

STRONG AND SUPPORTIVE COMMUNITIES SCRUTINY COMMITTEE	Agenda Item No. 8
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Report of the Head of Housing and Health Improvement

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PROPOSED SELECTIVE LICENSING SCHEME FOR THE GLADSTONE, MILLFIELD, NEW ENGLAND AND EASTFIELD AREAS OF PETERBOROUGH

1. PURPOSE

- 1.1 The purpose of this report is to present to the Committee the proposed Selective Licensing Scheme relating to privately rented accommodation within a specifically designated area comprising named streets within the Gladstone, Millfield, New England and Eastfield areas of the City.

2. RECOMMENDATIONS

- 2.1 The Committee is asked to review and scrutinise the proposed scheme and make such comment as it sees fit prior to its consideration by the Cabinet Member for Growth, Planning, Housing and Economic Development.

3. LINKS TO OTHER STRATEGIES

3.1 The Greater Peterborough Partnership: Sustainable Community Strategy 2008-2021

The Sustainable Community Strategy produced by the Greater Peterborough Partnership¹ sets out the direction for the overall strategic development of Peterborough.

Peterborough is a City with huge ambition. The city council's vision is simple; for a bigger and better Peterborough, where sustainable growth brings with it opportunities that will improve the quality of life of its residents, helps to preserve the environment, and helps to create vibrant and cohesive communities. Good quality housing is fundamental to this vision; the standard of our accommodation is pivotal to health, wealth, aspirations and life chances.

Whilst the proposed scheme cuts across the entire Sustainable Community Strategy, it is most closely aligned to the priority 'Creating Opportunities – Tackling Inequalities', and 'Creating Strong and Supportive Communities', in particular the key outcomes to improve health and to support vulnerable people.

3.2 The Safer Peterborough Partnership Plan 2014-17

The three-year plan is clear that the Partnership will be committed to tackling the underlying causes of crime and offending, but equally clear that those who continue to break the law will be targeted with the full weight of the criminal justice system. It remains the Partnerships view this approach will bring sustainable reductions in crime by preventing crime and an escalation in offending further 'upstream'.

¹ Available at www.gpp-peterborough.org.uk

The Partnership ensures that the direction for travel for community cohesion and safety work in the City places the law abiding citizen at the heart of its approach.

The priorities for the partnership are:

- Addressing victim-based crime by reducing re-offending and protecting our residents and visitors from harm
- Tackling anti-social behaviour
- Building stronger and more supportive communities

3.3 Health and Wellbeing Strategy 2012-15

The Health and Well-being Strategy produced by the Health and Wellbeing Board sets out how the City will reduce health inequalities.

There is a clear correlation between health and where we live. A number of published studies have provided evidence that our local environments can have a positive effect on individual health and wellbeing as well as enabling stronger communities.

Poor housing can cause or contribute to the many preventable diseases including respiratory and cardiovascular diseases. Fuel poverty and cold housing directly contribute to the prevalence of these diseases and to associated excess winter deaths, often among those with lower incomes. Poor housing can also be associated with injuries due to falls, which are more prevalent in Peterborough than the rest of the East of England and requires action to reduce injury and deaths.

Lack of space and overcrowded conditions have been linked to a number of health outcomes, including psychological distress and mental disorders, especially those associated with a lack of privacy and childhood development. Crowding can result in an increased heart rate, increased perspiration, reduction of tolerance, and a reduction of the ability to concentrate. Crowded conditions are also linked with increased hygiene risks, an increased risk of accidents, and spread of contagious disease, for example Tuberculosis.

3.4 Peterborough City Council Housing Strategy 2011-15

Peterborough City Council's Housing Strategy has the following 4 key objectives:-

Objective one - To support the delivery of substantial yet truly sustainable growth

The first objective of the Housing Strategy relates to the scale and nature of housing growth that is required to meet the needs of the existing and future population, as well as supporting Peterborough's economic performance and employment growth.

Objective two - To secure the regeneration of and improvements to Peterborough's housing stock

The second objective of the Housing Strategy relates to the role that housing regeneration and improvements can play in wider neighbourhood renewal, meeting our Environment Capital ambitions, and improving the health of the local population.

Objective three - To meet existing and future housing needs

Objective three relates to how the city council and its partners will work to meet the growing needs of the residents of Peterborough, including disabled households, those unable to afford market housing, and those threatened with or experiencing homelessness.

