Summary of responses from landlords, managing agents, and landlord's associations

Date	Name	Method – phone / letter / email	Query / Comment / Response	Manchester City Council Response
14.9.16	Landlords	Email Via Cllr	As you are probably aware there is a suggestion to use the licensing approach to the poor landlord/tenant situation affecting parts of Crumpsall and the area chosen is top part of Delaunay's Road from Birch Road to the junction with Ashtree Road and both sides of Lansdowne Road and the side streets off it. We have always been of the opinion that from Harrison Street down to Birch road had major problems and as with the council was always on our radar for improvement however from Harrison St up to the junction with Ashtree Road is mainly built up of private housing and new or well converted properties the back streets directly behind numbers 4 to 32 Delaunay's Road to my knowledge are mainly owner occupied and are in reasonable condition, therefore one needs to ask (and I do) other than for geographic reasons or because it would involve two separate licensing orders (and I don't know what the ramifications of that would be for the council,) there seems to be an approach that carries no rational or basis for including some of this area without drawing the conclusion it's just ease of implementation. Please do not get this wrong, I have no objection what so ever to the implementation of a licensing principle as long as the following has been observed / actioned. 1) That all other options and legal approaches have been exhausted. 2) That they don't include (as appears the case here) other areas just because of ease of implementation. 3) That the council recognise the damage they may create by including good landlords in this scattergun approach and the extra costs to those landlords tenants which may drive those tenants out and cause an influx of	Thank you for your response to the selective licensing consultation which ended on 31 October 2016. The feedback that has been received is incredibly valuable and has provided an opportunity for landlords, managing agents, residents and local stakeholders to outline what good housing means to local people. I would like to take this opportunity to confirm your representation has been considered and to also provide a response to some of the key issues that you have raised as follows: The consultation process has allowed officers to gather information in relation to 1 – 26 Harrow Street, 1 – 19 Westbury Rd, and 2 – 32 Delaunays Road, and review the data specifically relating to these streets. These observations include: - One of the 10% internal inspections was completed along Harrow Street, and identified no hazards at the property. The external inspections did not identify any issues either. In response to your representation a door knocking exercise was completed by officers along Harrow St to encourage residents to complete the consultation questionnaires to ensure their representation is formally considered. Upon speaking to a number of residents there appeared to be a mixed response

			further antisocial tenants/landlords. 4) That they may drive investment out (we would find it difficult to convince our funders if we needed to include an uplift in rent to cover the licensing costs.) Me being me I don't criticise without offering alternatives so here goes. A) Exhaust all other avenues first. Or B) take out areas that have little of the problems that necessitate a licence approach as with 4 to 32 Delaunay's and some of back street. C) exclude landlords who are NLA accredited or D) be individually selective. Long term I believe that encouraging investment not discouraging it works far better than any licensing approach look at the uplift on Rectory Road and other areas we operate in even the fact I highlight from 32 to 4 as not requiring implementation in this and is the block we operate on. I'm equally happy to come a speak at any forum/meeting on this and encourage a positive approach.	to the proposals. - The majority of the properties identified in the representation along Delaunays Rd appear to be well presented and have been described as setting a bench mark for private rented properties in the area. There have been no issues reported to MCC in the last 12 months relating to these properties. One of the 10% internal inspections was undertaken at Delaunays Rd (5 flats) and there were no hazards identified in the property. The external inspections did not identify any issues either. - The area is made up of 92 units including flats, of which 11 are unoccupied and the assumed tenure break down based on council tax information is 44 private rented, 27 owner occupied, and 10 social rented - 32% of the households are in receipt of Housing Benefit - slightly above the 30.1% in the whole consultation area - The crime and ASB captures incidents within 100m of the specified areas and therefore goes outside the boundary making it difficult to be specific about such a small area, but street level information from GMP indicates that ASB is around typical for the area but Victim Based Crime is significantly lower - less than 5 incidents in 2015 - In the last 12 months 6 requests for service have been made in this

				area, relating to noise and untidy private land, domestic waste issues, and housing disrepair which were all resolved informally and did not require formal enforcement action. After listening to the views of the landlords and residents within this area and considered the additional data and further inspections, we have recommended that this area is omitted from the designation and for it to be monitored over the next 12 months. Having followed a robust consultation process, and considered all the feedback and representations we have received the Council has decided to formally designate a Selective Licensing area within Crumpsall, information on the **public notice** which is also available on the website, confirms landlords and managing agents in specific parts of Crumpsall will need a licence to rent a home. The results of the public consultation for Crumpsall can be found of the Council's website. These documents detail a summary of the results, the responses to each question asked in the questionnaires and a transcript of all the questions or comments that the Council received during the consultation exercise. A copy of the public notice is enclosed.
16.09.2016	Landlord	Email	I'm looking to get a bit more information about the Mandatory licensing scheme being considered by MCC. 1. Which area's are being piloted in South Manchester and if this is the whole of the ward(s) or sections of them? 2. If landlords will have to pay for the licenses during the pilot scheme or not?3. Will "good landlords" who already act within the rules and are accredited by organisations such as MSH and RLA, be exempted? I'm not in favour of mandatory licensing. It has been proven in Manchester and other areas to be: ineffective, unenforceable due to staffing at the council, pushes rents up as landlords have to pass on	Thank you for your enquiry to Manchester Student Homes on 19 September 2016, about the proposed selective licensing scheme in Manchester. After attempting to contact you on your mobile this morning, I thought it would be useful if I summarised some information in response to the points raised in your email. Parts of Crumpsall in North Manchester have been identified for the selective licensing pilot, and we are currently at consultation stage. The

			the costs of the license and doesn't capture "bad landlords" as they stay under the radar.	proposed areas for south Manchester are Rusholme and Old Moat (Withington) and these areas are likely to be consulted in 2017 after the pilot consultation and potential designation is considered for Crumpsall. Once an area is designated, all licensable properties will require a licence to operate as a privately rented property. We are currently looking at different discount structures for responsible and compliant landlords, and we have met with a number of national and regional landlord organisations to ensure the views of landlords are captured at this stage (we are scheduled to meet with Manchester Student Homes early October). The details of this will be made available after the consultation period for Crumpsall ends (31.10.2016). The link below provides more information about the proposals and it will also take you to the consultation questionnaire, and we would love to hear more from you on the matter. We will also formally record the points you have raised and if you have any further queries please do not hesitate to contact me directly.
10.10.16	Landlord	Email Via Cllr	We attended the open day meeting on Thursday at the Abraham Moss library and as an exercise in convincing me/us that the top end of Delaunay's road and the immediate area behind the numbers 2 to 34 back to Crumpsall Park should be included in this area for licensing it was very counterproductive on a number of points. 1) Repeated requests for how many complaints they get from that particular focused area remain unanswered. 2) Repeated requests as to "was this area just to make the narrow connection to the Lansdowne Road area required so that it made a one application for licensing instead of two" was responded with "don't know" and what's more didn't appreciate the relevance of the question, i.e. cost, ease of implementation.	Response to Councillor 1)Our analysis so far covers the area as a whole, part of the consultation process is to gather information and if necessary interrogate the data further within smaller areas, this information will be made available at the end of the consultation period as part of the final report on the proposal. 2)The information provided to xx was that the area was selected based on data relating to the selective licensing criteria including crime levels, ASB linked to waste management, deprivation levels housing conditions and low demand. An area has to meet one or more of

			3) What did come out of 2) above was that the council could only target 20% of its private housing stock for licensing, which prompts the view “that in that case you need to be more targeted and take the area we state doesn’t require targeting and align it to some more that does” Cleveland Road/Bennet Road springing to mind. 20% being a finite amount of private housing stock. 4) We stated the damage this could do to us and others who acted responsibly and couldn’t get any answers to questions like “do you know how many houses flats in this particular triangle of area are owner occupied, how many are owned by housing associations etc. 5) We stated that it was completely unfair to our tenants to get the bill for cleaning up the area that was created by others and that if these bad landlords who could be challenged legally just walked away then the fact that the area was under licence would drive investment away not pull it in. 6) We asked if there was to be dispensation for positively active landlords i.e. say accredited landlords and was told this hadn’t been decided yet (how can we make any kind of judgement call when all the facts/proposals are not on the table? We did a walk round after we left, from 2 to 34 Delaunay’s has just one property that’s kerb appeal could do with a bit of uplift, the remainder are under extensive renovation, are obviously owner occupied, are new or in one instance a dental practice. The housing stock behind these numbers back to Crumpsall Park is either owner occupied or housing association but are obviously well maintained and show no signs of any antisocial tendencies. My view is that this triangle is being used to connect two geographical areas together for either ease of application or to avoid two completely separate applications to the government body that approves such things and as a company that acts in every way responsibly I take this approach as totally unacceptable on behalf of our tenants who will have to pay for this and may challenge it further as I see it developing.	the conditions to be considered for selective licensing, and the feedback from the consultation will assist in the determination. 3) From April 2015 SL areas must be smaller than 20% of the residential stock in the city and include fewer than 20% of private landlords in the city, unless confirmation from the Secretary of State has been obtained. The main focus of the representation is for the removal of 2 - 32 Delaunays Rd from the proposed designation and for the inclusion of other areas. Whilst the consultation process will allow us to remove areas it may not be possible to include areas that have not been formally consulted. 4) As part of the data gathering and analysis we do know how many properties are owner occupied, however as this is just a proposal we are gathering feedback from the consultation to make a final decision, this information will be made available at the end of the consultation period as part of the final report. 5) This information will form part of the representation and will be considered as part of the consultation process. We recognise the investment made by good landlords and the importance of working together. Meetings have been held with a number of national and local landlord associations to ensure landlords are fully represented during this process. 6) Because we are still gathering information and feedback from landlords about the proposed scheme we do not exactly know the final licence fee and discount structures, if a decision to designate the area is made at the end of consultation period, then information will be publicised.

