) is disposed of responsibly and appropriately.</p> <p>i) Tenants are provided with, at the commencement of the tenancy, information packs regarding waste and recycling services including collection dates and how to present their waste for collection, including the requirement to return the refuse containers to the property on the same day they are emptied by the Dorset Waste Partnership.</p> <p>DWP contact details are:</p> <p>On-line: dorsetforyou.com/recycle Tel: (01305) 221040 Twitter: @recycle4Dorset</p>
<p>Management/ Anti-social Behaviour</p>	<p>The Licence Holder must take reasonable and practical steps to reduce or prevent Anti-Social Behaviour or criminal activity by persons occupying or visiting the house and the use of premises for illegal purposes, including making an informed choice on letting a property.</p> <p>In particular the Licence Holder shall:</p> <p>a) Produce a written action plan detailing procedures for investigating and resolving complaints of Anti-Social Behaviour or criminal activity associated with the property. The action plan shall incorporate an incremental process of investigation of any complaints</p>

	<p>which have been made either directly to them, or via the Council, regarding their occupiers, or visitors to the property, and include the name, address, telephone number, mobile telephone number and email address of the person(s) responsible for responding to such complaints or any emergency at the property.</p> <p>b) Submit the action plan to the Council within 28 days of the issue of this licence.</p> <p>c) Provide a copy of the action plan to each tenant on the date they first occupy the house and require said tenants to sign a declaration that they have received a copy. (Appendix A);</p> <p>d) Retain a copy of all declarations signed by tenants for the duration of this licence.</p> <p>e) Ensure that an up to date register is maintained of all complaints of Anti-Social Behaviour or criminal activity associated with the property and retain the register for the duration of this licence (Appendix B);</p> <p>f) Use all reasonable endeavours to investigate and resolve complaints of Anti-Social Behaviour or criminal activity associated with the property in accordance with the action plan including taking a range of appropriate actions including the taking of legal advice, issuing formal written warnings to tenants and / or possession proceedings and provide on demand, written records of any such investigation to the Council.</p> <p>g) Ensure that all new tenants receive a written statement of the terms and conditions on which the house is occupied which contains a clause holding the occupants responsible for any Anti-Social Behaviour or criminal activity by themselves and/or their visitors.</p> <p>h) Ensure that the occupants of the house are aware of the services available to them and how they can report nuisance and Anti-Social Behaviour to the Council.</p> <p>i) Ensure that tenant references obtained prior to granting a tenancy refer to previous tenancy conduct, including behaviour of the proposed tenant and household. The Licence Holder needs to have due regard to what the reference says and be satisfied that the tenant is not likely to cause any Anti-Social Behaviour, or take part in criminal activities.</p>
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	<ul style="list-style-type: none"> j) Upon receipt of a reference request for a current or former tenant for the purposes of an application to rent a property from another Licence Holder, respond to the request in writing within a reasonable period. k) Make regular 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. l) Provide upon request to the Council information regarding the full names and dates of birth of each occupant.
<p>Energy Efficiency and Affordable Occupation</p>	<p>The Licence Holder must provide the occupier with a copy of the operating manual for any boiler or other heating appliance provided within the property and advise the occupier of the most efficient use of any such appliance.</p> <p>The Licence holder should not unreasonably restrict the occupier from changing energy supplier or tariff should such a change be considered to be economically advantageous to the occupier.</p> <p>The Licence Holder should not unreasonably refuse the occupier consent to insulate the property where improvements have been referred to in an EPC report and can be funded from savings made on the tenant's utility bill.</p> <p>The Licence Holder cannot unreasonably refuse permission for the occupier to elect to have a water meter installed, should such an installation be considered economically advantageous to the occupier.</p> <p>The Licence Holder must ensure that all tenants are signposted to appropriate support services available from both statutory agencies and the voluntary sector. The Council currently lists services available on</p> <p>https://www.dorsetforyou.gov.uk/housing/pdfs/weymouth-and-portland-directory-of-services.pdf</p>
<p>Occupation</p>	<p>The Licence Holder must ensure that rooms other than bedrooms are not used for sleeping purposes</p>

