

Selective Licensing Representations 2024/25

Section 1

Issue Raised (a)

Petition

Ward: Cheetham

'petition against selective licensing scheme on Daresbury Street Cheetham Hill' and has 32 signatures. No specific issue raised.

Issue raised in a paper petition sent via email

Response (a)

Petition

I would like to take this opportunity to confirm your representation has been considered.

Section 2

Issue Raised (a)

Scope of the scheme

Ward: All

Firstly, we believe that the evidence base is insufficient, and more evidence is required before the scheme can commence. We note that this is a very concentrated scheme and has increased incrementally from previous targeted schemes over small areas. Landlords and property agents need clarity and confidence in legislation. The council should provide stakeholders with clarity rather than incrementally introduce schemes by piecemeal. In addition, the council has provided the number of private properties within each of the nine areas. Additionally, we note that in some of the areas the total percentage of PRS housing is less than 50 per cent. For example, in one area of Longsight, the percentage of PRS properties is 48% It is therefore likely that any social problems within this area are contributed by other housing tenures. While other areas have larger percentages of PRS stock, the levels of social housing is also significant. We are also concerned that in targeting small areas within the

nine communities in Manchester, these areas will become less desirable for landlords to invest in and will result in less housing supply in these areas.

Issue raised in a letter via email

Response (a)

Scope of the scheme

The data outlining the evidence base for the schemes can be found in appendix 2 of the 2023 report to Scrutiny 'Proposals for the Next Phase of Selective Licensing' and has been updated and strengthened as part of the consultation evaluation. The evidence base follows national guidance and is sufficient for the designation of Phase 4.

The programme of Selective Licensing was outlined in a report to Scrutiny in 2020, which has provided certainty on the introduction of each phase of the programme.

Government guidance stipulates for an area to have a high proportion of privately rented homes this must be more than the national average of 19%. All areas within this phase are well above this and therefore suitable for licensing.

We have not seen any evidence in previous phases that Selective Licensing areas have become less desirable for landlords and a reduced housing supply. We believe that by improving standards in the PRS in an area that this will encourage investment and further improvements.

Issue Raised (b)

Costs of the scheme

Ward: All

We hope that Manchester City Council can clarify how much the scheme will cost. Many additional and selective licensing schemes are a significant investment for local authorities, and we would ask that Councillors consider carefully if such a scheme offers value for money for their residents and is the most cost-effective method to improve the quality of the PRS. We note that the scheme is being reintroduced and increased, accordingly what has been the overall cost for the council in implementing licensing. The costs should include the total costs for the council in administering property licensing.

Issue raised in a letter via email

Response (b)

Costs of the scheme

The cost of a licence will be £964 The costs of the scheme are funded through the licence fee, the Council do not make any surplus from Selective Licensing.

Issue Raised (c)

Fees

Ward: All

At £798 for a selective licence, the fee is high given the economic challenges and costs faced by landlords operating in the area. It is also high when compared to other neighbouring local authority selective licensing schemes including £650 in Newcastle¹ and £550 in Liverpool.² The fee is also higher compared to fees for selective licenses schemes in London Boroughs where costs are typically high including £640 in Brent³ and £652 in Merton⁴ (before discounts.) We welcome the inclusion of an early bird discount. However, we would recommend that the council considers further discounts for members of accredited membership organisations such as Propertymark. We are disappointed that no consideration has been given for members of such bodies as being a member of Propertymark demonstrates that the letting agent is suitably qualified, has access to regular training and meets compliance and regulatory standards, so encourage the council to consider discounts for Propertymark member letting agents. We also note that there is no discount for additional licensed properties which specifically disadvantages landlords with large portfolios. We would welcome clarity on how agents can pay fees and would recommend that in some instances agents may wish to pay by invoice especially if they are administering many property licenses.

Issue raised in a letter via email

Response (c)

Fees

The fee for a Selective Licence will be £964. This is to cover the cost of enforcing and administering the scheme and no surplus will be generated. This is in line with other local authorities who have introduced new schemes recently such as Bristol City Council, whose 2024 Selective Licence fee is £912.

The early bird application discount to £764 will be applied to these schemes.

A subsequent application fee of £864 will be applied to applicants applying for additional applications.

Where significant number of applications are being submitted in one go and method of invoicing applicants will be available in certain circumstances.

Issue Raised (d)

Impact of cost-of-living and landlords

Ward: All

Regardless of the fee level, we are concerned these charges will come at a time when landlords are impacted by ongoing mortgage costs, the cost of-living crisis and the impact fees could have on the ability of landlords to improve standards. Our members have also told us that a common concern from landlords on licensing schemes is that the costs can be extremely high for landlords especially those, as we have just highlighted, as having larger portfolios of properties.

Issue raised in a letter via email

Response (d)

Impact of cost-of-living and landlords

We recognise the challenging circumstances that some landlords are facing. However, we believe that the potential benefits of licensing outweigh the cost of the licence fee, which when spread out across the 5 years is approximately £3.70 a week and therefore represents a small cost in relation to other costs of being a landlord.

Issue Raised (e)

Impact on supply of homes

Ward: All

Exiting the market is especially a concern for smaller landlords who are more likely to sell their properties and further shrink the supply of much sort after PRS properties leaving remaining private tenants with higher rents. Our research on the shrinkage of the PRS5 found 53% of buy to let properties sold in March 2022 left the PRS and that there were 49% less PRS properties to let in March 2022 compared with 2019. In addition to these concerns, those landlords who remain in the market, often have less money to improve conditions from increased costs. If the decision to operate a selective licensing scheme across significant parts of Manchester is approved in areas that are already low demand, then there is a concern that landlords currently operating within these areas could invest in neighbouring areas outside of the scheme or indeed other local authority areas or exit the market altogether. This could result in fewer housing options for people living in these Manchester communities meaning some people might be forced to find housing options outside the area, change employment or break social ties within the community.

Issue raised in a letter via email

Response (e)

Impact on supply of homes

We have not seen any evidence from previous phases of the rolling programme in Manchester of landlords selling properties and shrinking the supply of available PRS homes due to Selective Licensing.

We believe that by improving standards in the PRS in an area, the area will become more desirable, and this will attract investment.

Issue Raised (f)

Unintended Consequences

Ward: All

We are pleased to see that Manchester City Council acknowledge that the PRS is an important and increasingly growing tenure that is home to many people living within the Borough. Renting in Manchester can be expensive with an average rent in the PRS being £1,214 per calendar month (May 2024).⁶ It is likely that many low waged and people in receipt of benefits access the PRS in Manchester especially in the chosen nine areas. We are concerned that landlords may increase rent due to the added and significant costs of licenses. Accordingly, some renters living within the dedicated areas require cheaper accommodation due to being on a low income and the continued challenges in the cost-of-living crisis. We previously outlined the possibility that further legislation could reduce the housing options of the most vulnerable from landlords exiting the market there could be further implications on the rent level for those landlords who remain. As is the general law of supply and demand, if the supply of PRS property reduces, the cost of rent for the remaining properties is likely to rise. With the current demographics of persons accessing the PRS in Manchester, there is a very real danger that many low-income families will be priced out of living in the area.

Issue raised in a letter via email

Response (f)

Unintended Consequences

As part of the final evaluation for the pilot phase we evaluated rental inflation across the Selective Licensing areas which evidenced that those areas had not increased by any more than the surrounding area had.

An Independent Review of the Use and Effectiveness of Selective Licensing 2019 also echoed this sentiment.

Issue Raised (g)

Property condition

Ward: All

Large parts of the designated areas are characterised as including significant levels of older housing stock. Areas that have these characteristics are often innercity communities with large section of pre-1919 built housing. Accordingly, a significant amount of investment is required to improve the condition of stock including the energy efficiency of properties. We would be grateful if Manchester City Council could clarify if they have any proposed financial grants or loans available for landlords to improve stock.

Issue raised in a letter via email

Response (g)

Property condition

Support is available for energy improvement works. See the link below for further details:

[Get support for your energy improvements | Funding and support for energy improvements | Manchester City Council](#)

Issue Raised (h)

Energy efficiency

Ward: All

Since 1 April 2020, landlords can no longer let or continue to let properties covered by the Minimum Energy Efficiency Standards if they have an Energy Performance Certificate (EPC) rating below E, unless they have a valid exemption in place. According to the consultation document 'selective Licensing provides an opportunity to target resources on identifying and tackling energy efficiency within rented properties, The Energy Performance ratings are required as part of the SL application process and properties found to be without an EPC or a rating below E are then subject to enforcement.' However, only a very small number of properties would be below EPC E, and these may be exempt.