			With some care and a thoughtful approach there are ways to avoid dragging good landlords into this and we have highlighted what that could be, don't throw the baby out with the bath water is the simplistic approach.	
14.10.16	Landlord	Letter	Letter on file (hand written). Objection to the proposal as they feel the licensing criteria is not met for 2 – 6 Delaunays Rd - antisocial behaviour, poor property conditions, high levels of migration (transiency) and high levels of crime. They are an accredited landlord and their properties have been inspected and no issues were found.	Thank you for your response to the selective licensing consultation which ended on 31 October 2016. The feedback that has been received is incredibly valuable and has provided an opportunity for landlords, managing agents, residents and local stakeholders to outline what good housing means to local people. I would like to take this opportunity to confirm your representation has been considered and to also provide a response to some of the key issues that you have raised as follows: The consultation process has allowed officers to gather information in relation to 1 – 26 Harrow Street, 1 – 19 Westbury Rd, and 2 – 32 Delaunays Road, and review the data specifically relating to these streets. These observations include: - One of the 10% internal inspections was completed along Harrow Street, and identified no hazards at the property. The external inspections did not identify any issues either. In response to this a door knocking exercise was completed by officers along Harrow St to encourage residents to complete the consultation questionnaires to ensure their representation is formally considered. Upon speaking to a number of residents there appeared to be a mixed response to the proposals. - The majority of the properties

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

				which were all resolved informally and did not require formal enforcement action. After listening to the views of the landlords and residents within this area and considered the additional data and further inspections, we have recommended that this area is omitted from the designation and for it to be monitored over the next 12 months. Having followed a robust consultation process, and considered all the feedback and representations we have received the Council has decided to formally designate a Selective Licensing area within Crumpsall, information on the **public notice** which is also available on the website, confirms landlords and managing agents in specific parts of Crumpsall will need a licence to rent a home. The results of the public consultation for Crumpsall can be found of the Council's website. These documents detail a summary of the results, the responses to each question asked in the questionnaires and a transcript of all the questions or comments that the Council received during the consultation exercise. A copy of the public notice is enclosed.
21.10.16	Landlord	Letter	HARROW STREET PETITION Council claims that selective licensing is needed because:- 1. Antisocial behaviour 2. Poor property conditions 3. High level of migration 4. High level of crime The truth is:- 1. There is no antisocial behaviour in the street, all the residents personally know each other and manage the street well. 2. There is not even one property on this street that is run	Thank you for your response to the selective licensing consultation which ended on 31 October 2016. The feedback that has been received is incredibly valuable and has provided an opportunity for landlords, managing agents, residents and local stakeholders to outline what good housing means to local people. I would like to take this opportunity to confirm your representation has been considered and to also provide a response to some of the key

			down, neglected or needs work. 3. Councils point is absolutely baseless in past 12 months there are 2 people moved out of the property and new people moved in, which are no. 13 and 23 and no. 5 has been bought by a family and moved in themselves. 4. As far as crime is concerned in Harrow Street there have been 2 break ins within the past 12 months at no 19 and no 7. This could be prevented if the City Council would have paid any attention on our request to gate the alley way between Harrow Street and Newlands Street. Looking at all the points above the whole street agrees there is no point to have selective licensing in Harrow Street. This will cause property value to go down and the rents will rise which will affect the tenants. As we manage our street well we do not need this extra burden to hit the poor household. We request the City Council again to install the Alleyway gates.	issues that you have raised as follows: The consultation process has allowed officers to gather information in relation to 1 – 26 Harrow Street, 1 – 19 Westbury Rd, and 2 – 32 Delaunays Road, and review the data specifically relating to these streets. These observations include: - One of the 10% internal inspections was completed along Harrow Street, and identified no hazards at the property. The external inspections did not identify any issues either. In response to this a door knocking exercise was completed by officers along Harrow St to encourage residents to complete the consultation questionnaires to ensure their representation is formally considered. Upon speaking to a number of residents there appeared to be a mixed response to the proposals. - The majority of the properties identified in the representation along Delaunays Rd appear to be well presented and have been described as setting a bench mark for private rented properties in the area. There have been no issues reported to MCC in the last 12 months relating to these properties. One of the 10% internal inspections was undertaken at Delaunays Rd (5 flats) and there were no hazards identified in the property. The external inspections did not identify any issues either. - The area is made up of 92 units including flats, of which 11 are

				unoccupied and the assumed tenure break down based on council tax information is 44 private rented, 27 owner occupied, and 10 social rented - 32% of the households are in receipt of Housing Benefit - slightly above the 30.1% in the whole consultation area - The crime and ASB captures incidents within 100m of the specified areas and therefore goes outside the boundary making it difficult to be specific about such a small area, but street level information from GMP indicates that ASB is around typical for the area but Victim Based Crime is significantly lower - less than 5 incidents in 2015 - In the last 12 months 6 requests for service have been made in this area, relating to noise and untidy private land, domestic waste issues, and housing disrepair which were all resolved informally and did not require formal enforcement action. After listening to the views of the landlords and residents within this area and considered the additional data and further inspections, we have recommended that this area is omitted from the designation and for it to be monitored over the next 12 months. Having followed a robust consultation process, and considered all the feedback and representations we have received the Council has decided to formally designate a Selective Licensing area within Crumpsall, information on the **public notice** which is also available on

				the website, confirms landlords and managing agents in specific parts of Crumpsall will need a licence to rent a home. The results of the public consultation for Crumpsall can be found of the Council's website. These documents detail a summary of the results, the responses to each question asked in the questionnaires and a transcript of all the questions or comments that the Council received during the consultation exercise. A copy of the public notice is enclosed.
26.10.16	Landlord Association	Emailed letter	Crumpsall Selective Licensing Proposals – Consultation Response Thank you for the opportunity to respond to the above consultation. The RLA is surprised that, having previously abandoned selective licensing as ineffective, the City Council is revisiting the issue. The RLA also believes that the Council is premature on bringing forward proposals. The Housing and Planning Act 2016 will give local authorities substantial new powers to tackle breaches of housing legislation and drive the criminal operators from the sector. The council should wait until the impact of these new powers can be assessed before pressing on with more regulation in the form of selective licensing. The RLA is opposed to the scheme and has a number of general objections to Licensing, which are attached as an appendix to this letter. Licensing schemes rarely meet their objectives. Good landlords will apply for licences and, in all likelihood, pass the cost on to tenants in the form of increased rents, doing nothing to address affordability, while the worst landlords – the criminal operators – will simply ignore the scheme, as they do many other regulations. There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the	Thank you for your response to the selective licensing consultation which ended on 31 October 2016. The feedback that has been received is incredibly valuable and has provided an opportunity for landlords, managing agents, residents and local stakeholders to outline what good housing means to local people. I would like to take this opportunity to confirm your representation has been considered and to also provide a response to some of the key issues that you have raised as follows: **1. The RLA is surprised that, having previously abandoned selective licensing as ineffective, the City Council is revisiting the issue.** Changes to the selective licensing legislation in 2015, included four additional designation conditions *(poor property conditions, high levels of transiency, high levels of deprivation and high levels of crime)* in addition to low housing demand and anti-social behaviour, which one or more must be met for a designation to be considered. As a result of this and a call for a more targeted approach by the government, it is felt the impact of poor housing landlords and practices in areas of primarily low demand can be effectively

			processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than management standards and property conditions. The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see staff time wasted processing applications, it should continue to direct its limited resources at effective enforcement activity. To identify a particular area for the introduction of licensing highlights a belief that the area has numerous issues, potentially blighting the reputation of the area. There is also a danger that the issues that the scheme seeks to address are simply moved elsewhere, as difficult or vulnerable tenants are moved on. Landlords, especially those with properties outside the licence are will become risk averse in terms of the tenants they let to. Tenant problems such as anti-social behaviour are impossible for the landlord to address alone and landlords will not wish to risk a breach of licensing conditions that may affect their ability to let properties elsewhere. Some may seek to evict already challenging tenants. This could mean additional costs to other council services, as they pick up the pieces created by the disruption to the lives of already vulnerable tenants. Likewise, if licensing costs are passed on to tenants in the form of rent increases, then some tenants may struggle, particularly those on benefits, affected by welfare reform and frozen housing allowances. Rather than an ineffective licensing scheme, the council should use cross-departmental and multi-agency working and effective use of existing housing legislation to support tenants and landlords in maintaining tenancies, housing condition and management standards. There are alternatives to licensing. The RLA supports a system of self-regulation for landlords whereby compliant landlords join a co-regulation scheme which deals with standards and complaints in the first instance, while those outside the scheme remain under the scope of local	addressed, and furthermore tailored to the different issues in each of the neighbourhoods that have been identified as part of this process. The Council recognises the challenges from the previous selective licensing schemes in Manchester and aims to address this through the way the applications will be processed enabling valuable resources to concentrate on the worst performing landlords. **2. Good landlords will apply for licences and, in all likelihood, pass the cost on to tenants in the form of increased rents, doing nothing to address affordability, while the worst landlords – the criminal operators – will simply ignore the scheme, as they do many other regulations.** Selective licensing legislation allows the local authority to set a fixed licence fee to accompany the application. The fee is designed to cover the administration costs of the implementation and delivery of the scheme. The funds from the licence fee are legally not permitted to be used to make a profit or fund services. The fee of the licence in Manchester will be £400 under the introductory offer and thereafter will be £650. It is recognised compliant landlords will apply for a licence in a designated area and therefore the Council will be offering an introductory licence fee for early applications. This approach has been taken by other local authorities and resulted in a significant number of applications being made within the first three months of the scheme, and enabled resources to target a smaller number of non compliant landlords and also deal with breaches. Some landlords may decide to increase rents to recover the costs of the licence but this will be a business decision for them to make as they may do on an annual basis already. **3. There is little evidence that licensing schemes improve housing standards.**

			authority enforcement. More information can be supplied if required. We also support the use of the council tax registration process to identify private rented properties and landlords. Unlike licensing, this does not require self-identification by landlords, making it harder for so-called rogues to operate under the radar. Appendix – RLA General Licensing Concerns The RLA has several areas of concern in regards to selective licensing, namely: i. Worrying trends are emerging in the case of discretionary licensing. Licensing entails a huge bureaucracy and much time, effort and expense is taken up in setting up and administering these schemes; rather than spending it on the ground and flushing out criminal landlords. ii. Increasingly, discretionary licensing is being misused to fund cash strapped housing enforcement services. The recent Westminster sex shop Court of Appeal (Hemming (t/a Simply Pleasure) Limited v Westminster City Council) has brought such funding into question). iii. Discretionary licensing is not being used for its intended purpose of a short period of intensive care; rather it is being used by the back door to regulate the PRS. iv. The level of fees which are ultimately passed on to tenants to pay is a major worry so far as it affects landlords. v. Despite high fee levels local authorities still lack the will and resources to properly implement licensing. vi. Little has been done to improve property management. Opportunities to require training have been ignored. As always it has become an obsession with regard to physical standards with very detailed conditions being laid down. No action is taken against criminal landlords. vii. We believe that a significant number of landlords are still operating under the radar without being licensed.	Progress on the implementation and delivery of the scheme will be monitored and baseline data has already been collated in the form of 100% external inspections, 10% internal inspections, statistics around crime, deprivation and environmental issues to ensure the effectiveness of the scheme can be measured and demonstrated. Additional resources will be dedicated to improving property and management conditions. **4. The Council already has the necessary tools to tackle poor housing management and conditions in the PRS.** Whilst many of the licence conditions can be tackled through existing enforcement legislation, the Council has limited powers to monitor these without the use of selective licensing legislation. Selective licensing enables the Council to be more proactive in requesting evidence of good property management in a systematic manner. Our enforcement team are also able to respond to complaints of disrepair however this is a reactive service and relies on a complaint being made. Selective licensing allows us to undertake proactive inspections (50% proposed for Crumpsall) and uncover instances of poor property management which may have otherwise gone un-noticed. The licensing application process will be electronic/online; this will reduce the level of administration support that is required to process an application. **5. There is also a danger that the issues that the scheme seeks to address are simply moved elsewhere, as difficult or vulnerable tenants are moved on.** Risk assessment of the scheme recognises the likelihood of possible displacement of unprofessional landlords or problematic tenants to other areas within Manchester or to neighbouring local authorities. The Council

			viii. As always it is the compliant landlord who is affected by the schemes. They pay the high fees involved but do not need regulation of this kind. ix. Licensing is not being used alongside regeneration or improvement of the relevant areas. Insufficient resources are being employed to improve the areas. x. Where areas are designated for selective licensing this highlights that they can be “sink” areas. This could well mean it would be harder to obtain a mortgage to buy a property in these areas. xi. Schemes are not laying down clear objectives to enable decisions to be made whether or not these have been achieved. Proper monitoring is not being put into place to see if schemes are successful or not. xii. There is little use of “fit and proper person” powers to exclude bad landlords.	intends to monitor the movement of such landlords and tenants and will pursue enforcement action as required. **6. Tenant problems such as anti-social behaviour are impossible for the landlord to address alone.** The Council's Anti-Social Behaviour Action Team (ASBAT) regularly works 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. However it’s 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. Selective licensing will not be used to penalise responsible landlords who can show that they have taken the necessary steps to tackle anti social behaviour. **7. There are alternatives to licensing.** Landlords will 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 Having followed a robust consultation process, and considered all the feedback and representations we have received the Council has decided to formally designate a Selective Licensing area within Crumpsall, information on the **public notice** which is also available on the website, confirms landlords and managing agents in specific parts of Crumpsall will need

				a licence to rent a home. Go to our website at **www.manchester.gov.uk/licencecrumpsall** for results of the consultation survey, a transcript of all the questions and comments received during the consultation period with responses and a map of where we will be running the scheme. A copy of the public notice is enclosed.
28.10.16	National Letting Scheme	Emailed attachment Letter	See Appendix One (NAL)	Thank you for your response to the selective licensing consultation which ended on 31 October 2016. The feedback that has been received is incredibly valuable and has provided an opportunity for landlords, managing agents, residents and local stakeholders to outline what good housing means to local people. I would like to take this opportunity to confirm your representation has been considered and to also provide a response to some of the key issues that you have raised as follows: **1. Positive engagement with voluntary schemes and the representative bodies of landlords and agents** Landlords will 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 **2. *We note that there are distinctive issues around crime and Anti-social behaviour (ASB) in the licensing area.*** The Council's Anti-Social Behaviour Action Team (ASBAT) regularly works 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. However it's 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. Selective licensing will not be used to penalise responsible landlords who can show that they have taken the necessary steps to tackle anti social behaviour. **3. We do have concerns about the assumed link between the amount of PRS accommodation in the neighbourhood and the incidence of ASB** After analysing neighbourhood typologies and local intelligence, officers and ward Members have identified areas that are experiencing one or more of the selective licensing conditions. The area selected at Crumpsall has a higher percentage of private rented properties (over 50%) to that of other areas in the city (30%), the area also experiences higher than average crime and antisocial behaviour rates compared to those in the city and at a national level, this comparison along with local neighbourhood intelligence can reasonably lead us to believe that there is a direct correlation between the issues of crime and ASB to the standard of privately rented property management within the area. Please refer to the Selective Licensing report which was approved by Executive Committee on 29th June 2016 and provides an evidence base for the consultation and subsequent designation. **4. Manchester City Council's proposed fees**

				appear to be on the high side*. We feel a discount in respect of NALS membership would act as an incentive.* Selective licensing legislation allows the local authority to set a fixed licence fee to accompany the application. The fee is designed to cover the administration costs, implementation and delivery of the scheme. The funds from the licence fee are legally not permitted to be used to make a profit or fund other services. The fee of the licence in Manchester will be £400 under the introductory offer and thereafter will be £650, representing a good discount. It is recognised compliant landlords will apply for a licence in a designated area and therefore the Council will be offering an introductory licence fee for early applications within the first **3 Months**. This approach has been taken by other local authorities and resulted in a significant number of applications being made within the initial part of the scheme, and enabled resources to target a smaller number of non compliant landlords and also deal with breaches. The scheme is one tool we can use as part of a wider intensive neighbourhood management programme, where some of the more complex issues around criminality will be enforced, the Council is committed to driving out these criminal's from the sector and together with our partners we intend improve outcomes for communities. Having followed a robust consultation process, and considered all the feedback and representations we have received the Council has decided to formally designate a Selective Licensing area within Crumpsall, information on the **public notice** which is also available on the website, confirms landlords and managing agents in specific parts of Crumpsall will need