<p>Notification/ Consultation of Changes</p>	<p>The Licence Holder and his managing agent must inform the Housing team of the authority within ten working days of any changes in their circumstances as follows:</p> <ul style="list-style-type: none"> a) Details of any unspent convictions not previously disclosed to the Local Authority that may be relevant to the Licence Holder and/or the property manager and their fit and proper person status and in particular any such conviction in respect of any offence involving fraud or dishonesty, or violence or drugs or any offence listed in Schedule 3 to the Sexual Offences Act 2003; b) Details of any finding by a court or tribunal against the Licence Holder and /or the manager that he/she has practiced unlawful discrimination on grounds of sex, colour, race, ethnic or national origin or disability in, or in connection with, the carrying on of any business; c) Details of any contravention on the part of the Licence Holder or manager of any provision of any enactment relating to housing, public health, environmental health or landlord and tenant law which led to civil or criminal proceedings resulting in a judgment or finding being made against him/her; d) Information about any property the Licence Holder or manager owns or manages or has owned or managed which has been the subject of any appropriate enforcement action described in section 5(2) of the Housing Act 2004; e) Information about any property the Licence Holder or manager owns or manages or has owned or managed for which a local housing authority has refused to grant a licence under Part 2 or 3 of the Act, or has revoked a licence in consequence of the Licence Holder breaching the conditions of his/her licence; f) Information about any property the Licence Holder or manager owns or manages or has owned or managed that has been the subject of an interim or final management order under the Housing Act 2004; g) Change in managing agent or the instruction of a managing agent; h) Change of address of Licence Holder or Landlord i) The undertaking of any substantial works to the property including conversions and modernisations.
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Absence	<p>The Licence Holder is required to have in place suitable emergency and other management arrangements in the event of their absence.</p> <p>The name and contact details of the licence holder and/or manager must be supplied to each occupier; must also be on display in a prominent place, and updated immediately any changes are made.</p>
General	<p>The Licence Holder will not discriminate against prospective occupiers of the house on the grounds of race, disability, gender, religion or sexual orientation.</p> <p>The Licence Holder must ensure that all information and documents that are provided by the landlord to their tenants are in a language/form that they can understand.</p> <p>The Licence Holder will be expected to apply to be a member of the Councils Landlords' Local Authority Partnership (LLAP), a free to join forum for the benefit of landlords promoting good management practice.</p>

Appendix A

Declaration: Anti Social Behaviour

The Housing Act 2004 section 57 (5) defines “anti-social behaviour” as conduct on the part of occupiers of, or visitors to, residential premises –

- a) which causes or is likely to cause a nuisance or annoyance to persons residing, visiting or otherwise engaged in lawful activities in the vicinity of such premises, or
- b) which involves or is likely to involve the use of such premises for illegal purposes.

The signed declaration below confirms that I have received a copy of the Landlords’ action plan for dealing with complaints of anti-social behaviour and that I am aware of my responsibilities detailed in my tenancy agreement.

ADDRESS OF PROPERTY :

<u>Tenants full name (Capitals)</u>	<u>Room Number/Name & Location e.g. (If appropriate)</u>	<u>Signature (Tenants)</u>	<u>Date</u>	<u>Licence Holder/ Manager Signature/Date</u>

Contact Information

Should residents, tenants or the licence holder wish to make a complaint or discuss a situation involving anti-social behaviour please contact:

Dorset Councils Partnership

<https://www.dorsetforyou.gov.uk/asb>

General 01305 251010
Out of Office Hours 01305 838427
Anti-Social Behaviour Team 01202 226570

Dorset Police

www.dorset.police.uk/contact-us/

101 for non-emergency calls

999 for emergency calls

Appendix B

Anti – Social Behaviour Complainants Register

<u>Date and time complaint</u>	<u>Name & Address of complainant</u>	<u>Date & time of incident</u>	<u>Location of incident</u>	<u>Details of incident (what exactly happened)</u>	<u>Details of any other witnesses (Yes/No)</u>	<u>Na Ad the pe</u>

Licence holder signature:.....Date:

.....