Issue raised in a letter via email

Response (h)

Energy efficiency

The process of landlords submitting EPC ratings will assist in prioritising which properties will be inspected, as homes with a lower EPC rating may be more likely to have hazards such as excess cold and may be prioritised for inspections.

Issue Raised (i)

Empty properties

Ward: All

There is no discussion within the consultation document on empty properties. However, the council states that one of the benefits of selective licensing is, "cut the length of time houses are empty — increasing the rental income for landlord". We would welcome clarity on proposals the council would consider increasing housing stock including Empty Management Dwelling Orders or enforced sales to highlight their activity. The council should provide further information into what active steps have been taken to reduce the number of empty properties within the borough to aid the high number of people waiting on the housing list for housing.

Issue raised in a letter via email

Response (i)

Empty properties

Selective Licensing will complement existing work to tackle empty homes – with any intelligence on empty properties passed onto the MCC Empty Homes team with a view to supporting our objectives to bring such properties back into use.

Issue Raised (j)

Current enforcement

Ward: All

Manchester City Council is experienced in the implementation of Licensing Schemes with the previous schemes. We would be grateful for some clarity on the performance of previous schemes. For example, how many working days did it take for a typical licence application to be processed and issued? The council also highlight some of the key statistics on their enforcement activity including warning letters, prosecutions, and civil penalties issues. We would be grateful if this data could be broken down by years and whether the action was within a selective licensing scheme area or from general enforcement. We would also be grateful for clarity on the reasons for issuing civil penalties for example, how many were for over-crowding, banning orders or for simply not obtaining the correct license.

Issue raised in a letter via email

Response (j)

Current enforcement

On average, it has taken approximately 27 days to process selective licensing applications based on our data since 2022. The process entails issuing a notice of intent, followed by the final notice to grant the licence. However, the average time mentioned also accounts for instances where landlords and managing agents need to be redirected or when the process is paused while awaiting missing safety certifications.

Within the selective licensing framework, we categorise properties as fully compliant, partially compliant (broadly), and non-compliant. Under certain conditions, the council may also issue a notice based on these classifications. We have identified the following number of properties that fall under the categories of broadly compliant and non-compliant, all of which have received written correspondence:

2024

Broadly compliant 104

Non-compliant 21

2023

Broadly compliant 106

Non-compliant 11

2022

Broadly compliant 3

Non-compliant 0

In accordance with the legislation, the council has the authority to impose financial penalties as an alternative to prosecution for specific criminal offenses. These offenses include failure to obtain a licence, non-compliance with an improvement notice, breach of management regulations related to an HMO, and contravention of an overcrowding notice concerning an HMO.

It is important to note that these offenses occur infrequently, and in the majority of cases, we collaborate with landlords to ensure they have the opportunity to comply with the legislation before any penalties are considered. Furthermore, the evidence required for these penalties is held to the same stringent standard as that required for a prosecution. Our data shows that the Council had served the following CPNs:

24/25 - 1x failing to licence

24/23 0

22/23 0

21/22 1 x failing to licence

20/21 4 x failing to licence

19/20 7 x failing to licence

Issue Raised (k)

Civil penalties

Ward: All

The number of civil penalties given to property owners and landlords for previous scheme is relatively low at 21 civil penalties. We would welcome clarity on what the council's enforcement policy will entail. How will the council educate landlords to ensure they are compliant, and for those landlords who struggling with the management of properties, will the council recommend landlords discharge their duties to Propertymark registered agents?

Issue raised in a letter via email

Response (k)

Civil penalties

Our enforcement policy focuses on maintaining a balance between education, support, and enforcement to ensure compliance among landlords and managing agents. Here's how we approach educating landlords and assisting those who are struggling with property management:

- **Raising Awareness:** To enhance understanding of legislation and best practices among landlords, we employ a range of communication methods and resources. These include providing comprehensive informational materials that outline the legal requirements and recommended practices for landlords, as well as offering online resources on our website, such as guides, newsletters, and updates on relevant regulations.
- **Providing Guidance:** Our council officers are available to offer advice and guidance to landlords who have questions or need assistance in understanding their obligations and responsibilities. Landlords can reach out to our dedicated duty lines for clarification and guidance on specific issues or concerns. Additionally, our compliance officers and engagement staff are available to provide face-to-face assistance and address questions or concerns in person. By offering a variety of channels for information and support, we aim to ensure that landlords have access to the resources they need to maintain compliance and effectively manage their properties.
- **Supporting Compliance:** For landlords who are experiencing difficulties in managing their properties, we may provide tailored support and guidance to help them address their specific challenges and achieve compliance.

- **Addressing Non-Compliance:** In cases where non-compliance is identified, we take a proportionate and fair approach to enforcement, considering the severity of the breach and the willingness of the landlord to address the issues.

Overall, our goal is to work collaboratively with landlords to ensure compliance and promote a safe and healthy housing environment for tenants. We believe that a combination of education, support, and enforcement is crucial in achieving this objective.

Civil penalties serve as an alternative to criminal prosecutions and are typically reserved for cases where landlords and agents have been given multiple opportunities to comply but have failed to do so. These penalties are imposed in situations where there is evidence of negligence, intentional breach, or blatant disregard for the law, as well as a failure to complete all scheduled items within the specified notice timeframe. It is important to note that civil penalties are a severe form of punishment and are only utilised in cases where less severe measures have proven ineffective.

Issue Raised (I)

Engagement with landlords and letting agents

Ward: All

For most cases of substandard accommodation, it is often down to landlord's lack of understanding rather than any intent to provide poor standards. Manchester have made efforts to engage with landlords in the local area. We would welcome clarity on how you engage with local landlords via landlord forums, training opportunities and how the scheme will be embedded within the Greater Manchester Good Landlords Charter proposed by the Mayor of Greater Manchester. In addition, we would welcome clarity on how the council encourages landlords and agents to be members of an accredited membership scheme such as Propertymark.

Issue raised in a letter via email

Response (I)

Engagement with landlords and letting agents

We have a dedicated Engagement Officer who works under the Selective Licensing scheme to engage and educate both landlords and residents about the schemes. A landlord newsletter is shared on a quarterly basis with licensed landlords, we are further in the process of running online landlord forums. We direct landlords to the services available within the council to support where they are having difficulties with tenants. Landlords are directed to accreditation and landlord associations to have access to support and guidance.

The Council works very closely with Greater Manchester Combined Authority on our licensing designations including being part of the Combined Authorities pathfinder to develop licensing schemes.

We will look to work with the GMCA on the Greater Manchester Good Landlord Charter as more details of the scheme develop.

Issue Raised (m)

Anti-Social Behaviour

Ward: All

Some of the proposed licensing areas are integral to the night-time economy in Manchester. Accordingly, it is likely that ASB is contributed from a variety of sources outside private tenants. Manchester City Council highlight that Selective Licensing works closely with the Community Safety Team and is also a part of the Multi Agency Tasking and Coordination Group. The consultation document states, "there have also been 3 partnership interventions coordinated by the AntiSocial Behaviour Team in the area since 2018." These have been in response to local community concerns in relation to ASB and involved door knocking, speaking to residents and coordinating actions with other agencies. We would like greater clarity on the extent that this ASB originated within PRS properties.

Issue raised in a letter via email

Response (m)

Anti-Social Behaviour

As part of the consultation evaluation the evidence base for designating on ASB related to environmental and waste management has been updated and strengthened. Full details can be found in section 7.2 of the report.

Issue Raised (n)

Anti-Social Behaviour

Ward: All

Furthermore, landlords are not the best equipped to deal with anti-social behaviour and certainly do not have the skills or capacity to deal with some tenants' problems such as mental health or drug and alcohol misuse. As one example, if a landlord or their agent had a tenant that was causing anti-social behaviour, the only tool that the landlord or agent could use would be to seek possession from the tenant under a Section 8 notice. While this would remedy the problem in the short-term, the tenant is likely to still occupy this behaviour and all that has been achieved is that the anti-social

behaviour has moved from one part of Manchester to another or another local authority area. In this context, it should be noted that with regards to reducing anti-social behaviour, landlords and their agents can only tackle behaviour within their properties. Effectively, they are managing a contract and not behaviour. Landlords and their agents are not responsible in any form for anti-social behaviour occurring outside the property. Nevertheless, we would be interested to learn about any partnership work the council are proposing with stakeholders such as the Greater Manchester Police in reducing anti-social behaviour within communities including outcomes from the Home Office funded Safer Streets Programme.

