

Selective Licensing

Residents and Businesses – Your Opinion Counts

Consultation period 27 September 2013 to 6 December 2013

Introduction

Peterborough City Council is considering introducing Selective Licensing of private landlords in Gladstone, Millfield, New England and Eastfield areas of the city (the areas affected can be seen on the attached map and street list), to do this we must undertake extensive consultation to ensure we consider your views and implement the best changes for the area.

What is Selective Licensing?

The Housing Act 2004 gives councils the power to introduce the licensing of private rented homes, within a designated area, where it is or is likely to become either:

- An area of low housing demand
- An area which is experiencing a significant and persistent problem caused by anti-social behaviour

The aim of Selective Licensing is to improve the management of these properties to ensure they have a positive impact on the area.

Why is the council considering Selective Licensing?

The council wants to introduce Selective Licensing as part of the wider 'Op Can Do' strategy to address anti-social behaviour and rogue landlords which are causing the area to become 'low-demand'. The council believes that licensing can tackle the problems arising from private rented housing and can contribute to the regeneration of the area when combined with other regeneration and partners initiatives. The council has considered other remedies, but considers Selective Licensing to provide the best chance of improving the management and conditions in the private rented sector.

The full proposal can be found on our website: www.peterborough.gov.uk/housing

How it would work

All private landlords with residential property within the proposed area would need to apply for a licence for each property they let in the area. In order to become a licence holder they must be a fit and proper person. This means a landlord has to meet a certain standard before they can legally rent out a property.

The Benefits

Councils can introduce Selective Licensing where it would benefit the local community and it would ensure that all private rented property within the designated area is managed to a satisfactory standard. Some of the added benefits we expect to see are:

- A higher standard of management
- Better housing
- An improved image and perception of the area
- A reduction in anti social behaviour
- Better waste management
- More settled communities
- A mixed and vibrant community that people enjoy living in

Whilst we acknowledge that many landlords provide decent well managed and well maintained accommodation, which does not cause any problems for the local community, we also recognise that there are poor management practices within the private rented sector which are having a negative effect on the area.

Fees

Licences would run for a maximum of five years and carry a fee of £600 per property, which works out at £10 per month. Landlords would be able to pay (annually/monthly) with discounts for NLA accredited membership etc

Licence Conditions

There would be conditions attached to each licence which would relate to the management of the property. Several conditions are mandatory, imposed by the Act, which include:

- A gas safety certificate must be obtained annually and produced to the council (if there is a gas supply and gas appliances to the house)
- Electrical appliances and furniture supplied by the landlord must be kept in a safe condition
- Smoke alarms must be installed in the house which should be maintained in good working order
- The licence holder must supply the occupiers with a tenancy agreement
- The licence holder must demand references from prospective tenants

In addition to the mandatory conditions the council may attach local conditions; the council has discretion to vary these conditions. In Peterborough we propose to include the following conditions:

- The house is free from Category 1 Hazards (meaning the house is safe to occupy)
- Any house legally required to have an Energy Performance Certificate (EPC) must have one
- Any appropriate electrical test certificate for fixed wiring in the house must be provided at least once every five years and an annual portable appliance test to be carried out for any portable appliances supplied by the landlord
- Occupiers are advised and reminded of their responsibilities for the storage and disposal of household waste
- The licence holder does not allow the house to be overcrowded
- At a change of tenancy the house and any land associated with it is in a clean and tidy condition with reasonable levels of decoration
- The property is kept secure and free from accumulations of refuse during any vacant periods
- A copy of the licence and conditions is provided to all tenants
- All tenants are supplied with contact details, including emergency telephone numbers, of the licence holder and/or the manager
- The licence holder and any appointed manager provide up to date contact details (including telephone number) for the council, so that problems can be swiftly addressed
- The licence holder takes all possible actions to resolve anti-social behaviour and legally remove occupiers where there is evidence of criminal activity or anti-social behaviour
- Where the council has incurred expenses as a result of having to make a Management Order with regard to the house which have not been subsequently recovered by the rent paid during the duration of the Order, then the payment of that debt is a licence condition
- The licence holder and/or manager must undertake property management training courses where required to do so by the council

These conditions would be monitored by the council to ensure they were being complied with and, support and guidance would be offered to licence holders where required. Any licence holder found to be in breach of the licence conditions can face prosecution, and upon conviction in a Magistrates' court, a fine of up to £5,000. In such circumstances, the council will then consider whether it is appropriate to revoke the licence and make a management order taking over the management of the property.

Additional measures to complement Selective Licensing

The council is participating in other measures to help improve the area to prevent low housing demand, such as:

- Empty property actions being targeted within the designated area in order to bring as many empty properties back into use
- Targeted enforcement action against owners of property/land that has been neglected and become detrimental to the area. This helps raise the visual appearance of the area.
- Targeted environmental enforcement, actively tackling fly tipping, accumulations, graffiti and littering
- The area is prioritised for regeneration activity.
- Targeted energy efficiency measures across tenure within the area.