Annex 2

A SUMMARY OF THE EVIDENCE

1. Summary of findings

- Melcombe Regis is one of 15 wards in the borough Council area. It is often split into four Lower Super Output Areas (LSOAs) for survey purposes. Town Centre: Park District; Carlton Road and Lodmoor Hill.
- The wards population (6,068) has risen by approx. 10% since 2001, which is a larger increase than the borough generally (2%) or across the county (8%). It is the 14th most populous ward in Dorset.
- The Melcombe Regis ward constitutes approx. 12.4% of the residential accommodation in the WPBC area.
- There is a relatively low level of owner occupation (43.5%) and a high level of privately rented property (46.2%).
- There is limited publicly rented property (8.6%) but a high level of usage of the PRS by various statutory agencies housing a range of client groups.
- The ward comprises a higher proportion of flats (purpose built and converted) than found in the rest of the borough, Dorset or nationally.
- The proportion of 'household spaces with no usual resident' is higher in the Town Centre and Park District than in other areas of the borough.
- The ward contains 30 of the licensable HMOs in the borough (60%).
- There is a high proportion (86%) of three storey (or more) properties in the Town Centre LSOA, while 38% of the properties in the adjacent Park District area are three storeys or more.
- There are a significant number of properties in the ward that have been converted to flats.
- Property with central heating in the ward is less prevalent than in the rest of the borough (90.8% compared to 97.2%).
- Approx. one in six households in the ward could be considered to be 'overcrowded' .
- The proportion of pensioners living alone in the ward is higher than in the rest of the borough.
- The number of complaints relating to housing conditions are proportionally high for the ward; approx. a third of all enquiries, relating to an eighth of the borough's stock.
- The proportion of households considered to be in 'fuel poverty' is higher in the Park District and Town Centre LSOAs than the rest of the borough and the county.
- House prices in the ward are consistent with borough-wide prices for similar property, although house prices in the borough tend to be lower than the county average.
- Rental prices for one bedroom properties are lower in the ward than for the borough generally, but similar for two bedroom properties.
- A range of statutory agencies use PRS property in the ward to accommodate households. The WPBC Housing service accommodated 71 of 109 homeless households in the ward in 2016/17, with DCC currently accommodating 120 residents in the ward.

- Approx. 24% of applicants to the Housing Register currently reside in the ward, of which 74% (234) require one bed accommodation.
- The age profile for the ward is lower (42 yrs) than for the borough (44 yrs) but higher than that nationally (39 yrs).
- The ward has a higher proportion of 20 – 39 year old residents than the borough generally, Dorset or nationally.
- Within the 25-39 age brackets there are 57% males, a demographic not reflected across the borough but typical of similar seaside towns.
- There has been an increase in the number of children in the ward in recent years.
- The proportion of BME residents (11.3%) in the ward is higher than for the borough generally (5.1%) but lower than nationally (19.5%).
- The increase in BME groups between 2001 and 2011 (9.8%) reflects an increase in residents from Accession EU countries in 2004 and 2007.
- Average household income is assessed to be lower in the ward than for the borough generally or nationally.
- Approx. one in six residents in the ward receive Employment Support Allowance (ESA) indicating they are unable to work due to illness or disability. This is a higher proportion than for the borough generally.
- The proportion of low income pensioners in the ward in receipt of Pension Credit has decreased from 24% in 2009 to 19% in 2015. However this remains above borough-wide, county and national levels.
- Approx. 29% of the borough's Housing Benefit recipients reside in the ward.
- Half of the properties occupied by three or more HB recipients are within the ward, which may reflect the proportion of shared accommodation in the ward.
- Three of the LSOAs in the ward are considered to be in the top ten most deprived in the county and top 20% nationally.
- Melcombe Regis has a higher level of recorded ASB than any other ward in Dorset.
- Total crime in the ward is recorded as 528.2 /1000 population compared to 122.6 for the borough and 103.7 for Dorset.
- Recorded total crime in the ward has increased by 46% between 2014 and 2016.
- Between 2014 and 2016 there were just under 1,600 criminal incidents across the county where the suspect lived in Melcombe Regis
- A high proportion of the crime including ASB (approx. 70%) occurs in the Town Centre where the night time economy is located.
- 84% of all anti-social behavioural incidents that occur in the ward are nuisance related; this figure is 10% higher than the proportion in Weymouth & Portland and Dorset as a whole, where nuisance incidents are recorded as 75%.
- Approx. 25% of residents in the ward have a limiting long term illness, compared to 22% across the borough and 20% for the county.
- Life expectancy at birth is lower in the ward than for the borough generally, Dorset or nationally.