Issue raised in a letter via email

Response (n)

Anti-Social Behaviour

An independent review into Selective Licensing 2019 found that tenants tend to comply with requests to moderate their behaviour rather than risk eviction with no direct evidence of any meaningful displacement reported in the review.

The council directs landlord to our Anti-Social Behaviour team, to support them when tackling tenant behaviours.

Issue Raised (o)

Environmental crime

Ward: All

The evidence document has highlighted selective licensing as a tool to tackle environmental crimes such as fly tipping, poor waste, husbandry and street cleaning. However, Manchester City Council have provided no evidence to support the extent that particular PRS properties are impacted by both fly tipping and other environmental crimes, and as is the case in most local authorities, we suspect this is an issue on local authority highways. While we welcome efforts to tackle fly tipping, unless the perpetrator is caught doing the fly tipping or there is some sort of evidence, such as an addressed letter, within the fly tip, then it is impossible to suggest to what extent fly tipping is a problem in the PRS. Even if the link between fly tipping and the PRS could be proved, there is very little that landlords could do for any behaviour outside the tenancy unless the fly tip was done within the grounds of the property.

Issue raised in a letter via email

Response (o)

Environmental crime

Selective Licensing aims to help improve waste management and fly tipping through licence conditions that ensure that the landlord ensures all tenants have the full range of recycling and refuse bins available at the start of their tenancy and that the tenant is aware of the collection arrangements. The licence holder must also make appropriate arrangements for the disposal of any waste at the end of the tenancy. These measures will help to improve issues with waste management caused by the PRS.

Issue Raised (p)

Section 21

Ward: All

Propertymark would like clarification on the council's policy concerning helping a landlord when a section 21 notice is served, the property is overcrowded, or the tenant is causing antisocial behaviour, as per the council's consultation. What steps will the council take to support the landlord? It would be useful if the council were to put a guidance document before introducing the scheme to outline its position regarding helping landlords remove tenants who are manifesting antisocial behaviour. The recent proposed changes to section 21 legislation and how tenancies if implemented could mean landlords will become more risk averse to taking tenants with a perfect reference and history. We would be willing to work with the council and develop a dispute resolution service with other local authorities.

Issue raised in a letter via email

Response (p)

Section 21

The council recognises the intricate nature of situations involving eviction notices, which may include issues such as rent arrears, disrepair, antisocial behaviour, and a breakdown in communication. In these circumstances, any action taken by the council will be proportionate, and all aspects of the case will be carefully considered.

To assist both tenants and landlords in resolving disputes, the council offers a mediation service through the ASBAT department <https://www.manchester.gov.uk/xfp/form/1938> . Our advice to tenants includes emphasising the importance of paying rent, maintaining open lines of communication with their landlord, and remaining reasonable throughout the process.

However, as eviction is a civil matter between parties, the council's support is limited. Landlords should seek their counsel to navigate the situation lawfully and protect their interests. The council must maintain objectivity in any enforcement and investigations, with actions based solely on clear evidence. The council is aware of the forthcoming changes in legislation and is committed to reviewing our existing services to ensure that all residents and landlords operating within the borough receive the necessary support during the transition period.

Annual summary

Ward: All

If the scheme is approved, the council should consider providing an annual summary of outcomes to demonstrate to tenants, landlords and letting agents' behaviour improvements and the impact of licensing on the designated area over the scheme's lifetime. This would improve transparency overall. Propertymark has a shared interest with Manchester City Council in ensuring a high-quality private rented sector but strongly disagrees that the introduction of the proposed measures is the most effective approach to achieve this aim both in the short term and long term.

Issue raised in a letter via email

Response

We are committed to providing both a midpoint evaluation and final evaluation.

Section 3

Issue Raised (a)

Administrative burden

Ward: Cheetham

Selective licensing imposes an administrative burden without addressing the root causes of poor housing conditions, high levels of migration, deprivation and crime.

Issue raised in a letter via email

Response (a)

Administrative burden

The council has a dedicated Business Support team to work on the processing of licence applications to ensure that officers can focus on inspecting properties.

Compliance inspection will be carried out at those properties flagged as part of the application process, where complaints had been received or where there were indications an inspection was required. The council will undertake compliance inspections in 50% of all licensed properties in each of the designated areas by the end of the designation.

During compliance inspections officers assess property conditions under the Housing Health and Safety Rating System (HHSRS) in accordance with Part 1 of the

Housing Act 2004 as well as assessing compliance against licence conditions and having dialogue with the tenant to check what information their landlord had provided them with. These actions ensure that Selective Licensing does not become an administrative exercise and that it has a tangible impact on improving homes and neighbourhoods.

During the pilot phases in Manchester, compliance inspections were carried out in properties flagged as part of the application process, where complaints have been received or where there were indications that an inspection was needed. 12.1% of properties inspected were found to be non-compliant (i.e. a Category 1 or high Category 2 hazard was identified using HHSRS) and the inspection resulted in immediate enforcement action. This means that around 1 in 8 homes inspected required immediate action to make them safe for residents.

In total 133 Category 1 hazards and 1,615 Category 2 hazards were identified during 677 inspections.

The evidence from the level of compliance with licence conditions and hazards identified following inspection demonstrates very clearly that landlords in all areas of the pilot phase had been letting unsafe properties with serious hazards. Without the intervention of SL it is highly likely that these landlords would have continued to rent out properties containing these serious hazards and tenants would have continued to live in unsafe housing. Instead, SL intervention required works to eradicate hazards resulting in a direct improvement in property conditions.

Issue Raised (b)

Impact of cost of living and landlords

Ward: Cheetham

The proposed licensing scheme will add to the financial pressures on both landlords and tenants. Landlords will incur additional costs for obtaining and maintain licenses, which in all probability will be passed onto tenants in the form of rent increases. This is particularly concerning during a cost-of-living crisis, where affordability is already a major concern for many residents.

Issue raised in a letter via email

Response (b)

Impact of cost of living and landlords

We recognise the challenging circumstances that some landlords are facing. However, we believe that the potential benefits of licensing outweigh the cost of the licence fee, which when spread out across the 5 years is approximately £3.70 a week and therefore represents a small cost in relation to other costs of being a landlord.

As part of the final evaluation for the pilot phase we evaluated rental inflation across the selective licensing areas which evidenced that those areas had not increased by any more than the surrounding area.

An Independent Review of the Use and Effectiveness of Selective Licensing 2019 also echoed this sentiment.

Issue Raised (c)

Alternative measures

Ward: Cheetham

I believe there are more effective ways to achieve the council's goals. Increased council inspection for all rented home throughout the borough, improved communication channels for tenants to report issues, and support programmes for landlords could be more impactful solutions. Also to combat the high crime levels, I believe we should increase the police presents on these streets.

Issue raised in a letter via email

Response (c)

Alternative measures

We have a dedicated Engagement Officer who works as part of the Selective Licensing team to improve communication and educate both residents and landlords. Selective Licensing allows for a proactive, resourced programme of inspections backed by a legislative framework to ensure that access to properties in obtained.

Issue Raised (d)

Scheme is not needed

Ward: Cheetham

We have previously encountered a leak in the block which affected multiple flats, and the collaboration between conscientious landlords and tenants facilitated a swift and effective solution. It also reinforced that belief that the landlords are taking good care of the rental homes without the need for further intervention.

Issue raised in a letter via email

Response (d)

Scheme is not needed

Whilst many landlords are responsible and manage their homes to a high standard there are also many landlords who do not. Selective Licensing is needed as a

proactive approach, as many residents (particularly the most vulnerable residents) do not feel they can raise issues with their landlords due to fear of reprisals or evictions. From previous schemes we know that we consistently find homes with hazards that are dangerous to residents' health and wellbeing.

Section 4

Issue Raised (a)

Support the introduction of SL

Ward: Cheetham

Support the introduction of SL

Issue raised in a letter via email

Response (a)

Support the introduction of SL

I would like to take this opportunity to confirm your representation has been considered.

Section 5

Issue Raised (a)

Antisocial behaviour and low housing

Ward: All

Landlords lack the expertise to handle antisocial behaviour and are not equipped to address tenants' mental health issues or substance abuse problems. If a tenant is causing issues and the landlord decides to terminate the tenancy, they believe they have fulfilled their responsibilities, even if the tenant is struggling with these issues. This simply shifts the problem elsewhere in the Manchester area, potentially leaving the tenant neglected or vulnerable to unscrupulous landlords, impacting other residents negatively.