Objective four - To create mixed and sustainable communities

The final objective set out in the strategy relates to how the city council will seek to utilise its housing agenda to ensure that future neighbourhoods created and the communities that live within them are mixed, thriving and sustainable.

Providing affordable, warm, safe and secure housing is the cornerstone of a strong society, and the proposed Selective Licensing scheme is one of the tools available to the council to regulate the private rented housing sector to achieve this objective.

4. BACKGROUND

4.1 Legislative Framework

4.1.1 Section 80 of the *Housing Act 2004* allows local authorities to apply for the selective licensing of privately rented properties in areas which are experiencing low housing demand and/or suffering from anti-social behaviour. The main provisions in respect of selective licensing came into force in April 2006.

4.1.2 The aim of the scheme is to improve conditions for local tenants and the surrounding community by regulating standards of property management within the private rented sector.

4.1.3 Local Housing Authorities have been able to designate an area for selective licensing subject to the proposed area meeting one or more of the following conditions:

- The area is one which is experiencing (or is likely to experience) low housing demand and the local housing authority is satisfied that “designating” an area will, when combined with other measures, lead to improved social and economic conditions in the area
- The area is experiencing a “significant and persistent” problem caused by anti-social behaviour and that some or all private landlords in that area are not taking appropriate action to tackle this. Moreover, designation in combination with other measures would lead to a reduction in or elimination of the problem

4.1.4 S80(4) of the Housing Act 2004 requires the authority to consider the following factors when judging if an area is, or is likely to become an area of low housing demand:

- the value of residential premises in the area, in comparison to the value of similar premises in other areas which the Council considers to be similar (whether in terms of types of housing, local amenities, availability of transport or otherwise)
- the turnover of occupiers of residential premises i.e. how often people move house
- the number of residential premises which are available to buy or rent, and the length of time for which properties remain unoccupied within the area.

4.1.5 Guidance issued by the Department of Communities and Local Government (*“Approval Steps for additional and selective licensing designations in England”* - February 2010) identifies additional factors which the Council should also consider when deciding if an area is suffering from, or is likely to become an area of low housing demand, as follows:

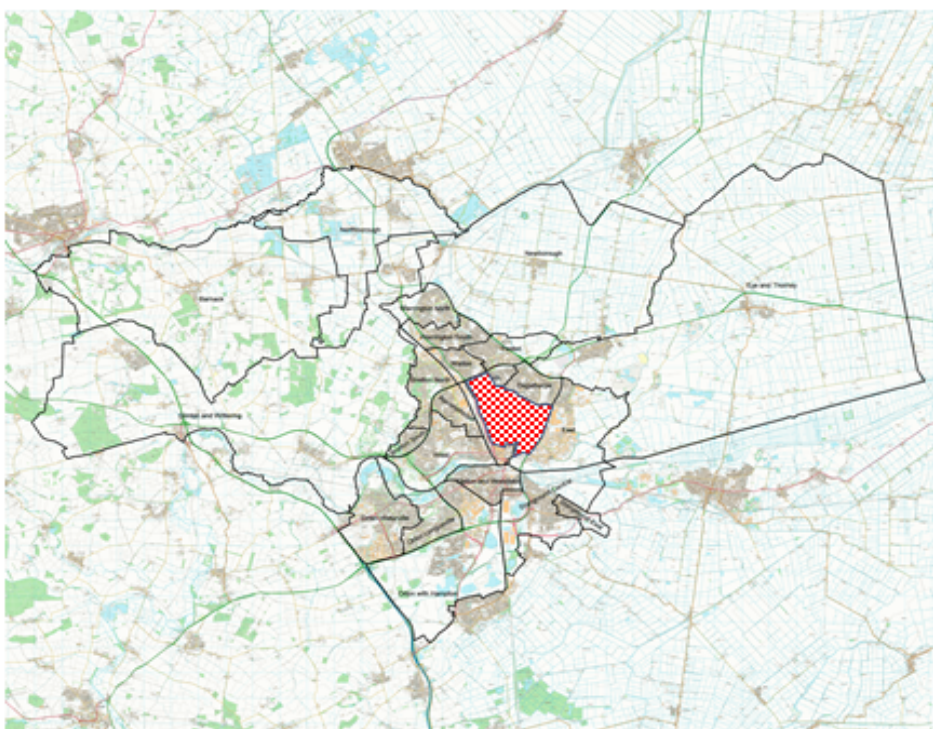
- A lack of mixed communities in terms of tenure, for example, a high proportion of rented property, low proportion of owner occupied properties
- A lack of local facilities, for example, shops closing down
- The impact of the rented sector in the local community, for example, poor property condition, anti- social behaviour, etc.
- Criminal activity