				a licence to rent a home. Go to our website at **www.manchester.gov.uk/licencecrumpsall** for results of the consultation survey, a transcript of all the questions and comments received during the consultation period with responses and a map of where we will be running the scheme. A copy of the public notice is enclosed.
31.10.16	Landlord Association	Emailed attachment Letter	See Appendix Two (NLA)	Thank you for your response on behalf of the NLA to the selective licensing consultation which ended on 31 October 2016. The feedback that has been received is incredibly valuable and the consultation has provided an opportunity for landlords, managing agents, residents, national bodies and local stakeholders to outline what good housing means to local people. I would like to take this opportunity to confirm that your representation has been considered and to also provide a response to some of the key issues within the executive summary of the report you submitted, these are as follows: **1. *Landlords have very limited authority to deal with matters related to anti-social behaviour (ASB).*** The Council's Anti-Social Behaviour Action Team (ASBAT) regularly works 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. However it's 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. Selective licensing will not be used to penalise responsible landlords who can show that they have taken the necessary steps to tackle anti social behaviour. **2. *You fail to provide evidence or a link between recorded housing crime and the private rented sector*** After analysing neighbourhood typologies and local intelligence, officers and ward Members have identified areas that are experiencing one or more of the selective licensing conditions. The area selected at Crumpsall has a higher percentage of private rented properties (over 50%) to that of other areas in the city (30%), the area also experiences higher than average crime and antisocial behaviour rates compared to those in the city and at a national level, this comparison along with local neighbourhood intelligence can reasonably lead us to believe that there is a direct correlation between the issues of crime and ASB to the standard of privately rented property management within the area. Please refer to the Selective Licensing report which was approved by Executive Committee on 29th June 2016 and provides an evidence base for the consultation and subsequent designation. **3. *The scheme will lead to a further displacement of problem tenants in the Manchester area.*** Risk assessment's of the scheme recognises the likelihood of possible displacement of unprofessional landlords or problematic tenants to other areas within Manchester or to neighbouring local authorities. The Council

				intends to monitor the movement of such landlords and tenants and will pursue enforcement action as required. **4.** ***The documentation provided also fails to indicate that sufficient funding will be available to support the functions necessary to support licensing.*** Selective licensing legislation allows the local authority to set a fixed licence fee to accompany the application. The fee is designed to cover the administration costs, implementation and delivery of the scheme. The funds from the licence fee are legally not permitted to be used to make a profit or fund other services. The fee of the licence in Manchester will be £400 under the introductory offer and thereafter will be £650, representing a good discount. It is recognised compliant landlords will apply for a licence in a designated area and therefore the Council will be offering an introductory licence fee for early applications within the first **3 Months**. This approach has been taken by other local authorities and resulted in a significant number of applications being made within the initial part of the scheme, and enabled resources to target a smaller number of non compliant landlords and also deal with breaches. The scheme is one tool we can use as part of a wider intensive neighbourhood management programme, where some of the more complex issues around criminality will be enforced, the Council is committed to driving out these criminal's from the sector and together with our partners we intend improve outcomes for communities. **5.** ***How will the Council prevent malicious ASB claims being made that could potentially result in tenants losing their***

				tenancies? Whilst it maybe difficult to prevent malicious antisocial behaviour claims, the council as in part 1 of this response will support and offer advice to tenants if anyone suspects they are facing false antisocial behaviour allegations. Landlords who want to evict tenants maliciously will still need to proceed down the legal process to evict tenants and will need to provide the necessary evidence to substantiate any claims made to satisfy the court. This can be costly and time consuming which in itself would prevent and deter landlords from making such claims. More generally the Council would work in partnership with a number of stakeholders within any of the proposed Selective Licensing areas, this is to ensure that any issues or enforcement are tackled with a in a multi-agency approach, providing advice, guidance and services to both tenants and landlords. Having followed a robust consultation process, and considered all the feedback and representations we have received the Council has decided to formally designate a Selective Licensing area within Crumpsall, information on the **public notice** which is also available on the website, confirms landlords and managing agents in specific parts of Crumpsall will need a licence to rent a home. Go to our website at **www.manchester.gov.uk/licencecrumpsall** for results of the consultation survey, a transcript of all the questions and comments received during the consultation period with responses and a map of where we will be running the scheme. A copy of the public notice is enclosed.
31.10.16	Landlord Association	Emailed letter	See Appendix Three (NWLA)	**Selective Licensing – Consultation Outcome**

				Thank you for your response to the selective licensing consultation which ended on 31 October 2016. The feedback that has been received is incredibly valuable and has provided an opportunity for landlords, managing agents, residents and local stakeholders to outline what good housing means to local people. I would like to take this opportunity to confirm your representation has been considered and to also provide a response to some of the key issues that you have raised as follows: **1. For a council to be able to make the case for selective licensing, it has to be aware of the six issues on which the process has to be justified …. Such a selective licensing scheme must be shown to be co-coordinated with an authority's wider strategies to deal with anti-social behaviour and regeneration.** After analysing neighbourhood typologies and local intelligence, officers and ward Members have identified areas that are experiencing one or more of the selective licensing conditions. The area selected at Crumpsall has a higher percentage of private rented properties (over 50%) to that of other areas in the city (30%), the area also experiences higher than average crime and antisocial behaviour rates compared to those in the city and at a national level, this comparison along with local neighbourhood intelligence can reasonably lead us to believe that there is a direct correlation between the issues of crime and ASB to the standard of privately rented property management within the area. Please refer to the Selective Licensing report which was approved by Executive on 29 June

				2016 for further details. **2. It is necessary to ensure that licensing makes the best use of scarce local authority resources.** Selective licensing legislation allows the local authority to set a fixed licence fee to accompany the application. The fee is designed to cover the administration costs of the implementation and delivery of the scheme. The funds from the licence fee are legally not permitted to be used to make a profit or fund services. The fee of the licence in Manchester will be £400 under the introductory offer and thereafter will be £650. It is recognised compliant landlords will apply for a licence in a designated area and therefore the Council will be offering an introductory licence fee for early applications. This approach has been taken by other local authorities and resulted in a significant number of applications being made within the first three months of the scheme, and enabled resources to target a smaller number of non compliant landlords and also deal with breaches. **3. Our main concern is the impact on the decent landlord of the licence fee; his fee effectively subsidises the costs of dealing with the guilty ones.** Landlords may generally buy and sell properties as a result of changes in their own personal circumstances, or of national or local issues. There has been no evidence that reputable landlords cease to operate in an area purely because Selective Licensing is in place. The fee charged for a licence is considered to be affordable and licensing will be a way that a landlord can demonstrate the quality of their rental business. **4. Areas that have been subject to the**

				introduction of Selective Licensing have seen lenders withdraw mortgage products. Selective Licensing schemes can have a positive effect in an area and aim to improve professionalism of landlords and the condition of the properties. Lenders generally determine each mortgage application on its own merit and would not lend on a property in a poor state of repair anyway. Underwriters may condition the offer subject to the conditions in place on the licence. **5. Consider the advantages of accreditation schemes rather than licensing.** Landlords will 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 **6. It is also necessary that the base line position and the end result are quantifiable.** Progress on the implementation and delivery of the scheme will be monitored and baseline data has already been collated in the form of 100% external inspections, 10% internal inspections, statistics around crime, deprivation and environmental issues to ensure the effectiveness of the scheme can be measured and demonstrated. Having followed a robust consultation process, and considered all the feedback and representations we have received the Council has decided to formally designate a Selective Licensing area within Crumpsall, information on the **public notice** which is also available on the website, confirms landlords and managing agents in specific parts of Crumpsall will need a licence to rent a home. Go to our website at **www.manchester.gov.uk/licencecrumpsall** for results of the consultation survey, a transcript of all the questions and comments

				received during the consultation period with responses and a map of where we will be running the scheme. A copy of the public notice is enclosed.

In addition to the above representations the following common queries were noted at the consultation drop-in events:

09.09.2016 - St Matthews with St Marys, Delaunays Rd, Crumpsall,

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

06.10.2016 – Abraham Moss Library

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

Referrals have been made to the relevant departments where required, and the FAQ has been updated.

APPENDIX ONE - NALS RESPONSE TO MANCESTER CITY COUNCIL'S SELECTIVE LICENSING PROPOSALS
SUBMITTED 19 OCTOBER 2016

The National Approved Letting scheme (NALS) www.nalscheme.co.uk is a licensing scheme for lettings and management agents operating in the Private Rented Sector. NALS agents are required to:

• deliver defined standards of customer service
• operate within strict client accounting standards
• maintain a separate client bank account
• be included under a Client Money Protection Scheme

Agents must provide evidence that they continue to meet NALS criteria on an annual basis, in order to retain their licence. The scheme operates UK wide and has 1500 firms with over 2000 offices.

NALS also administers the SAFEagent campaign www.safeagents.co.uk the purpose of which is to raise consumer awareness of the need to ensure that landlords and tenants should only use agents who are part of a Client Money Protection Scheme, which offers reimbursement in the event that an agent misappropriates their money. The campaign is recognised by Government and our logo appears in their How to Rent guide https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/484335/How_to_Rent_October_2015_FINAL.pdf

NALS is recognised by the GLA as an approved body for the London Rental Standard. We have also become a co-regulation partner with Liverpool City Council. Recently, we were approved as an accreditation

provider for the West of England Rental Standard.