Additionally, overcrowding poses a challenge for landlords when tenants exceed the property's capacity. Landlords are responsible for informing tenants about occupancy limits and prohibiting subletting or additional occupants. How can landlords address this issue without compromising the tenant's well-being? How can the council support landlords in such situations?

It is unrealistic for landlords to monitor tenants' daily activities or sleeping arrangements. When it comes to addressing antisocial behaviour, landlords can only enforce the terms of the contract; they cannot control tenants' behaviour.

Issue raised in a letter via email

Response (a)

Antisocial behaviour and low housing

The Council's Anti-Social Behaviour Action Team (ASBAT) regularly work with tenants and landlords to address issues considered to be anti-social behaviour. We recognise a balanced approach is required within the legislative boundaries set out for all parties involved. It is reasonable to expect a landlord to ensure their tenants are not behaving in a way that is adversely impacting on the local community. This also applies to visitors to the property. Effective management of tenancies results in anti-social tenants being issued with warnings about their behaviour. The Council will work with partners to help landlords gather the evidence where necessary to support any evictions in Court.

All complaints regarding noise nuisance and anti-social behaviour are properly investigated by the Council. Where a noise nuisance is witnessed by the Licensing and Out of Hours Team, a Noise Abatement Notice may be served on the tenants. The landlord is notified of this and requested to address the noise issues directly with the tenants and work with the Council to prevent any further recurrence. We have joint working processes in place to ensure the Housing Compliance team are made aware of the issues to ensure there is compliance with the licensing conditions. This is done by requesting procedures from the landlords on how they deal with noise and anti-social behaviour and establish what action has been taken to address the issues.

Landlords will be required to adhere to certain licence conditions in relation to ensuring that occupiers are aware of behaviour that may constitute a nuisance and/or antisocial behaviour, what is acceptable use of the premises and what the likely consequences are.

Issue Raised (b)

Waste management

Ward: All

It is worth exploring, if such a mechanism is not already in place, a cost-effective or complimentary service to assist private landlords in removing bulky items left behind by tenants upon vacating the property. This could potentially streamline the process and prevent waste from being discarded prematurely. Councils such as Leeds City council offer such a service to its licenced landlords and has reduced fly tipping as a result.

Issue raised in a letter via email

Response (b)

Waste management

Unlike some other LA's Manchester do not manage the GM Household Waste Recycling Centres (HWRC) - these are managed by the Greater Manchester Combined Authority (GMCA). The GM HWRC are free for all residents living in the conurbation to dispose of their bulky waste. The Council also offers all households one free bulky collection per year (up to 3 items), subsequent collections are paid for (£27 for up to 3 items). During the student leaving period extra arrangements are put in place to collect reusable items via charity arrangements - delivered in partnership with the universities.

This mechanism is in place currently for residents. More information can be found at - [Get rid of a large unwanted item | Get rid of a large unwanted item | Manchester City Council](#)

Issue Raised (c)

Existing Enforcement Powers and Activity

Ward: All

Manchester City council has many existing enforcing powers that can rectify the identified problems as part of the council's housing strategy. These include:

1. Criminal Behaviour Orders
2. Crime Prevention Injunctions
3. Interim Management Orders
4. Empty Dwelling Management Orders
5. Improvement Notices (for homes that do not meet the Decent Homes Standard)
6. Litter Abatement Notices (Section 92 of the Environmental Protection Act 1990)
7. Fixed Penalty Notices or Confiscation of equipment (Sections 8 and 10 of the Noise Act 1996)
8. Directions regarding the disposal of waste (for example, Section 46 of the Environmental Protection Act 1990)
9. Notices to remove rubbish from land (Section 2-3 of the Prevention of Damage by Pests Act 1949)

The council also possesses a variety of housing enforcement legislation that can be utilised to address substandard conditions in the PRS, including the Housing, Health, and Safety Rating System (HHSRS), Improvement Notices, Hazard Awareness

Notices, Prohibition Orders, Emergency Remedial Action, civil penalties, and criminal prosecutions. These enforcement powers are currently at the disposal of the local authority and do not necessitate consultation prior to implementation.

Issue raised in a letter via email

Response (c)

Existing Enforcement Powers and Activity

Manchester City Council is committed to using the range of powers to enforce in the private rented sector where appropriate. Selective Licensing is needed as a proactive approach, as many residents (particularly the most vulnerable residents) do not feel they can raise issues with their landlords due to fear of reprisals or evictions. Selective Licensing allows for a proactive, systematic and resourced approach, which complements existing enforcement powers.

Conclusions and alternatives

Ward: All

The NRLA holds the belief that a thriving private rented sector is necessary for local authorities to complement the existing housing options in an area. This sector offers a diverse range of housing types that can cater to the needs of both residents and landlords in the city. It is crucial to regulate this sector and enforce necessary measures to prevent criminals from exploiting landlords and tenants. Implementing an active enforcement policy that supports reputable landlords is of utmost importance as it will eliminate those who take advantage of others and establish a fair and level playing field.

The NRLA proposes the utilisation of council tax records to identify the tenures utilised by the private rented sector and the landlords responsible for these properties. Unlike discretionary licensing, this approach does not require landlords to self-identify, making it more challenging for criminal landlords to operate unnoticed. By adopting this method, the council would not need to immediately consult and implement changes.

Issue raised in a letter via email

Response

Many alternative solutions have been implemented prior to considering the introduction of selective licensing and full details of these can be found in the consultation evaluation report. However, these approaches have had limited impact. Selective licensing will allow for a proactive, systematic and resourced intervention, alongside providing the necessary legislative framework to inspect and improve

properties. We already utilise Council Tax data to identify PRS homes as part of our selective licensing schemes.

Annual summary

Ward: All

If the proposed scheme is approved and put into action, the council should provide an annual summary of outcomes to showcase the improvements in tenants' and landlords' behaviour and the impact of licensing on the designated area throughout the scheme's duration. This would enhance overall transparency.

Issue raised in a letter via email

Response

We are committed to providing both a midpoint evaluation and final evaluation.

Section 6

Issue Raised (a)

Voluntary schemes and accreditation discounts

Ward: All

safeagent believes that positive engagement with voluntary schemes and the representative bodies of landlords and agents (such as safeagent) is essential to the success of initiatives such as Selective Licensing. We are mindful that the operational problems associated with lack of such engagement have been highlighted in the House of Commons Communities and Local Government Committee report "The Private Rented Sector - First Report of Session 2013-14" ([50.pdf \(parliament.uk\)](#))

The same report sets out how important it is for licensing schemes to avoid being burdensome. We believe that promoting voluntary schemes - and offering discounted licence fees to accredited landlords and agents, can help to achieve this. Voluntary schemes often require members to observe standards that are at least compatible with (and are often over and above) those of licensing schemes. We believe, therefore, that if Manchester City Council were to allow discounts based on membership of safeagent (as well as other similar bodies) implementing and policing the licensing scheme would ultimately be less costly and more effective, allowing resources to be concentrated in the areas where they are most needed.

Issue raised in a letter via email

Response (a)

Voluntary schemes and accreditation discounts

The council recognises landlords and agents who belong to professional bodies and provide safe & decent accommodation. To better target our enforcement resources, we encouraged landlords to apply early) to take advantage of our discounted licence fee, which allow us to focus on those landlords who had failed to apply. We will be doing the same with these schemes. Landlords will also be encouraged to sign the Manchester Rental Pledge as part of the licensing scheme, the pledge requests landlords consider joining a professional body as well as other commitments. Please see the following link for more information [Sign the pledge | The Manchester renting pledge | Manchester City Council](#).

Issue Raised (b)

Partnership Working with Lettings and Management Agents

Ward: All

We would urge Manchester City Council to work closely with accredited lettings & management agents to ensure that the regulatory effort associated with the licensing schemes is focussed on the greatest risks. The highest priority should be tackling rogue landlords and agents, not policing the compliant.

Many rogue landlords and unaccredited agents operate “under the radar”. Resources should, therefore, be directed towards these serious cases. There is danger that too much time will be spent on those properties and landlords where an existing, reputable agent is best placed to ensure compliance with license conditions.

We would urge the council to fully recognise the compliance work reputable agents carry out as part of their day to day activities. We would also suggest that the council work closely with accredited agents, to proactively seek out and identify unlicensed properties.

Issue raised in a letter via email

Response (b)

Partnership Working with Lettings and Management Agents

Manchester Works closely with Greater Manchester Combined Authority and other agencies to support the work of good landlords and agents. Selective Licensing complements other enforcement work such as the work already undertaken by the Councils proactive enforcement team.