In addition should licensing be introduced, the council will provide training and support to help new or inexperienced landlords in legislative requirements and how to be a good landlord.

I am a tenant, how will this affect me?

Selective licensing would make sure your landlord is managing and maintaining your home, so that it is safe and kept in a good state of repair. They'll also be expected to act in a responsible manner. This would include carrying out tenant vetting, issuing valid tenancy agreements, rent receipts, and keeping all safety certificates up to date and also not evicting tenants illegally.

How can I find out if my landlord is licensed should Selective Licensing go ahead?

Once the council has issued a licence, the information will be entered onto a public register which can be accessed via the Council.

What will happen if a landlord does not apply for a licence?

It will be a criminal offence to operate without a licence. On conviction a landlord could be fined up to £20,000 and any rent collected during the unlicensed period could be reclaimed by either the tenant or the Local Housing Authority. Additionally if a landlord fails to comply with the licence conditions it could result in the licence being removed and a fine of up to £5,000.

I'm a resident how will this help me?

About 40% of the designated area is privately rented. Every privately rented property within the area must be licensed. All licence holders must be fit and proper and licences have conditions attached to them. Strict monitoring of the licence conditions will help to improve the house and management conditions of privately rented property, which we hope will lead to an overall environmental and physical improvement of the area (less fly tipping, improved street scene and less anti-social behaviour).

My neighbours act anti-socially; can Selective Licensing help?

You should see a reduction in anti-social behaviour. Landlords are expected to work with the local authority and police to deal with anti-social tenants in an appropriate way. In severe cases this may include eviction or loss of the licence if the landlord does not take action where it is appropriate to do so.

I am a landlord what are the benefits for me?

Selective Licensing will create a clear set of guidelines that all landlords must abide to; no longer allowing less competent or unscrupulous landlords to cut corners whilst good landlords get tarred with the same bad

reputation. Landlords will also have to provide and obtain references for their tenants so that prospective landlords will be able to make better informed choices when selecting tenants.

The council will work with licensed landlords to offer training and support in order to help landlords achieve the licensing conditions and improve their knowledge and skills in renting. Tenants will also be offered support on tenancy relations and housing matters.

The Rent Deposit Bond scheme already operated by the council will be prioritised to licensed landlords.

Having your say

Your views are important to use and we are seeking to obtain the opinions of all those who could be affected by the proposed scheme.

Please complete the enclosed questionnaire and return it as soon as you have had time to fully consider the proposals. The consultation period ends on **6 December 2013**.

There will also be a number of opportunities for you to come along to resident and public meetings and drop in sessions to find out more about the proposed scheme and speak to us informally, where you can raise concerns or ask questions in relation to any aspect of the proposed scheme.

The public drop in sessions will take place at:

- East Community Centre, Padholme Road, Thursday 17 October 2013 from 6pm to 8pm
- The Hub, 439 Lincoln Road, Wednesday 23 October 2013 from 5pm to 7pm
- Gladstone Park, Bourges Boulevard, Wednesday 30 October 2013 from 5pm to 7pm
- The Beehive Community Centre, Thursday 7 November 2013 from 6pm to 8pm

What happens next?

The consultation with local residents, landlords, local businesses and any other organisation, with an interest in the area will run for approximately 10 weeks to give everyone time to consider and respond to our proposals fully.

At the end of this period the council will consider any representations made before deciding whether or not to introduce Selective Licensing and confirming the details of any scheme. The council will publish the findings of the consultation and its next steps within 6 weeks of the consultation ending.

Should the council introduce Selective Licensing there will be a minimum of a three months notification period before any scheme will come into force. This will allow affected landlords time to apply for a licence.

For further information please visit the website or contact:

Jo Stock

Strategic Housing Case Officer

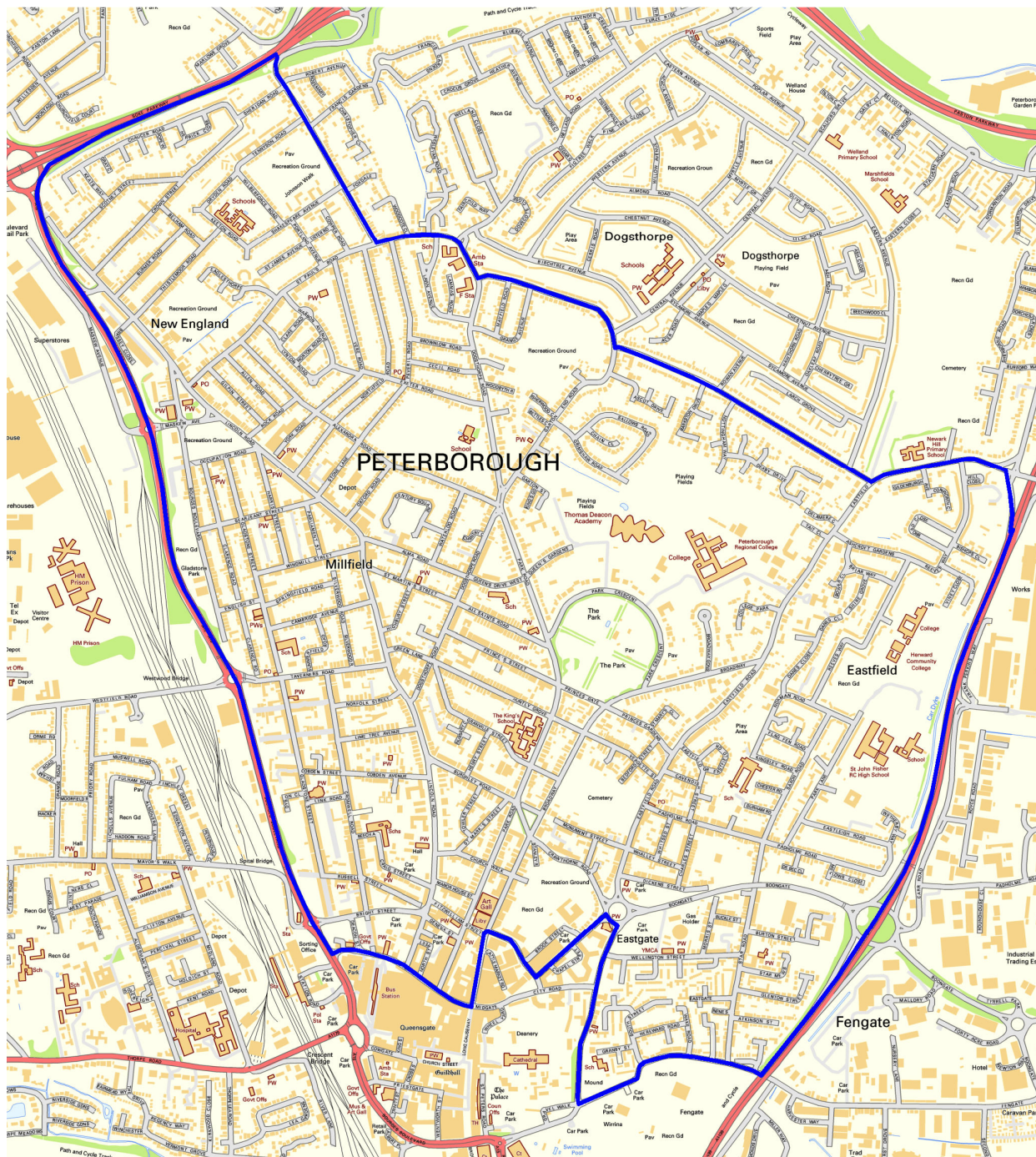
Telephone: 01733 453503

Email: selectivelicensing@peterborough.gov.uk

Website: www.peterborough.gov.uk/housing

A full copy of the Draft Designation Report, associated documents and some frequently asked questions can be found on the website: www.peterborough.gov.uk/housing