Although not a condition of NALS membership, NALS offers accreditation through an online foundation course as well as qualifications such as BTEC Level 3 in Lettings and Management practice.

Do you own, let or manage a house in the proposed area?

No

Do you think the area has any of these issues?

Other

We note that there are distinctive issues around crime and Anti-Social Behaviour (ASB) in the licensing area. However, we do 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.

If you said 'other' please say what.

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 publically 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.
Have any of your houses in the area been affected by these issues in the last three years?	
If you said other please say what	
Do you agree or disagree with the area we have chosen?	Agree
If you disagree please say why	We welcome the targeted nature of the licensing proposals, as we believe that, in some other localities around the country, the implementation of licensing has moved far beyond what the government originally intended when the legislation was introduced.
Do you agree or disagree that we should introduce licences for private rented houses in the area?	Agree
Why do you agree or disagree with our proposal to introduce licences for private rented houses?	NALS is supportive of initiatives such as Selective Licensing, providing they are implemented in a way that takes account of the Private Rented Sector (PRS)'s own efforts to promote high standards. NALS believes that positive engagement with voluntary schemes and the representative bodies of landlords and agents (such as NALS) 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 House of Commons Standard Note SN/SP 4634. The same note sets out how important it is for licensing schemes to avoid being burdensome. We believe that promoting voluntary schemes, by 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 the Council were to allow discounts based on membership of NALS, 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.

NALS' engagement around the country, with various local authorities, suggests that lettings and management agents have a key role to play in making licensing, accreditation and other, voluntary regulatory schemes work effectively. Agents tend to handle relatively large portfolios of properties, certainly when compared to small landlords. They tend, therefore, to be in a position to gain an understanding of licensing based on wider experience. They become expert in trouble shooting and ensuring that the balance of responsibilities between the agent and the landlord is clearly understood. This, amongst other things, can help to prevent non-compliance due to misunderstandings about local licensing arrangements.

Furthermore, NALS ensures its members maintain certain operational standards, have Client Money Protection arrangements in place, keep separate client accounts and comply with their legal obligation to be a member of a redress scheme. We also provide training. All this can be of assistance to councils who are trying to drive up standards in the PRS.

Although agents are now required to belong to a government approved redress scheme, display their fees and publish their client money protection status, our experience to date suggests local authorities face challenges in enforcing these standards. Membership of bodies such as NALS can reduce the need for the local authority to use its formal, legal powers in these areas.

Although we are generally supportive of the licensing scheme we would urge the council to consider fee discounts for:

• Agents who are members of NALS or a similar recognised body (where the agent is the actual or de-facto licence holder)

• Landlords who engage agents that are members of NALS or a similar recognised body (where the landlord is the licence holder)

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

There are examples of this approach around the country. Several licensing and accreditation schemes entail a degree of “co-regulation” with partners such as NALS. Schemes include:

• Liverpool City Council (co-regulation partners such as NALS accredit agents, who then qualify for discounted fees) http://liverpool.gov.uk/business/private-landlords/licences-and-standards/landlord-licensing/

• Thanet District Council (engagement of an agent who is a member of a recognised body entitles landlords to a discount on licence fees) https://www.thanet.gov.uk/your-

services/housing/selective-licensing-scheme/selective-licensing-schemes,-an-introduction/

• Peterborough City Council (currently considering a scheme where membership of a recognised body will entitle agents to a discount on licence fees) https://www.peterDistrict.gov.uk/residents/housing/selective-licensing/

• Newcastle –upon-Tyne (Reduction in fee for membership of the NLA or other nationally recognised accreditation scheme) https://www.newcastle.gov.uk/housing/private-housing/selective-licensing

Although each of these schemes differs in detail, all of them offer discounts to accredited agents (and/or landlords engaging an accredited agent) as follows:

We would further point out that, in Wales, the Welsh Government has recently recognised the importance of membership of specified bodies such as NALS and is offering discounted fees to members as a consequence https://www.rentsmart.gov.wales/en/

Manchester Council's proposed fees appear to be on the high side. We feel that a discount in respect of NALS membership would act as an incentive to the adoption of voluntary good practice, in line with the council's aim of encouraging landlords and agents to improve their property and management standards. We would suggest that NALS members and the landlords who engage them are less likely to be non-

	compliant and that, as a result, there would be reduced costs to the council. We would also suggest that NALS membership mitigates the need for compliance visits to be carried out by the council. For example, the timing and content of these visits could be risk based, recognising that the risk of non-compliance is much lower in the case of properties managed by NALS agents. In our detailed comments below we point out some of the areas where compliance with key standards is an inherent part of the NALS scheme. These are the areas where we think promotion of NALS membership through license fee discounts could ultimately save the Council money, as well as increase the take up of voluntary accreditation.
The way landlords or letting agents manage their tenants?	Agree
The condition of private rented houses?	Agree
Antisocial behaviour or nuisance?	Don't know
The area in general?	Strongly agree
Do you have any other comments?	COMMENTS ON THE LICENCE CONDITIONS Management of the Licensed Property - Property Management Arrangements NALS agents are expected provide and fill in a tenancy agreement on behalf of the landlord. They will always make sure the terms of the tenancy are fair and help the tenant to understand the agreement. They will always provide clear information to the tenant about any pre-tenancy payments and what these cover. They will explain any requirement for a guarantor and what the guarantor role entails.

At the end of a tenancy, they will always serve the tenant with the correct period of notice as set out in the tenancy agreement.

Under NALS' service standards, agents are required to take a deposit to protect against possible damage. They are required to explain the basis on which the deposit is being held and the purpose for which it is required, as well as to confirm the deposit protection arrangements. When joining NALS, agents are asked to provide details of the number and value of the deposits they have registered with:

• The Dispute Service (TDS) and/or
• My Deposits

They are asked to authorise NALS to contact TDS/My Deposits to verify this information.

During the course of a tenancy, NALS agents will check the condition of the property and draw up a schedule to outline any deductions to be made from the tenant's deposit. They will return the deposit in line with timescales and processes required by the statutory tenancy deposit schemes.

NALS agents are also required to:

• Have a designated client account with the bank
• Operate to strictly defined Accounting Standards
• Be part of a Client Money Protection Scheme.

These requirements provide additional security for client monies held, over and above the requirements of the licensing scheme. Again, this is an area where

increased NALS membership would be of benefit to the Council and local tenants.

Tenant Referencing

We are strongly supportive of the requirement to obtain references for prospective tenants, as NALS is actively involved in promoting good practice in tenant referencing.

Licence Conditions Relating to the Property

We welcome the Council's drive to improve property standards. We believe that NALS' standards go a long way to ensuring compliance with licence conditions.

Under NALS' service standards, NALS agents are expected to visit any property to be let with the landlord and advise on any action needed before letting the property. This includes any repairs and refurbishments needed to put it into a fit state for letting. They will also go with possible new tenants to view unoccupied property. Tenants can, therefore, be confident that NALS agents have provided advice to the landlord concerning any repairs or refurbishments which are necessary.

NALS agents are expected to explain both the landlord's and the tenant's the rights and responsibilities. To guard against misunderstandings, they will arrange for the preparation of a schedule of the condition of the property.

NALS agents are required to ensure that tenants are provided with copies of safety certificates on gas and

electrical appliances before they commit to the tenancy. They will provide details of the condition of the property, plus a list of its contents. The property will have undergone all required safety checks on furnishings, and gas and electrical services.

Thereafter, NALS' standards require agents to carry out property inspections periodically, as agreed with the landlord, in line with normal good practice. NALS and our firms would anticipate inspections to be carried out every 6 months as a minimum, to identify any problems relating to the condition and management of the property. In line with common practice, records of such inspections would contain a log of who carried out the inspection, the date and time of inspection and issues found and action(s) taken. Under a licensing scheme, this information could be shared with the council in an appropriate format.

Tenants will be fully aware of access arrangements. NALS agents are expected to arrange in advance a time for access, in order to inspect the condition of the property in accordance with the tenancy agreement. NALS agents will arrange to have routine maintenance work carried out, up to a limit agreed with the landlord. The agent will refer expenditure above that limit to the landlord.

Training

We believe that, the Council should recognize the training available to NALS members.

Membership of NALS means that agents already have access to an extensive training package, engagement with which should reduce the need for the local authority to intervene.
Although not a condition of NALS membership, NALS offers accreditation through an online foundation course as well as qualifications such as BTEC Level 3 in Lettings and Management practice.

NALS offers training to those who have been involved in lettings and management for some time as well as those who are just starting out. Training is available for principals of firms as well as employees. Thus, NALS' Virtual Learning Environment (VLE) is designed to cater for a wide range of professional development needs. Training is easily accessible and can be undertaken when it suits the trainee. Any candidate completing the NALS Foundation Lettings Course successfully also has the opportunity to use the designation 'NALS Qualified'. NALS Foundation Lettings Course (Wales) is also approved training recognised by Rent Smart Wales, the Welsh Government's regulatory body as meeting the requirements for agents to have complying with their licensing requirement.