Issue Raised (c)

Headline Fees and Discounts

Ward: All

The proposed fee of £798 seems reasonable as a headline figure, given there is a substantial early bird discount (to £591). However, we note that no discounts are available to landlords or agents who are members of nationally recognised professional associations. In our view, significant discounts should be made available to landlords who engage agents who are members of national schemes such as safeagent.

We would suggest that this is justified because safeagent members and the landlords who engage them are less likely to be non-compliant, thus reducing costs to the council. We would also suggest that safeagent membership mitigates the need for full compliance visits to be carried out. For example, the timing and content of visits could be risk based, recognising that the risk of non-compliance is much lower in the case of properties managed by safeagent agents.

Issue raised in a letter via email

Response (c)

Headline Fees and Discounts

The fee for a Selective Licence will be £964. This is to cover the cost of enforcing and administering the scheme and no surplus will be generated. This is in line with other local authorities who have introduced new schemes recently such as Bristol City Council, whose 2024 Selective License fee is £912.

The early bird application discount to £764 will be applied to these schemes, we actively encourage safeagent members to apply during this period.

A subsequent application fee of £864 will be applied to applicants applying for additional applications.

Issue Raised (d)

Greater Manchester Combined Authority Good Landlord Charter

Ward: All

We would also suggest that there should be discounts for landlords who engage agents who are members and/or champions of the Greater Manchester Combined Authority Good Landlord Charter.

In our response to the GMCA's consultation on the charter, we have suggested that charter members should be offered a discount on any selective or additional license fees payable to any GMCA local authorities who operate such schemes. This discount should be made available to charter member landlords who engage accredited agents who are members of national schemes such as safeagent.

We have urged the GMCA to work closely with accredited lettings & management agents to ensure that the effort associated with the charter is focussed on the

greatest risks. As with licensing schemes, the highest priority should be tackling rogue landlords and agents, not policing the compliant. We would suggest that the GMCA and Manchester City Council work together to fully recognise the compliance work reputable agents carry out as part of their day to day work.

We have suggested that Charter Champion/Member status should depend upon the agent bring a member of an accrediting organisation such as safeagent.

In our detailed comments below, we point out some of the areas where compliance with key licencing conditions is an inherent part of the safeagent scheme.

Issue raised in a letter via email

Response (d)

Greater Manchester Combined Authority Good Landlord Charter

The Council works very closely with Grater Manchester Combined Authority on our licensing designations including being part of the Combined Authorities pathfinder to develop licensing schemes.

We will look to work with the GMCA on the Greater Manchester Good Landlord Charter as more details of the scheme develop

Issue Raised (e)

Applications within the Designation Period and Changes in Licence Holder

Ward: All

We would be concerned if any licence application made part way through the designated period was to incur the full fee. This is unfair and makes licenses granted later in the designated period poor value for money. In these cases, we believe the fee should be charged “pro-rata”.

This issue is highlighted in the government report “An Independent Review of the Use and Effectiveness of Selective Licensing” (MHCLG 2019)

This report describes how “Most licence fees do not take any account of the remaining time of the licensing designation. This can lead to landlords being required to pay the full cost five-year of licensing even if there is only a short time remaining before the designation expires (with no option to “carry over” where re-designation is intended). This negatively impacts on relationships with landlords, who perceive this as manifestly unfair. This issue can be partially mitigated by making the enforcement portion of the licence fee payable on a pro-rata basis”

Charging of full fees for part periods is also anti-competitive, as it can add cost to the process of engaging or changing a license holding managing agent. Specifically, we often see cases where a reputable agent has to take on management of a property and the license, when there has been a history of management and/or compliance

problems. We would suggest that, in cases where an agent steps in as licence holder/manager, the licensing fee should again be charged “pro rata”.

Alternatively, it should be made clear that licenses taken out part way through the period last for a full 5 years - and remain valid when the designation is renewed or comes to an end.

Issue raised in a letter via email

Response (e)

Applications within the Designation Period and Changes in License Holder

Licenses taken out part way through the period will remain valid should the designation be renewed.

Issue Raised (f)

Fee Waiver – Tackling Homelessness

Ward: All

We would suggest that, in cases where a private landlord is assisting the council by offering temporary or permanent accommodation to meet homelessness duties (or otherwise assist with meeting the aims of a homelessness strategy) license applications should be accepted without any fee being payable.

Issue raised in a letter via email

Response (f)

Fee Waiver – Tackling Homelessness

TA agreements with MCC are subject to service specifications which set out property management standards, amongst other things. TA properties are also all subject to inspection (prior to each let). On that basis they are exempt from Selective Licensing.

Properties housing a (formerly) homeless resident, not subject to such an arrangement with MCC will be subject to Selective Licensing. There are no proposals for discounts for the scheme – apart from the early bird discount.

Issue Raised (g)

Empty Properties

Ward: All

We agree that Selective Licensing has the potential to help increase the number of empty homes brought back into use and improved to modern standards, thus

improving their potential to be let". Lettings & management agents can assist with reducing the number of empty properties and bringing them back into use for rent and sale. For example, many lettings & management agents will know of empty properties in their localities of operation. Furthermore, they will sometimes have detailed local knowledge and might be able to help the council to categorise the empty property appropriately (under 6 months, over 6 months, probate, exempt, second home etc)

Agents will often be in contact with neighbours and may:

- know if the empty property is causing problems (in some cases agents' tenants and even the agents themselves may have complained) and
- be able to help the council to find relevant contact details. This will help to raise the quality of the council's data – and contribute to the prioritisation of actions.

Furthermore, agents may be able to help to bring the property back into the PRS, working with the council to allocate it to homeless people where appropriate. There is plenty of scope for partnership working on this.

Issue raised in a letter via email

Response (g)

Empty Properties

Selective Licensing will complement existing work to tackle empty homes – with any intelligence on empty properties passed onto the MCC Empty Homes team with a view to supporting our objectives to bring such properties back into use.

Issue Raised (h)

Anti-Social Behaviour

Ward: All

For our members, dealing with actual and perceived anti-social behaviour in the PRS is a day to day activity. However, in general, we have concerns about the assumed link between the amount of PRS accommodation in the neighbourhood and the incidence of ASB.

There may be some correlation between incidences of ASB and the prevalence of PRS accommodation on the area. However, correlation does not imply causation. The causes of ASB are many and varied. It is not, in our view, reasonable to expect agents and landlords to play a disproportionately large part in tackling them.

Furthermore, we would strongly advise against any proposals which imply a parity of approach between the PRS and the social rented sector. Social landlords are publicly funded (and regulated) to develop and manage housing on a large scale. Their social purpose brings with it wider responsibilities for the communities in which

they work. As private businesses, PRS landlords and their agents, whilst having clear responsibilities to manage their properties professionally cannot reasonably be expected to tackle wider social problems.

Issue raised in a letter via email

Response (h)

Anti-Social Behaviour

We recognise a balanced approach is required within the legislative boundaries set out for all parties involved. It is reasonable to expect a landlord to ensure their tenants are not behaving in a way that is adversely impacting on the local community. This also applies to visitors to the property. Effective management of tenancies results in anti-social tenants being issued with warnings about their behaviour.

Landlords will be required to adhere to certain licence conditions in relation to ensuring that occupiers are aware of behaviour that may constitute a nuisance and/or antisocial behaviour, what is acceptable use of the premises and what the likely consequences are. The licence holder must also take all reasonable steps to deal with nuisance and/or antisocial behaviour perpetrated by occupiers and/or visitors to the premises including taking proactive action and co-operating with the relevant agencies.

Issue Raised (i)

Measuring success

Ward: All

We believe that regular information on implementation of the scheme should be made available in a clear and consistent format. Reports to local landlord and agent forums, representative bodies and other stakeholders should include at minimum:

- The estimated number of private rented properties that require licensing under the schemes
- The number of applications received in respect of these properties
- Progress in processing (granting, querying or refusing) the licence applications received
- Analysis of the reasons for any queries or refusals and the extent to which remedial action is identified and taken as a result
- Analysis of the outcomes of ongoing inspections and the extent to which remedial action is identified and taken as a result
- Progress reports across the whole 5 year period covered by the scheme.

Issue raised in a letter via email

Response (i)

Measuring success

We are committed to providing both a midpoint evaluation and final evaluation.

Section 7

Issue Raised (a)

Reconsulting

Ward: Cheetham

We strongly oppose the Selective Licensing Proposal for the Cheetham Hill area. We went through the whole process only 10 months ago and it was rejected by the public. Furthermore, we have been informed that there were around 70% objections. Therefore, we fail to understand the reason to go through the whole process of public consultations within such a short timeframe.