Annex 3: List of Initiatives in the ward.

The government guidance on Selective Licensing states;

'It is important for local housing authorities to demonstrate how licensing will work in conjunction with existing initiatives (such as landlord accreditation) and partnerships. Licensing in itself is not a stand-alone tool, and local housing authorities should take account of this. For example, landlords will need adequate support to help them deal with problem tenants. Local housing authorities should ensure that their schemes are adequately resourced and include services such as active outreach support programmes to engage with landlords and tenants who need their assistance.'

LOCAL AUTHORITY PROJECTS

LLAP: Landlords' Local Authority Partnership. An association of landlords receiving newsletters, seminars, emailed information, preferential access to loans / grants and advice services.

Heat Melcombe Regis: A scheme to deliver first time gas central heating systems to properties in Melcombe Regis with funding from the Warm Homes Fund, Southern Gas Networks and the governments ECO scheme.

POLICE INITIATIVES

Operation Champion: An operation to tackle the issue of County Lines Drug dealing involving out of county Dangerous Drugs Network. The emphasis is on carrying out Safe & Well visits of vulnerable persons. A County Lines Management Team has recently been created, based within the Neighbourhood Team,

Neighbourhood Policing Team: The Neighbourhood team consists of a team of PCs and PCSOs focusing on long term problems or issues, normally involving partnership working with other agencies such as the local authority or housing associations.

Operation Onward: Police Daytime Delivery Plan relating to ASB, Begging and Rough Sleeping in the Town Centre

Best Bar None: This year's assessment has recently been completed. Approx. 12 bars/pubs in town centre are signed up

Operation Pattern: Police Night Time Economy Delivery Plan relating to Weymouth Town Centre

Local Alcohol Action Area: An Association of Town Councils initiative focussed around disconnect around the Daytime and Night Time Economy

Purple Flag Accreditation: Joint Police / Council initiative.

An accreditation scheme identifying town & city centre's that offer an entertaining, diverse, safe and enjoyable night out.

WORKING WITH YOU PROJECTS (various Community / Charity groups)

CAB;

REFRESH: Debt counselling

POPP: Home Start Family support

DAIT: Domestic Abuse Intervention Training

REVEAL: Reducing Violence through Education and Training

Chesil Family Partnership Zone: Support for families with children from unborn through to adulthood.