One advantage of this approach is that it makes it easy to ascertain (through on line monitoring) that accreditees have in fact undertaken the required training, prior to or immediately after accreditation.

Modules available cover:

• Pre-tenancy issues
• Responsibilities and liabilities
• Setting up a tenancy
• During a tenancy
• Ending a tenancy
• General law concepts, statute vs contract
• Relationships
• Obligations
• Process
• Considerations for corporate tenants
• Continuing Professional Development (CPD)

In addition, NALS provides mini online courses designed to cover a number of elements in more detail, as appropriate to the learner's role, include topics such as:

Assured Shorthold Tenancies (ASTs)
Client Money
Consumer Protection Regulations (CPRs)
Deposits
Disrepair
Electrical Appliances & Safety
Gas Appliances & Safety
Houses in Multiple Occupation (HMOs)
Housing, Health & Safety Rating System (HHSRS)
Inventories and schedules of condition
Joint Tenancies
Notice Requiring Possession

We would further suggest that discounted fees for NALS agents would provide an incentive to positive engagement with training that is fully compatible with the requirements of the licensing scheme.

Suitability of Licence Holder

All principals, partners and directors of a NALS firm are asked to make the following declaration on application: – “I confirm that: for a period of 10 years prior to this application I have had no conviction for any criminal offence (excluding any motor offence not resulting in a custodial sentence) nor have I been guilty of conduct which would bring the Scheme or myself into disrepute; I am not an undischarged bankrupt nor is there any current arrangement or composition with my creditors; I am not nor have I been a director of a company which has within the period of 10 years prior to this application entered into liquidation whether compulsory or voluntary (save for the purpose of amalgamation or reconstruction of a solvent company) nor had a receiver appointed of its undertaking nor had an administration order made against it nor entered into an arrangement or composition with its creditors; nor have I at any time been disqualified from acting as a Director of a company nor subject to a warning or banning order from the Consumer Markets Authority or the Department for Business, Enterprise and Regulatory Reform.

If I am subject to any current claim or am aware of any impending claim for professional negligence or loss of money or if I have been the subject of any investigation by the Consumer Markets Authority and/or local Trading Standards Office, full details of the circumstances are set out in a report enclosed with the application; all information provided by me in connection with this application is, to the best of my

knowledge, correct”

We believe this certification is broadly in line with the Council’s licensing conditions and is another example of where promotion of NALS membership through discounts could help to ensure compliance.

Complaints

All NALS firms are required to have a written Customer Complaints Procedure, available on request. Our guidance sets out how the first step for complainants is to ask the firm they are dealing with for a copy, which will outline the method by which they can seek to resolve any issues.

In line with statutory requirements, all NALS members must also be members of a recognised redress scheme. Firms are required, at the request of the complainant, to refer the complaint to a redress scheme once their in-house procedure has been exhausted. They are also required to comply with any award determined by the redress scheme, within the timescale prescribed.

Under co-regulation schemes elsewhere in the UK, NALS has undertaken to review any complaints that have been adjudicated upon by any of the redress schemes. Under such an arrangement, NALS can report to the Council on the number of complaints reaching this stage and on the adjudications made. Non-compliance with a redress scheme’s adjudication would eventually lead to disqualification of the agent from NALS. We would be happy to come to a similar arrangement in Manchester.

APPENDIX TWO - National Landlords Association:
Response to Manchester Council's proposal for Selective Licensing
October 2016

Introduction
1. The National Landlords Association (NLA) exists to protect and promote the interests of private residential landlords.

2. The NLA represents more than 62,000 individual landlords from around the United Kingdom. We provide a comprehensive range of benefits and services to our members and strive to raise standards within the private rented sector (PRS).

3. The NLA seeks a fair legislative and regulatory environment for the private rented sector while aiming to ensure that landlords are aware of their statutory rights and responsibilities.

4. The NLA would like to thank Manchester Council for providing the opportunity to comment on the Selective Licensing consultation.

Executive Summary
5. Having considered the evidence presented and having undertaken its own evaluation of the circumstances faced by the residents of Manchester, the NLA's position can be summarised by the following brief points:

- Landlords have very limited authority to deal with matters related to anti-social behaviour (ASB).
- You fail to provide evidence or a link between recorded housing crime and the private rented sector.
- The scheme will lead to a further displacement of problem tenants in the Manchester area.
- The documentation provided also fails to indicate that sufficient funding will be available to support the functions necessary to support licensing.
- How will the Council prevent malicious ASB claims being made that could potentially result in tenants losing their tenancies?

6. The NLA contends that the flaws outlined below in the process and proposals must be rectified prior to making any attempt to progress this application. Furthermore, once the necessary data has been identified and provided, this consultation exercise should be repeated (if permissible), ensuring engagement with all relevant stakeholders.

General Feedback on Proposals
7. The ability to introduce licensing is a powerful tool. If used correctly by Manchester Council, it could resolve specific issues. The NLA has supported many local authorities when licensing schemes have been introduced that could benefit landlords, tenants and the community.

8. The NLA believes that any regulation of the private rented sector needs to be balanced. Additional regulatory burdens should focus on increasing the professionalism of landlords, the quality of the private rented stock and driving out the criminal landlords who blight the sector. These should be the shared objectives of all the parties involved to facilitate the best possible outcomes for landlords and tenants alike and, as such, good practice should be recognised and encouraged in addition to the required focus on enforcement activity. This is not the case here.

9. In addition, the proposal does not take into account rent to rent or those that exploit people (tenants and landlords), as criminals will always play the system. For instance, there is no provision for those landlords who have legally rented out a property that is then illegally sublet. The Council is not allocating resources to tackle the problems that criminals will cause; landlords are often victims just as much as tenants are.

10. The Council has not taken into account all the best practice either, such as how Newham Council reorganised their Council service and allocated additional resources to help tenants and landlords. However, in the present case, the Council is saying that the scheme can be delivered within the fees of the scheme, but this has been shown across the country not to work. Therefore, unless the Council

is willing to allocate sufficient resources, we believe the scheme cannot deliver what it hopes to achieve.

11. Landlords are usually not experienced and do not have the professional capacity that would allow them to be able to resolve tenants' mental health issues or drug and alcohol dependency. If there are allegations about a tenant causing problems (e.g. ASB), even if the tenant has the above issues, a landlord ending the tenancy will have dispatched their obligations under the discretionary licensing scheme. This moves the problems around Manchester but does not actually help the tenant, who could become lost within the system. There is no obligation within Selective Licensing for the landlord to solve the ASB allegation; rather, a landlord has a tenancy agreement with the tenant and this is the only thing they can legally enforce.

12. Manchester Council has many existing powers. Section 57 (4) of the Housing Act 2004 states that a local authority "must not make a particular designation ... unless (a) they have considered whether there are any other courses of action available to them … that might provide an effective method of Manchester with the problem or problems in question". The use of these powers listed below by the Council shows that the Council already has powers that can be used to rectify the problems and, hence, the ability to tackle many of the issues that they wish to overcome in all parts of the city:

a) Use of Criminal Behaviour Orders;

b) Crime Prevention Injunctions;

c) Interim Management Orders;

d) Empty Dwelling Management Orders;

e) Issuing improvement notices to homes that don't meet the decent homes standard;

f) Directions regarding the disposal of waste (for example, under Section 46 of the Environmental Protection Act 1990);

g) Litter abatement notices under Section 92 of the Environmental Protection Act 1990;

h) Powers under the Noise Act 1996 to serve fixed penalty notices or to confiscate equipment (Sections 8 and 10);

i) The power to require rubbish to be removed from land under Sections 2–4 of the Prevention of Damage by Pests Act 1949.

13. Landlords outline to tenants at the start of the tenancy their obligations in relation to noise, just as they do with waste and what they have to do to comply with the relevant laws and with a view to respecting their neighbours. The landlord can only manage a tenant based on their contract for living in the rented property. In the case of noise, the Council would need to inform the landlord that the tenant's noise is in excess. The power that a landlord has then is either to warn the tenant or to end the tenancy. If the allegation is false or disingenuous, how is the landlord to know? If the same allegation is made on more than one occasion, the landlord may still be ending the tenancy based on an unproven allegation. This does not solve the problem but rather moves the problem around the Borough. The same applies to waste and ASB issues. The tenant would then be guilty under the reference condition of selective licensing of noise nuisance. An accusation from which has not been tested in a court, but a guiltily judgement has been given.

14. The risk of introducing licensing is likely to increase the costs for those renting, along with not resolving the problems that the Council wishes to resolve, and likely moving the issue around the Borough. The issues are thus not fully dealt with but instead are displaced to new landlords. If Manchester were to take a more erudite approach with regard to nuisance issues and instead developed a separate policy to tackle criminal landlords, this would be more applicable and more likely to result in resolving the issues.