It has only been (10 months approx.) when Selective Licensing was strongly opposed/objected and we believe that the whole process of another public consultation suggests that the previous public consultations were NOT taken seriously.

Issue raised in a letter via email

Response (a)

Reconsulting

The outcome of the previous consultation (held in 2022) was to revisit the consultation during a later phase.

Issue Raised (b)

Landlords already have gas and electric certificates

Ward: Cheetham

we stated that it would be easier to introduce a register where landlords can upload there gas and electric certificates. Gas and electric certificates are a legal requirement and therefore any Landlord that does not have a valid Gas/Electric Certificate is breaking the law. The cost of a Gas Certificate is in the range of £50-£80 and slightly higher for an Electric Certificate. We honestly do not believe that a

landlord would take such a big risk when even a 2 bed terraced house is now approximately 200k.

Issue raised in a letter via email

Response (b)

Landlords already have gas and electric certificates

The Council routinely sees properties without valid safety certificates. In previous Selective Licencing designations upload of certificates as part of the application process has seen certificates dated just before submission. Indicating that the certificates were not in place prior to applying for a licence.

These certificates will be required as part of the application process to ensure that landlords are conforming with legal requirements.

Issue Raised (c)

Tenants are the problem, not landlords

Ward: Cheetham

landlords are afraid and often threatened by tenants on a regular basis that landlords would be reported to the council. We are asked by the tenants to serve them with Section 21 Notices so they can use the Section 21 Notice to obtain Council Houses. We are dealing with difficult tenants on a daily basis who refuse entry to Gas Engineers and Electricians so they can carry out checks/tests to provide safety certificates.

Issue raised in a letter via email

Response (c)

Tenants are the problem, not landlords

Landlords will be required to adhere to certain licence conditions in relation to ensuring that occupiers are aware of behaviour that may constitute a nuisance and/or antisocial behaviour, what is acceptable use of the premises and what the likely consequences are. The licence holder must also take all reasonable steps to deal with nuisance and/or antisocial behaviour perpetrated by occupiers and/or visitors to the premises including taking proactive action and co-operating with the relevant agencies.

We appreciate concerns regarding the challenges landlords face in dealing with difficult tenants. It is essential to recognise that both landlords and tenants play a role in maintaining a healthy rental homes. Landlords do possess certain powers to address the situations described, such as seeking legal advice or utilising available resources to manage tenant-related issues.

Issue Raised (d)

Anti-Social Behaviour

Ward: Cheetham

We just simply fail to understand how landlords are supposed to deal with policing matters. It is very clear in the tenancy agreements that tenants must not be anti-social. This is clearly a police matter.

One of the main objectives of The Crime and Policing Bill is to tackle anti-social behaviour and introduce new "Respect Orders". Therefore, there are existing and new powers available to the police in relation to tackling anti-social behaviour.

Issue raised in a letter via email

Response (d)

Anti-Social Behaviour

It is reasonable to expect a landlord to ensure their tenants are not behaving in a way that is adversely impacting on the local community. This also applies to visitors to the property. Effective management of tenancies results in anti-social tenants being issued with warnings about their behaviour.

Landlords will be required to adhere to certain licence conditions in relation to ensuring that occupiers are aware of behaviour that may constitute a nuisance and/or antisocial behaviour, what is acceptable use of the premises and what the likely consequences are. The licence holder must also take all reasonable steps to deal with nuisance and/or antisocial behaviour perpetrated by occupiers and/or visitors to the premises including taking proactive action and co-operating with the relevant agencies. These measures aim to help reduce ASB caused by tenants in the PRS.

Issue Raised (e)

Existing enforcement activity & powers

Ward: Cheetham

The Council has enough powers to issue fines for fly tippers and have access to alleyways to investigate fly tippers. Difficult to understand how waste management and Anti-Social-Behaviour management can be the sole responsibility of the landlord. How can a landlord check or manage waste refuse? Anti-Social Behaviour Orders and Fly Tipping Fines are the proper and legal ways to deal with these issues.

The Housing and Planning Act 2016 gave local authorities powers to issue Civil Penalties as an alternative to prosecution for certain offenses under the Housing Act.

Therefore the Council already has wide ranging powers to inspect properties and issue improvement notices and then fines for non-compliance.

The new Housing Reforms Bill provides tenants to challenge unreasonable rent increases as well as abolishing no fault evictions (Section 21 Notice) and gives tenants more rights and powers under the new Renters Rights Bill. Awaab's Law will be applied to the Private Rented Sector, to force landlords to fix issues like damp and mould within strict time limits.

Furthermore, there are numerous legislations, covering rental property as well as extensive local authority bye-laws, which cover almost every eventuality and selective licensing adds no more benefit to what already exists.

Issue raised in a letter via email

Response (e)

Existing enforcement activity & powers

Manchester City Council is committed to using the range of powers to enforce in the private rented sector where appropriate. Selective Licensing is needed as a proactive approach, as many residents (particularly the most vulnerable residents) do not feel they can raise issues with their landlords due to fear of reprisals or evictions. Selective Licensing allows for a proactive, systematic and resourced approach, which complements existing enforcement powers.

Selective Licensing complements other enforcement work such as the work already undertaken by the Councils proactive enforcement team.

To better target our enforcement resources, we encouraged landlords to apply early) to take advantage of our discounted licence fee, which allow us to focus on those landlords who had failed to apply. We will be doing the same with these schemes. Landlords will also be encouraged to sign the Manchester Rental Pledge as part of the licensing scheme, the pledge requests landlords consider joining a professional body as well as other commitments. Please see the following link for more information [Sign the pledge | The Manchester renting pledge | Manchester City Council](#).

Issue Raised (f)

Burden

Ward: Cheetham

The scheme is an extra burden and becomes an administrative exercise that penalises compliant landlords and allows rogue landlords to continue functioning.

Issue raised in a letter via email

Response (f)

Burden

The process of applying for a licence is simplified by using an online portal. Landlords who have everything required of them in place should not find the process over burdening.

The council has a dedicated Business Support team to work on the processing of licence applications to ensure that officers can focus on inspecting properties.

Compliance inspection will be carried out at those properties flagged as part of the application process, where complaints had been received or where there were indications an inspection was required. The council will undertake compliance inspections in 50% of all licensed properties in each of the designated areas by the end of the designation.

During compliance inspections officers assess property conditions under the Housing Health and Safety Rating System (HHSRS) in accordance with Part 1 of the Housing Act 2004 as well as assessing compliance against licence conditions and having dialogue with the tenant to check what information their landlord had provided them with. These actions ensure that Selective Licensing does not become an administrative exercise and that it has a tangible impact on improving homes and neighbourhoods.

Issue Raised (g)

SL doesn't work

Ward: Cheetham

The scheme does little to improve the minority of substandard properties in the private rented sector, which licensing schemes aim to target.

Issue raised in a letter via email

Response (g)

SL doesn't work

During the pilot phases in Manchester, compliance inspections were carried out in properties flagged as part of the application process, where complaints have been received or where there were indications that an inspection was needed. 12.1% of properties inspected were found to be non-compliant (i.e. a Category 1 or high Category 2 hazard was identified using HHSRS) and the inspection resulted in immediate enforcement action. This means that around 1 in 8 homes inspected required immediate action to make them safe for residents, with many of the remaining properties requiring work to bring them up to standard too.

In total 133 Category 1 hazards and 1,615 Category 2 hazards were identified during 677 inspections.

The evidence from the level of compliance with licence conditions and hazards identified following inspection demonstrates very clearly that landlords in all areas of the pilot phase had been letting unsafe properties with serious hazards. Without the intervention of SL it is highly likely that these landlords would have continued to rent out properties containing these serious hazards and tenants would have continued to live in unsafe housing. Instead, SL intervention required works to eradicate hazards resulting in a direct improvement in property conditions.

Issue Raised (h)

Cost of living and impact on landlords

Ward: Cheetham

As you are more than aware, the Business community is already struggling to survive in the current economic crisis. Adding extra conditions and licensing fees will make it difficult for already struggling landlords. Landlords are already concerned in relation to huge increases in the interest rates and finding it difficult to pay their mortgages. Tenants are refusing to increase their rent and argue that the cost of living and energy prices have forced them to do extra jobs to pay their existing bills.

Issue raised in a letter via email

Response (h)

Cost of living and impact on landlords

We recognise the challenging circumstances that some landlords are facing. However, we believe that the potential benefits of licensing outweigh the cost of the licence fee, which when spread out across the 5 years is approximately £3.70 a week and therefore represents a small cost in relation to other costs of being a landlord.