Waves: Working with children / young people and their parents / carers on issues affecting their home life

EDAS: Supporting recovery from addiction

Waterside Weymouth Community Forum: community centre in the Park district

Churches Together: Providing food bank; debt advice counselling and links to support services

Dorset Advocacy service: One to one support for people with disabilities

Weymouth Community Volunteers: Furniture re-use scheme

Lantern Trust: Meeting the needs of the socially excluded

Strengthening Families Programme: Support for young people identified through the Dorset families matter programme

Weymouth College: Employment support courses

The You Trust: Support for victims of domestic abuse

Dorset & Wiltshire Fire & Rescue Service Projects

Safe and Well visits: Free smoke alarms and home safety advice

DORSET WASTE PARTNERSHIP* PROJECTS

Waste collection arrangements: Unique arrangements in place to remove all litter and refuse on collection days

Daily barrow round: Barrow operative in the area on a daily basis

Alleyway cleaning:

Annex 4.
The Options considered:

In accordance with section 81(4) of the Housing Act 2004, the Council has considered whether there are any courses of action, other than selective licensing, that might achieve the same objectives in the proposed area. After careful consideration, the Council has come to the conclusion that a selective licensing designation is the most appropriate course of action in the circumstances, and that it will significantly assist it in achieving its objectives.

In accordance with the requirements of section 81 (4) of the Act, a Council must not make a selective licensing designation unless it has considered whether there are any other courses of action available to it that might provide an effective method of achieving the same objective or objectives as the proposed scheme without the need for a designation to be made.

The Government guidance notes that ‘only where there is no practical and beneficial alternative to a designation should a scheme be made’.

Accordingly, alternative approaches to the designation of selective licensing in the area have been fully considered by the Council. A joint officer / member working group considered all of the options for intervention listed in the table below. Following an options appraisal exercise it was agreed that a Selective Licensing scheme was the most likely intervention that could achieve the objectives for the ward if supported by other initiatives

Alternative Solutions	Weaknesses	Strengths
Landlord and Tenant Liaison Officer	Requires initiative from landlord/tenant No enforcement powers Limited caseload for Officer Source of funding unclear	One to one advice/support to deal with specific issue
Education programme for private landlords	Requires landlord voluntary engagement Source of funding unclear No enforcement powers available	Improves standards where landlord is engaged with Authority and promotes confidence amongst tenants. Documented evidence of landlords engagement
Private sector leasing scheme	Requires landlord voluntary engagement and does not improve management standards of landlords who chose not to join the scheme. No enforcement powers available	Contributes to homelessness prevention as could be used for allocation to those in housing need.
Introduction of small HMO licence scheme	This would be a ‘pepper pot’ scheme across streets making	Improve standards within the small HMO’s.

	it hard to manage. It would be seen to be unfair if other landlords on the same street who don't require a licence. This would not resolve low demand issues identified	
Targeted use of Special Interim Management Orders and Empty Dwelling Management Orders	Resource intensive Does not present a long term solution to poor management of private rented properties (up to maximum of five years – then returned to original owner). Does not tackle poor management techniques. Reactive Intervention of last resort. Only be used on specific properties where detailed evidence supports the action.	Removes landlord responsibilities and gives to responsible nominated agent. Improves standards for tenants and local community.

The Council continues to operate a Landlords' Local authority Partnership which is a free to join scheme for all landlords willing to sign up to meeting statutory obligations. This enables landlords to receive a regular newsletter and attend seminars on topical issues. However such a scheme is voluntary and does unlike Selective Licensing does not cover all landlords operating in a specific area. It is a valuable tool and we will endeavour to promote and encourage landlords to engage with the Council, however, as there is no mandatory requirement for landlords to comply, we do not consider that the Landlord Local Authority Partnership, as a standalone measure, would provide an effective method of achieving the objectives the Selective Licensing designation is intended to achieve.