Negative Impacts of Discretionary Licensing

15. One of the dangers of the proposed Selective Licensing scheme is that the costs will be passed on to tenants, thus increasing the costs for those who rent in Manchester, along with increasing the Council's costs. The increasing costs to Manchester residents would particularly hit hard the most vulnerable and least able to tolerate a marginal increase in their cost of living. Also, the Council has failed to explain that, as well as the Council's costs for the licence, the landlords costs will likely be covered by them increasing the rents. The failure to explain this shows a lack of understanding of how the private rented sector works.

16. Areas that have been subject to the introduction of Selective Licensing have seen lenders withdraw mortgage products, thereby reducing the options to landlords reliant on finance. Downstream, this increases landlords' overheads and, subsequently, the costs for tenants rise. The lenders that withdraw the mortgage availability on a landlord will show up on the credit history of that landlord. This will put a higher cost on the landlord as other mortgage lenders will put a higher cost on the landlord and ultimately the tenant.

17. Manchester Council, by proposing the introduction of licensing, is implying that there are social problems that could deter investment in the area. However, there is no acknowledgement of the impact that the stigmatisation of discretionary licensing would likely have on the effected locality. This should be explored and detailed in the evidence case supporting this application. The NLA would assert that the failure to provide such information is an indication of a substandard and ultimately superficial consultation exercise.

18. What consideration has the council taken in relation to homelessness when tenants can not access the private rented sector?

Resources

19. Often cited as an exemplar, Newham Council has spent an additional £4 million outside what the licence fee brings in on additional staff, which has resulted in a prosecution rate of >1% of landlords. However, while the London Borough has <37,000 registered landlords, it has so far banned only 18 but has prosecuted circa 560 landlords and 600 tenants. It operates a joined-up approach with police and drills down to a street-by-street basis. Manchester Council is proposing not to adopt a similar approach, but how will their approach be more successful?

20. Often when tenants near the end of their contract/tenancy and they are in the process of moving out, they will dispose of excess waste by a variety of methods, which often includes putting it out on the street for the Council to collect. A waste strategy for the collection of excess waste at the end of tenancies needs to be considered by local authorities with a large number of private rented sector properties in areas. This is made worse when councils do not allow landlords to access municipal waste collection points. The NLA would be willing to work with the Council to help them develop this strategy.

21. The social housing sector has made many efforts to remove problem tenants (2/3rd of all court evictions were from the social sector). How does the Council expect landlords to solve the issues of these tenants when the professional sector has failed? Many of the tenants that have been removed from the social sector are now living in the private rented sector without any of the support.

Current Law

22. There are currently over 100 pieces of legislation that a landlord has to comply with. The laws that the private rented sector has to comply with can be easily misunderstood. A landlord is expected to give the tenant a “quiet enjoyment” of the property, and failure to do so could result in a harassment case being brought against the landlord. Thus, the law that landlords have to operate within is not fully compatible with the aims that the Council hope for. For example, a landlord keeping a record of a tenant could be interpreted as harassment.

23. The introduction of licensing is to tackle specific issues, where many of these are tenant related and not to do with the property/landlord. Thus, the challenge is for local authorities to work with all the people involved and not to just blame one group – landlords. The NLA is willing to work in partnership with the Council and can help with developing tenant information packs, assured short hold tenancies and the accreditation of landlords, along with targeting the worst properties in an area.

24. The NLA would also argue that a problem encompassing a few poorly managed and/or maintained properties would not be appropriately tackled by a licensing scheme, which is not proportional. In many situations, the Council should consider Enforcement Notices and Management Orders. The use of such orders would deliver results immediately – why instead does the Council wish to do this over five years through a licensing scheme? Adopting a targeted approach on a street-by-street approach, targeting the specific issues and working in a joined-up fashion with other relevant agencies, such as the Council, community groups, tenants and landlords, would have a much greater impact.

25. The NLA agrees that some landlords, most often due to ignorance rather than criminal intent, do not use their powers to manage their properties effectively. A more appropriate response therefore would be to identify issues and to assist landlords. This could allow Manchester Council to focus on targeting the criminal landlords – where a joint approach is required.

26. The NLA would also like to see Manchester Council develop a strategy that also included action against any tenants that are persistent offenders. These measures represent a targeted approach to specific issues, rather than a blanket-licensing scheme that would adversely affect all professional landlords and tenants alike while still leaving criminals able to operate under the radar. Many of the problems are caused by mental health and drink and drug issues, these are issues that landlords cannot resolve and will require additional resources from the Council.

27. The Council should consider alternative schemes, such as the Home Safe Scheme in Doncaster and SEAL in Southend. Both schemes offer alternatives that the Council has not reviewed or presented in the consultation.

Consultation Critique

28. In relation to ASB reduction and the authority a landlord has to tackle such activity within their properties, it should be pointed out that landlords and agents can only enforce a contract. They cannot manage behaviour (ref: House of Commons briefing note SN/SP 264, paragraph 1.1). In most circumstances, the only remedy available to landlords confronted with cases of serious ASB in one of their properties will be to seek vacant possession, and in many instances they will need to serve a Section 21 notice rather than a Section 8 notice identifying the grounds for possession. The former is simpler and cheaper and repossession (at present) is more certain. No reason needs be given for serving a Section 21 notice, and in this case the perpetrator tenant can hypothetically approach the local authority for assistance to be re-housed (ref: Homelessness Guidelines cl 8.2). Crucially, no affected party needs offer evidence against an anti-social householder, thereby reducing the risk of intimidation, harassment and ultimately unsuccessful possession claims. The issue of ASB will thus not appear as a factor in the repossession. However, in providing evidence to support a licensing application, the document should clarify for the respondents the position of all the relevant issues under landlord and tenant law.

29. It is also worrying how little reference has been made to the economic impact on the local community from the likely increase in the costs of housing provision. We wish to understand how the Council believes increasing said costs would benefit those on fixed incomes. The logic of this assertion is not clearly explained and will arguably lead to incorrect conclusions on the part of those stakeholders relying on the Council to inform their input into this consultation.

Requests for Supplementary Information

30. The NLA is extremely concerned about the gaps in evidence and justification that occur throughout the licensing proposal.

31. The NLA would like to understand the Council's reasoning on how charging people more to live in rented accommodation will improve housing. Given that successive governments have attempted to address the issue of ASB, using significant resources to underpin structural causes, it seems unreasonable to contend that the licensing of private property will succeed. Could the Council provide evidence to support this assumption, especially given they have not committed the extra resources required as evidenced in Newham?

32. Newham has allocated money from the general fund for enforcement and received money from central government to fund their services; how much money does the Council envisage will be required for these new services in Manchester?

33. Clarification on the Council's policy, in relation to helping a landlord when a Section 21 notice is served, is required within the proposed Selective Licensing scheme. It would be useful if the Council could put in place a guidance document before the introduction of the scheme to outline the Council's position regarding helping landlords remove tenants who are causing ASB.

34. The NLA would like further explanation on how the Council will work with landlords to mitigate the issue of tenants leaving a property early but where they still have a tenancy. If a landlord faces challenges with a tenant, how will the Council help the landlord?

35. With the requirement for formal referencing ahead of new tenancy contracts, delays are likely for prospective tenants, along with the inevitable difficulty some people will have in getting a tenancy. Could you provide the equalities and diversity assessment that the Council has undertaken into referencing? What communication has the Council had with RSL's (Registered Social Landlords) concerning the provision of referencing, including social housing providers that neighbour Manchester Council? How will students moving into their first property be able to get a reference, other than their parents? Also, how have neighbouring councils reacted in response to the proposed requirement to provide references?

36. Will the Council undertake to fill the supply gap created by private landlords complying with licensing requirements, when they fail to get an adequate reference?

37. Could the Council provide a breakdown of ASB numbers? Could this also be sub-divided into ASB that is proven to be housing related and for the different housing sectors?

APPENDIX THREE - MANCHESTER CITY COUNCIL'S SELECTIVE LICENSING CONSULTATION 2016 Response by North West Landlords' Association

North West Landlords' Association joins with Manchester City Council in wishing to address the issues now pleaded as justification for selective licensing of properties. As responsible landlords, we are eager to root out those who both give our livelihood a bad name and sometimes, as owners of neighbouring rented properties, reduce the value those which provide our livelihood.

We appreciate that Manchester City Council has determined that selective licensing should be a part of its strategy in ridding Manchester of criminal landlords. We hope to persuade the council to:

- Apply enforcement first where possible
- Use licensing as a last resort
- Recognise the opportunity costs of deploying professional
- Mitigate the costs of the scheme to decent landlords, thus avoiding perverse consequences
- Include the NWLA Gold Star member's scheme as qualifying for co-regulation.

Where selective licensing is the chosen means of engaging with an area, we believe that the reasons for the choice of that area should be transparent. It is also necessary that the base line position and the end result are quantifiable and quantified, so that the scheme can be shown to have been of benefit and lessons can be learnt at the end of the licence period.

Although the schemes are to be self-financing, there is an opportunity cost in using licensing as opposed to enforcement where scarce professional manpower is employed. It is necessary to ensure that licensing makes the best use of scarce local authority resources.