Issue Raised (i)

Lack of help from police

Ward: Cheetham

Business community has had no help from police in relation to recent burglaries and robberies in the area. These types of criminal offences have nothing to do with housing.

Issue raised in a letter via email

Response (i)

Lack of help from police

Officers across the teams work in partnership agencies to support joint initiatives to tackle poor housing conditions and rogue landlords this includes but is not limited to Greater Manchester Fire and Rescue Service, Greater Manchester Police (GMP).

GMP have a significant change programme underway to reconfigure GMP to deliver their services. This work includes a review of response and neighbourhood policing, which will ensure that response and incident/crime investigations improve, while protecting neighbourhood teams so that they are able to focus on local issues and problem-solving.

Issue Raised (j)

Phrasing of licence conditions

Ward: Cheetham

Phrasing of the Selective Licensing Conditions are not clear and is subject to interpretation, which will allow enforcement officers to interpret as non-compliance.

Issue raised in a letter via email

Response (j)

Phrasing of licence conditions

We understand your concern regarding the interpretation of Selective Licensing Conditions. It is important to note that all legislation and guidance is subject to interpretation, and ultimately, it is the courts' responsibility to determine whether a violation has occurred based on the presented evidence.

Our enforcement officers conduct investigations based on clear and strong evidence, ensuring that any allegations of breaches are well-substantiated. We provide opportunities for landlords to rectify any errors and seek guidance from our officers to ensure compliance with licensing conditions.

Our aim is to work collaboratively with landlords to maintain a fair and transparent enforcement process, fostering a rental market that benefits both property owners and tenants.

Section 8

Issue Raised (a)

In support of SL

Ward: All

In support of SL

Issue raised in a letter via email

Response (a)

In support of SL

I would like to take this opportunity to confirm your representation has been considered.

Issue Raised (b)

Limited nature of the proposed expansion

Ward: All

Accordingly, we wish to record our disappointment with limited nature of the proposed expansion of selective licensing in Manchester and set out why it is in the council's gift to be significantly more ambitious. The Council estimates that there are 100,000 PRS properties in the city (40% of the city's housing stock). The council estimate 2,000 PRS properties are captured by their current selective licensing scheme i.e. 2% of PRS properties in the City. The council estimate 1,900 PRS further properties would be captured by the proposed extension to the licensing scheme. This would bring coverage from 2% to 3.9% of the PRS stock in the city (assuming none of the existing licensing areas are ended, as happened with the 4 areas above) i.e. the council will be licensing less than 1 in 25 PRS properties:

All councils are empowered to expand selective licensing to up to 20% of the PRS stock in their local authority without requiring approval from the Secretary of State i.e. it is completely in the council's gift to increase total licensing areas to capture 20,000 of the PRS stock in the city (over five-fold from what is being proposed). Further, any misgivings about securing Secretary of State for DLUHC approval for a scheme that goes beyond 20% should be quelled by the following: DLUHC under the Conservative Govt approved; • Birmingham City Council introducing a scheme whereby 25 of the City's 69 wards are covered (June 2023) • Liverpool City Council introducing a scheme where approximately half of the geographical area and 80% of the PRS stock are covered (December 2021)

There is no excuse for Manchester to lag behind.

Issue raised in a letter via email

Response (b)

Limited nature of the proposed expansion

I would like to take this opportunity to confirm your representation has been considered.

We have taken on board your feedback around the size of the proposed areas and will consider these when looking at future schemes.

Issue Raised (c)

Consultation design

Ward: All

The consultation is structured in a way that only invites views from those in the selected areas or nearby.

The decision to not include a resident's area in licensing scheme is just as much a decision as the decision to include their area. We believe the consultation should be seeking wider views from all residents including those whose areas do not stand to benefit from the proposed schemes.

Issue raised in a letter via email

Response (c)

Consultation design

The consultation structure is in line with the national guidance which stipulates that the consultation should include local residents, including tenants, landlords, managing agents, other members of the community who live or operate businesses or provide services within the proposed designation and that 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.

Section 9

Issue Raised (a)

Effect on the BTR sector

Ward: All

We understand and support the primary purpose of licencing schemes to improve the quality of private rental properties and to reduce antisocial behaviour. It is also true however, that selective licensing schemes can have a detrimental impact on investment viability as well as a knock-on impact on S106 and affordable housing contributions. At present, Grainger is subject to selective, additional or HMO licenses in at least 12 of our buildings across the country - hence making us well placed to

accurately assess the impact of such schemes on build-to-rent and its impact on operational costs and investment viability.

Many of the reasons cited for implementing selective licensing include to address high levels of crime and deprivation, reduce antisocial behaviour, support regeneration, stimulate investment and boost job opportunities. By their nature, BTR schemes are already contributing to these objectives and have been integral to countless regeneration schemes across the country – therefore the application of selective licensing to BTR schemes, and subsequent impact on BTR supply, runs counterintuitive.

Grainger and the wider BTR sector's quality standards exceed the quality standards that selective licensing schemes seek to address. BTR resident satisfaction is high and is evidenced by independent research data that we are happy to share. Given BTR's track record in quality and customer care, we reasonably question the value of selective licensing to drive standards in the BTR sector.

£1m cost to Grainger for licensing schemes – With licensing schemes now costing Grainger in excess of £1m, the additional cost of licencing is not insignificant and, with additional pressures on construction costs and finance rates, has the ability to have a major impact on project viability and housing delivery. This will lead to an increase in viability challenges to s106 and affordable housing contributions, as well as forcing many landlords to increase the rents charged to their customers.

Issue raised in a letter via email

Response (a)

Effect on the BTR sector

As Manchester's PRS has grown, a number of diverse submarkets have emerged which cover the full range of quality and management standards with poor property conditions evident and in some neighbourhoods widespread, at the lower end of the market

We recognise that by having a single management company rather than individual landlords, BtR generally delivers better quality management for tenants alongside a range of additional benefits.

Currently Manchester's BtR sector is focused almost entirely in the city centre apartment market.

Data indicates the PRS in the city centre apartment market areas is at the top end in terms of property and neighbourhood management – therefore would not meet the criteria for SL.

Issue Raised (b)

Administrative burden of licensing

Ward: All

In our experience of property licensing requirements around the country, we have found that applications for licenses are often overly burdensome and repetitive for large-scale landlords with hundreds of properties within a single building ownership. This is largely due to the inability for any efficiency savings when completing forms for a large number of homes within single buildings where many of the details are identical.

c.30min per application - Based on our experience of complying with existing licensing schemes, we estimate that each license would take approximately 30 minutes to complete. This is an average, estimated figure from the information we have gathered, however it is expected that initial licenses may take longer due to information gathering processes.

There is a considerable indirect cost borne from the administration of licencing. The internal management time to obtain all relevant information and process licenses for each property in a block is significant.

Due to the fractured and decentralised nature of licensing schemes, there are additional difficulties for large-scale landlords to ensure compliance. With Local Authorities rarely directly notifying landlords of their intention to implement licensing schemes and no centralised way of understanding if there is a licensing requirement. At present, we are required to manually search Local Authorities and correlate these to our portfolio and pipeline. We would suggest that the council endeavours to notify all landlords of properties which will be subject to licensing ahead of its implementation, and allow time for licenses to be obtained prior to enforcement action being taken in instances whereby landlords are unaware.

Issue raised in a letter via email

Response (b)**Administrative burden of licensing**

The process of applying for a licence is simplified by using an online portal. Landlords who have everything required of them in place should not find the process over burdening.

Issue Raised (c)**Cost of licenses****Ward: All**

Direct cost - £1,023,099.

Indirect cost - £10,000.

Investment impact - It is important to note that, from an institutional investment point of view, the additional cost of licencing is not insignificant and, with additional

pressures on construction costs and finance rates, has the ability to have a major impact on project viability and housing delivery. This will likely lead to a significant increase in viability challenges to s106 and affordable housing contributions, as well as forcing many landlords to increase the rent they charge to tenants.

The impact on affordable housing has recently been demonstrated through the planning approval at 100 Broad Street, Birmingham (application no 2023/04261/PA). In this case, the City Council accepted that the total Selective Licensing cost of £1,175,000 (equivalent loss of 18 affordable housing units, page 3), together with CIL and public realm works, were a sufficient challenge to viability to reduce the affordable housing contribution to just 3.10% at a 30% discount – considerably below the 35% contribution which the Council seek to achieve.