The Council has been unable to identify any practical and beneficial alternative courses of action available to it that would achieve the same objective or objectives as the proposed scheme without the need for the designation to be made. In that regard, there are a number of barriers or limitations to the use of the alternative courses of action in isolation. To summarise:

- Aside from the use of targeted management orders, the other measures require the voluntary engagement of landlords or tenants in order to achieve the required objectives.
- There is the likelihood that some of the finance required would need to be collected from Council tax. This seems unjust when many of the problems are caused by the lack of effective tenancy management. Selective licensing will continue to be entirely self financing, paid for by the licence applicants and not the community.
- The use of Special Interim Management Orders and Empty Dwelling Management Orders on all problematic properties would be neither appropriate nor feasible, given the number of properties. The Council must act in a

proportionate manner and a heavy handed approach would undermine our efforts to work with landlords to improve standards. Selective Licensing provides an opportunity to continue to forge partnerships with otherwise anonymous private landlords and provide training and support, where the use of these orders does not.

- None of these tools provide a long-term solution to the training of inexperienced landlords whose business would benefit, either because they are not fit, or because of their poor management arrangements.
- Whilst selective licensing is only to be used in areas where authorisation is sought and given, many private landlords have properties across the entire city and indeed across local authority borders. Therefore, improvements attained in management standards will have a trickledown effect and will benefit tenants and communities across wider areas.

Each of the above courses of action can help to address the problems when combined with a selective licensing designation but the Council considers that none of the above would provide an effective method of achieving the objectives that the designation would be intended to achieve.

Having fully considered the matter the Council is of the view that there are no practical or beneficial alternative to a selective licensing designation.

Selective licensing is unique in providing a clear and robust legal framework within which to engage private landlords and deliver an integrated approach to tackle issues in a comprehensive manner to address the challenges within the proposed area and ensure any improvements are sustained.

The Council views selective licensing as one tool to be used alongside each of the solutions listed above as part of an integrated, balanced programme of measures that is able to respond to the detailed circumstances of each case.

The Council believes that, on this basis, selective licensing, when taken together with other strategic initiatives and investment, will significantly assist the Council to achieve its objectives in the area.

Annex 5.

Risk Assessment

Possible effects of proposed designation

Local authorities should carefully consider any potential negative economic impact that licensing may have on their area – particularly the risk of increased costs to landlords who are fully compliant with their obligations. It is also important for local authorities to consider some of the possible effects of a making a designation and to include any risk assessment they may have carried out.

Possible effects of Designation	Likelihood	Impact	Total	Controls
Landlords do not licence their properties	Unlikely	Major	Medium	<ul style="list-style-type: none"> • Area subject to licensing previously • Most landlords aware of process • Full consultation to be undertaken • Active campaign promoting landlord licensing • Reduced fee for early applications • Appropriate and effective use of enforcement where necessary
Displacement of unprofessional landlords to other areas	Unlikely	Major	Medium	<ul style="list-style-type: none"> • No evidence of this in previous designation • PRS actually increased in size in area during previous designation • No evidence of landlords selling and moving out of area as a result of designation • Work with/support/train landlords to promote/encourage satisfactory management arrangements
Increased cost to landlords	Almost certain	Minor	Medium	<ul style="list-style-type: none"> • Proposals for reduced fee for early

				applications; accreditation or membership of LLAP. <ul style="list-style-type: none"> • Reduced fee for landlords of multiple properties. • Ability to pay a fee over proposed 2 year period to be considered • Interest free instalment option proposed •
Licence fee passed to tenants rent	Moderate	Minor	Low	<ul style="list-style-type: none"> • No evidence this has occurred in other Local Authorities • Reduction in turnover
Reputable landlords ceased operating to avoid licensing regime	Unlikely	Moderate	Medium	<ul style="list-style-type: none"> • No evidence this has occurred in other Local Authorities
Restricting the growth of the private rented sector	Unlikely	Major	Medium	<ul style="list-style-type: none"> • No evidence this has occurred in other Local Authorities • Evidence of PRS actually increased in size in Local Authority designations

Risk matrix used

Likelihood	Impacts				
	Insignificant	Minor	Moderate	Major	Catastrophic
Almost certain	Medium	Medium	High	High	High
Likely	Low	Medium	Medium	High	High
Moderate	Low	Low	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Medium	Medium