Map of the proposed area for Selective Licensing



Streets proposed for Selective Licensing

Alexandra Road	College Park	Keats Way	Shelley Close
All Saints Road	Connaught Mews	Keeton Road	Shakespeare Ave
Allen Road	Conworth Close	Kings Gardens	Sheridan Road
Alma Road	Cowper Road	Kingsley Road	Shire Grove
Ascot Drive	Craig Street	Kipling Court	Silverwood Rd
Ashcroft Gardens	Crawthorne Road	Lammas Road	South Street
Atkinson Street	Cromwell Road	Lawn Avenue	Springfield Rd
Bamber Street	Crown Street	Lime Tree Avenue	St James Ave
Barkston Drive	Danes Close	Lincoln Road	St Johns Street
Becketts Close	Delamere Close	Lynton Road	St Johns Street
Bedford Street	Derby Drive	Manor House Street	St Marks Street
Beech Avenue	Dickens Street	Mayfield Road	St Martins Mews
Belham Road	Dogsthorpe Grove	Millfield Court	St Martins Street
Bells Place	Dogsthorpe Road	Monument Street	St Marys Close
Berry Court	Dryden Road	Morris Street	St Pauls Road
Bettles Close	Durham Road	Nene Street	Stanley Road
Bishops Close	Dyson Close	New Road	Star Close
Bishops Road	Eaglesthorpe	Newark Avenue	Star Mews
Bourges Boulevard	Eastfield Road	Norfolk Street	Star Road
Bower Close	Eastgate	Norman Road	Stone Lane
Brassey Close	Eastleigh Road	North Street	Summerfield Road
Briar Way	Elmfield Road	Northfield Road	Tait Close
Bright Street	English Street	Norton Road	Taverners Road
Broad Close	Exeter Road	Nottingham Way	Tennyson Road
Broadway Gardens	Fitzwilliam Street	Nursery Close	Thistlemoor Road
Broadway	Fulbridge Road	Occupation Road	Towler Street
Brook Street	Garton Street	Old Court Mews	Vere Road
Brownlow Road	Geneva Street	Oxford Road	Vergette Street
Buckle Street	Gildenburgh Ave	Padholme Road	Victoria Place
Burghley Road	Gillwell Mews	Park Crescent	Victoria Street
Burmer Road	Gilpin Street	Park Road	Viney Close
Burns Close	Gladstone Street	Parkodi Court	Wake Road
Burrows Court	Glenton Street	Parliament Street	Walpole Court
Burton Court	Granby Street	Peveril Road	Warbon Avenue
Burton Street	Grange Avenue	Pope Way	Waterloo Road
Cambridge Avenue	Granville Street	Popley Court	Wellington Street
Carl Hall Court	Gray Court	Portland Road	Westgate
Cavendish Street	Green Lane	Princes Gardens	Westgate
Cecil Road	Grimshaw Road	Princes Street	Wetherby Way
Century Square	Hamilton Court	Queens Drive West	Whalley Street
Chain Close	Hankey Street	Queens Gardens	Whitsed Street
Chantry Close	Harris Street	Reeves Way	Wilberforce Road
Charles Street	Henry Court	Rock Road	Windmill Street
Chaucer Road	Henry Street	Russell Street	Woodbyth Road
Chester Road	Hereward Road	Salaam Court	York Road
Church Walk	Herrick Close	Sallows Road	
Clare Road	Highbury Street	Saxon Road	
Clarence Road	Hill Close	Scotney Street	
Cobden Street	Isherwood Close	Searjeant Street	

We want to hear your views about the licensing of private landlords. Once you have considered the attached proposals please spend a few moments to answer the following questions before returning it to us at **Selective Licensing Team, Strategic Housing, 4th Floor, Bayard Place, Peterborough PE1 1HZ**. The consultation period runs from **Friday 27 September 2013 to Friday 6 December 2013**.

A full copy of the Draft Designation Report can be viewed and downloaded from the website visit: www.peterborough.gov.uk/housing

1. Are you a?

- Private tenant
- Housing Association tenant
- Owner Occupier
- Business
- Landlord
- Other (please state:)

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

- | | | | |
|---|--------------------------|--|--------------------------|
| Empty Properties | <input type="checkbox"/> | Badly managed privately rented houses | <input type="checkbox"/> |
| Nuisance and anti-social behaviour | <input type="checkbox"/> | Rubbish dumping | <input type="checkbox"/> |
| Poor quality properties | <input type="checkbox"/> | Low house prices | <input type="checkbox"/> |
| High turnover of private rented tenants | <input type="checkbox"/> | Low rent levels | <input type="checkbox"/> |
| Poor perception of private landlords | <input type="checkbox"/> | People not wanting to stay in the area | <input type="checkbox"/> |

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

- Yes No

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

- Yes No Don't know

5. To what extent do you think private landlords make a positive contribution to your area?

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

6. To what extent do you think private landlords make a negative contribution to your area?

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

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

- | | Yes | No | Don't know |
|---|--------------------------|--------------------------|--------------------------|
| Obtain references for tenants | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Ensure tenants know anti-social behaviour is unacceptable | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Keep properties in good condition | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Provide tenants with their contact details | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

8. What do you think about the following statements?

Peterborough City Council should intervene in areas suffering from low housing demand

Agree Disagree Don't know

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

Agree Disagree Don't know

Poorly managed properties contribute to the decline of an area

Agree Disagree Don't know

Ineffectively managed tenancies contribute to the decline of an area

Agree Disagree Don't know

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

Agree Disagree Don't know

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

Agree Disagree Don't know

Selective licensing will help reduce anti-social behaviour

Agree Disagree Don't know

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

Agree Disagree Don't know

9. Do you?

Yes No Don't know

Think that licensing private landlords will improve your area?

Agree with the council's proposal to introduce Selective Licensing?

Want Selective Licensing introduced in your area?

Think the proposed licence conditions are appropriate?

If you have any further comments regarding this proposal, have any suggested changes to the proposed area or believe there is a better option or alternatives to Selective Licensing, please provide details including your justification on an additional sheet.

Your contact details:

Name:

Address:

..... Postcode:

Email:.....