<u>Enforcement as an alternative; licensing as a last resort</u>
It is self evident that, for a council to be able to make the case for selective licensing, it has to be aware of the six issues on which the process has to be justified. Often some of the issues of concern trigger others in the list, so that early, targeted action by the local authority is needed, without the cost and delay of setting up a scheme for a locality.

The council can now identify which individual houses are rented by marrying up Land Registry, Council Tax and other data. The Council has the powers to engage with these issues by means other than licensing, even when that licensing is selective.

We are therefore not convinced that selective licensing always the answer to these matters. Most of the six criteria for licensing can be dealt with directly, by taking enforcement action against individual landlords, some of whose behaviour extends beyond ignorance and negligence into direct criminality. We hope that these will be employed as a first option, leaving selective licensing as a means of last resort.

<u>Impact of licence fees on the decent landlord</u>
Our main concern is the impact on the decent landlord of the licence fee; his fee effectively subsidises the costs of dealing with the guilty ones. This is because the Housing Act, 2004 required that selective licensing schemes are self –financing. We believe that the choice of selective licensing as an alternative tool to enforcement needs to be justified because it has the capacity to punish the innocent landlord.

This is especially so in truly selective areas, because the smaller and better-targeted the area is, the fewer decent landlords are caught in its net and the higher their licence fee will be, as the fixed costs of the scheme will be spread across fewer landlords.

The problem of costs impacting on good landlords was recognised in the DCLG consultation response, 'Review of Property Conditions in the Private Rented Sector', published in 2014.

> *41. A major drawback of licensing is that it impacts on all landlords and places additional burdens on reputable landlords who are already fully compliant with their obligations. This creates additional unnecessary costs for reputable landlords which tend to be passed on to tenants. The majority of landlords provide a good service and the Government does not want*

to impose unnecessary additional costs on them or tenants who may see their rents rise as landlord costs rise.

The fee envisaged in this Pilot Scheme is stated to be 'between £500 and £750.' This is a large sum for a landlord to find, upfront, in year one, with no rebate should the property be sold within the licence period.

The issue of costs to decent landlords shines through the message provided by central government. To quote from a letter to local authorities from the Housing Minister (11 March 2015),

> *Licensing can play an important role when it is strictly focused on discrete areas with specific problems. However, the blanket licensing approach adopted by some local authorities has major drawbacks. This is because it impacts on all landlords and places additional burdens on reputable landlords who are already fully compliant with their obligations, thereby creating additional unnecessary costs for reputable landlords* ***which are generally passed on to tenants through higher rents.*** *The vast majority of landlords provide a good service and the Government does not believe it is right to impose unnecessary additional costs on them, or their tenants. Such an approach is disproportionate and unfairly penalises good landlords.*

We wish to emphasise that in an area of low demand, such as the pilot area, the costs cannot readily be 'passed on to tenants through higher rents'. An area of low demand is more likely than not to have a high proportion of properties have a rent which is directly restricted (set at the 30th centile of the BRMA rents, as at April 2015, and frozen for 4 years) or indirectly controlled at the same depressed rate by contagion. The landlord has to absorb the cost. That depends on his margins.

The financial constraints on landlords have significantly worsened since in the 32 months since the 'Review of Property Conditions in the Private Rented Sector' was published. This is a matter outside the control of both the council and the landlord, but it needs to be considered as it may impact on the sustainability of the area being licensed. Should a fire sale be a consequence, there are few who could reputably take over an unprofitable enterprise.

Should the costs in an area become unsustainable, there is a danger of market collapse, a perverse consequence which has been acknowledged by the Bank of England. The imposition of fees similar to those which were absorbed in Manchester's earlier scheme of selective licensing may be unsustainable in the new market circumstances and with a more specifically-focussed locality.

It is in this context, not in that of a landlord's profit, that we have concerns about the size of the fees and the ways in which they can be mitigated.

<u>Accreditation and other means of mitigating fees</u>
The DCLG report 'Review of Property Conditions in the Private Rented Sector' explored the advantages of accreditation as an adjunct or an alternative to licensing:

> *44.As an alternative to licensing, many local authorities have introduced a voluntary accreditation scheme for landlords in their area. This is an approach that we encourage. The schemes aim to raise standards by providing education and training to landlords, identifying poor practice and generally increasing levels of professionalism amongst landlords.*
>
> *46.While voluntary accreditation has generally been well received by landlords and has increased landlords' awareness of their responsibilities, its impact has been fairly limited. As there is no requirement on landlords to join such schemes, accreditation tends to be taken up mainly by the reputable landlords. On the other hand, knowing which landlords are accredited may help local authorities target action against nonaccredited landlords who are failing to meet their responsibilities.*

Manchester City Council has closed the high-quality accreditation scheme, which it ran for some years and was of some advantage to those landlords who were both accredited and subject to licensing. It gave a 10% reduction in fees. This was at the lower end of the rebates given nationwide. In Bolton, a successful scheme was delivered for a very small area for which accredited landlords received a 100% rebate.

Liverpool City Council has a city-wide 'selective' licensing scheme. The fee is £400 for the first property and £350 for subsequent ones, with discounts of 50% available to members of their CLASS accreditation scheme and for members of landlords' associations who can also claim a discount as they are deemed to be co-regulated. We note that, even at these lower rates, issues have arisen with the burden of costs imposed in Liverpool.

In the absence of an accreditation scheme, we believe that Manchester City Council will need to find other means of mitigating the costs of selective licensing. A charge of £500 to £750, with no mitigation, is well out of line when compared with £350 to £400, with 50% discounts available.

Firstly, we do not believe that the licence fee should be priced to cover **all** the costs of this consultation, as it covers not only the pilot scheme's costs but also those of the consultation on the reintroduction of selective licensing as well.

As for the scheme itself, we feel that even allowing for the higher costs incurred by smaller schemes, as set out earlier, the baseline costs for Manchester should not be more than double those for Liverpool.
Perhaps the cost of the Manchester proposal could be reduced by using spot checks instead of a blanket coverage for some criteria. For instance:

> *The previous Government's 'Respect' website suggested that authorities should not institute a 'blanket' policy of carrying out Criminal Record Bureau checks on all new licence applicants: Local Authorities (LAs) should not carry out criminal record checks on all new applicants in Selective Licensing areas. It is expected that some LAs will be familiar with some of the landlords operating in their areas and will be aware of those who might have relevant convictions. Therefore, it is advisable for authorities not to consider carrying out criminal record checks where landlords have properties which are registered with their registration or accreditation schemes, and also where the landlords have a history of compliance and engagement with the authority. LAs should only carry out spot checks on the few licence applicants they have serious concerns about instead of subjecting every licence applicant to criminal record checks. In addition carrying out criminal record checks would require the consent of the applicant and where this is refused, this will not be justifiable ground for the authority to refuse to grant the applicant a licence. In terms of new landlords, licence applicants will have an opportunity to declare their criminal convictions on the application form and they should be made aware that providing false information on the forms will be a criminal offence (Part 7 section 238 of the Housing Act 2004). This could be a basis for revoking their licence and making an interim management order. Ministers have given a commitment that licensing will not be a burden on landlords, and therefore it is very important that the cost of licensing should be kept as low as possible. Carrying out checks on all landlords would increase costs.* ***Home Office website – Criminal record checks on private landlords in selective licensing areas (archived)***

Each scheme is meant to be self financing, so surely the costs should be broadly similar for the two cities. In addition, to get parity in post-discount costs would require a discount of nearer 66% than Liverpool's 50%. That seems unlikely. We believe that the calculation of costs needs to be revisited. We also believe that other measures will also be needed to defray the costs to innocent landlords of being selectively licensed. This is especially true when several properties fall within the area.

The size of the fees is a major barrier to this proposal being viable. In low demand areas, as set out earlier, there is little or no capacity to load the licence fee onto the rent, margins are low and borrowing is either unavailable or only possible at unsustainable rates. A reduced rate for more than one property is essential.

It seems to us that the basic licence fee could be reduced for a landlord found to be broadly compliant with regulations and increased for those who are seriously flouting them, thus reducing the fees for the decent landlord.

Turning to the means by which discounts can be achieved, we wish to put forward the NWLA Gold Star scheme as one which qualifies alongside those of other landlords' associations for a discount on

the grounds of co-regulation. The NWLA recognises as ‘Gold Star’ members those who take on additional training and accrue CPD hours by attending relevant meetings.

Finally, we observe that, in order for a scheme to be approved, such a selective licensing scheme must be shown to be co-ordinated with an authority's wider strategies to deal with anti-social behaviour and regeneration. (Explanatory note to Housing Act 2004, paras 26-28).

Also, before making a decision to designate an area for selective licensing an authority must consider whether there are alternative means of addressing the issues – for example, through the introduction of a voluntary accreditation scheme for landlords. It must also ensure that any proposed licensing scheme fits with its overall housing strategy and policies on homelessness and empty dwellings.