Issue raised in a letter via email

Response (c)

Cost of licenses

I would like to take this opportunity to confirm your representation has been considered.

Issue Raised (d)

Policy alternatives

Ward: All

We remain supportive of the principle of licensing schemes to improve standards in the Private Rented Sector and are pleased that the approach taken by LAs in Greater Manchester to date has been a rational one – something we would like to see replicated across the country.

However, should any such scheme be brought forward with a wider geographic area which covers potential future investment areas or existing BtR operators, it should be done so in a manner and with a fee structure which is reflective of both the high standards and reduced enforcement cost associated with the BTR sector. We have below outlined some policy alternatives which would support this approach.

Issue raised in a letter via email

Response (d)

Policy alternatives

Any changes to the licensing framework would need to come from central Government as there is currently no exemption for BtR homes.

Issue Raised (e)

Landlord accreditation/discounts

Ward: All

It is clear that property licensing is not suitable for the BTR sector and will only stymie future investment into and development of new high-quality rental homes across the UK.

This is particularly true for the BTR sector, which is exponentially growing and driving a significant improvement in rental standards across the board, whilst also contributing to the increasing supply of UK homes and As a result of the high standards, there is very little need for council enforcement of licensing schemes in BTR homes and as such, the administrative cost to the council is significantly reduced.

To reflect this, local authorities should consider recognising a scheme of accreditation for responsible landlords who provide high-quality rental homes, which would allow councils to grant an exemption to BTR landlords, reflecting their existing contribution to the policy objectives of licensing schemes. This would be the most appropriate option to ensure future development of BTR homes is not affected.

GMCA's emerging Good Landlord Charter could be a string basis for this.

Issue raised in a letter via email

Response (e)

Landlord accreditation/discounts

We will consider your comments on discounts for accredited landlords for future phases of Selective Licensing.

Issue Raised (f)

Block licence

Ward: All

An alternative policy option would be to provide a block license option for larger residential blocks which are held under a single ownership. This would allow councils to implement a charging structure which is reflective of the reduced administrative burden associated with these properties, whilst also reducing the administrative burden on large landlords in processing licenses.

We are aware of at least one local authority, Nottingham City Council, who offer an alternative fee structure for larger residential blocks. The fee structure here is explained below, as it would apply for a non-accredited but standards-compliant landlord:

Whilst this does reduce the administrative burden on large landlords and offers a reduced fee, we do not believe it sufficiently addresses the admin cost-saving to the council nor the significantly increased standards of BTR, and will continue to discourage residential investment into the city. This is due to the still-onerous license cost which remains significantly above the administrative cost to the council, the difficulty in making large payments under the current system, and the inability to also process additional HMO licenses on a block basis (these are needed for larger units when being let to sharers). We encourage policymakers to engage with industry, and in particular the BTR sector, to agree a way forward which is both of benefit to tenants and supports the future delivery of high-quality rental homes

Issue raised in a letter via email

Response (f)

Block licence

We will consider your comments on block licences for future phases of Selective Licensing.

Section 10

Issue Raised (a)

For SL

Ward: Cheetham, Crumpsall and Harpurhey

I had been hoping to respond to this consultation in a professional capacity.. Since starting my role on a general medical ward at NMGH in February this year I have been staggered by the number of patients we have had whose ill health has been (at least partly) caused by the poor quality of their housing and/or who have had a significant (weeks to months) delay to their discharge due to paramedics raising safeguarding concerns that their house was not in a habitable condition. This includes, as an example, a gentleman in his 80s who had no working boiler, cooker or fridge. This problem is much more significant and frequently encountered at NMGH than when I worked at either Manchester Royal Infirmary or Wythenshawe Hospital.

Issue raised in an email

Response (a)

For SL

I would like to take this opportunity to confirm your representation has been considered.

Section 11

Issue Raised (a)

Financial Burden on Landlords

Ward: Longsight

The introduction of Selective Licensing imposes significant financial strain on landlords, many of whom are small-scale property owners already facing rising costs. The licensing fees and associated expenses may lead to higher rents for tenants, exacerbating the affordability crisis rather than alleviating it. This could ultimately harm the very residents it aims to protect.

Issue raised in a letter via email

Response (a)

Financial Burden on Landlords

We recognise the challenging circumstances that some landlords are facing. However, we believe that the potential benefits of licensing outweigh the cost of the licence fee, which when spread out across the 5 years is approximately £3.70 a week and therefore represents a small cost in relation to other costs of being a landlord.

As part of the final evaluation for the pilot phase we evaluated rental inflation across the selective licensing areas which evidenced that those areas had not increased by any more than the surrounding area.

An Independent Review of the Use and Effectiveness of Selective Licensing 2019 also echoed this sentiment.

Issue Raised (b)

Limited Impact on Problem Properties

Ward: Longsight

Evidence from other areas suggests that Selective Licensing often fails to target the worst offending properties effectively. Problem landlords who neglect their responsibilities may continue to evade compliance, whilst responsible landlords bear the brunt of the new regulations. A more targeted approach, focussing on specific problematic properties would likely be more effective.

Issue raised in a letter via email

Response (b)

Limited Impact on Problem Properties

During the pilot phases in Manchester, compliance inspections were carried out in properties flagged as part of the application process, where complaints have been received or where there were indications that an inspection was needed. 12.1% of properties inspected were found to be non-compliant (i.e. a Category 1 or high Category 2 hazard was identified using HHSRS) and the inspection resulted in immediate enforcement action. This means that around 1 in 8 homes inspected required immediate action to make them safe for residents.

In total 133 Category 1 hazards and 1,615 Category 2 hazards were identified during 677 inspections.

The evidence from the level of compliance with licence conditions and hazards identified following inspection demonstrates very clearly that landlords in all areas of the pilot phase had been letting unsafe properties with serious hazards. Without the intervention of SL it is highly likely that these landlords would have continued to rent out properties containing these serious hazards and tenants would have continued to live in unsafe housing. Instead, SL intervention required works to eradicate hazards resulting in a direct improvement in property conditions.

Issue Raised (c)

Administrative and Bureaucratic Challenges

Ward: Longsight

Implementing and maintaining a Selective Licensing scheme requires substantial administrative resources. The councils' capacity to manage such a programme effectively is questionable, given the complexities involved in ensuring compliance, conducting inspections and handling disputes. This could lead to bureaucratic delays and inefficiencies, undermining the program's intended benefits.

Issue raised in a letter via email

Response (c)

Administrative and Bureaucratic Challenges

The Council has a dedicated Business Support team to work on the processing of licence applications to ensure that officers can focus on inspecting properties.

Compliance inspection will be carried out at those properties flagged as part of the application process, where complaints had been received or where there were indications an inspection was required. The council will undertake compliance inspections in 50% of all licensed properties in each of the designated areas by the end of the designation.

During compliance inspections officers assess property conditions under the Housing Health and Safety Rating System (HHSRS) in accordance with Part 1 of the Housing Act 2004 as well as assessing compliance against licence conditions and having dialogue with the tenant to check what information their landlord had provided them with. These actions ensure that Selective Licensing does not become an administrative exercise and that it has a tangible impact on improving homes and neighbourhoods.

Issue Raised (d)

Alternative Solutions

Ward: Longsight

There are alternative strategies that could address the issues in Longsight more effectively without the need for blanket licensing. Enhanced enforcement of existing housing regulations, increased support for community initiatives and targeted interventions for problematic properties could provide more direct and efficient solutions. Collaboration with local landlords and tenants to address specific concerns may yield better results than a one size fits all licensing scheme.

Issue raised in a letter via email

Response (d)

Alternative Solutions

Many alternative solutions have been implemented prior to considering the introduction of selective licensing and full details of these can be found in the consultation evaluation report. However, these approaches have had limited impact. Selective licensing will allow for a proactive, systematic and resourced intervention, alongside providing the necessary legislative framework to inspect and improve properties.

Issue Raised (e)

Potential For Displacement

Ward: Longsight

The increased cost and regulatory burdens associated with Selective Licensing may result in landlords withdrawing from the rental market or selling their properties. This could reduce the availability of rental housing in Longsight, leading to displacement of tenants and increased housing instability. Vulnerable populations, including low-income families could be disproportionately affected by such changes.

Issue raised in a letter via email

Response (e)

Potential For Displacement

We have not seen any evidence from previous phases of the rolling programme in Manchester of landlords selling properties and shrinking the supply of available PRS homes due to Selective Licensing.

We believe that by improving standards in the PRS in an area, the area will become more desirable, and this will attract investment.