- 4.1.6 In March 2015, The Minister of State for Housing and Planning wrote to local authorities informing them that from April 2015 they are also able to consider licensing for areas experiencing poor property conditions, large amounts of inward migration, a high level of deprivation or high levels of crime.
- 4.1.7 The Housing Act 2004 sets out a number of factors which the Council must take into account (among other matters) when deciding if an area is, or is likely to become an area of significant and persistent problem caused by anti-social behaviour, as follows:
- Crime: tenants not respecting the property in which they live and engaging in vandalism, criminal damage, burglary, robbery/theft and car crime
 - Nuisance neighbours: intimidation and harassment; noise, rowdy and nuisance behaviour; animal related problems, vehicle related nuisance. Tenants engaged in begging, anti-social drinking, street prostitution and kerb-crawling, street drugs market within the curtilage of the property
 - Environmental Crime: tenants engaged in graffiti and fly posting, fly tipping, litter and waste, nuisance vehicles, drugs paraphernalia, fireworks misuse in and around the cartilage of their property
 - Some or all of the private landlords who have let premises in the area are failing to take action to combat such problems that it would be appropriate for them to take.
- 4.1.8 Landlords have a responsibility to ensure people they have permitted to reside at their property do not cause any annoyance or nuisance to other people residing in it or other people living, working or visiting the immediate neighbourhood. If anti-social behaviour is being carried out within the immediate vicinity of the property and is being caused by the occupiers of it, then it is reasonable to expect a landlord to ensure that those people are not conducting themselves in a way that is adversely impacting on the local community.
- 4.1.9 When selective licensing was originally introduced, local authorities had to obtain confirmation from the Secretary of State before a scheme could be introduced. However, in March 2010, a General Approval was issued, which removed the need to obtain confirmation before introducing a licensing scheme.
- 4.1.10 From 1st April 2015, local authorities have to seek confirmation from the Secretary of State for any selective licensing scheme which would cover more than 20% of their geographical area or would affect more than 20% of privately rented homes in the local authority area.
- 4.2 Applying a scheme in Peterborough**
- 4.2.1 A specific geographic area of Peterborough comprising streets within those locations known as Gladstone, Millfield, New England and Eastfield meets the criteria for adopting a Selective Licensing Scheme.
- 4.2.2 This specific area has a high concentration of private rented property, has endured significant and continuing problems of anti-social behaviour and suffered poor housing management by some landlords of whom a proportion could be classed as acting criminally. The concentration of private rented properties in the area is significantly higher than average and the impact is therefore more keenly felt by the community.
- 4.2.3 The proposed area consists of 10,548 properties. In Gladstone, Millfield and New England there are over 7,000 properties of which over 40% are privately rented, and in the Eastfield area there are almost 4,000 properties of which 33% are privately rented. The Building Research Establishment (BRE) housing stock modelling report 2015 has confirmed that in some streets in the area nearly 75% of property is privately rented. Based on 2011 Census data of tenure, a maximum of 19% of the city's private rented housing is located in the scheme area.

4.2.4 The Council is not able to designate the whole city as a Selective Licensing area as, in accordance with the statute, the criteria previously referred to must be met. Further, in a letter to local authorities sent in March 2015, the Minister of State for Housing and Planning outlined the Government's view on 'blanket' schemes, stating:

"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."

4.2.5 This specific scheme covers the streets listed in appendix 1 and the area is as set out below. In addition, following completion of the consultation exercise 12 streets have been removed from the original proposals because they didn't meet the legislative criteria.



4.2.6 Selective licensing does not include properties owned by registered social providers. There are 1,697 (1,019 in Gladstone, Millfield and New England and 678 in Eastfield) Registered Social Landlord properties in the proposed area.

4.2.7 It is proposed to introduce the Selective Licensing Scheme in the specified area on the following grounds:

- The area is, or is likely to become, an area of low housing demand; and
- That making a designation will, when combined with other measures taken in the area by the local housing authority, or by other persons together with the local housing authority, contribute to the improvement of the social or economic conditions and therefore significantly reduce anti-social behaviour in the area.

Other Measures

4.3

Before making a decision to designate an area for selective licensing an authority must consider

4.3.1

whether there are alternative means of addressing the issues.

(i) Peterborough City Council and Partners - Operation Can Do

The Gladstone, Millfield and New England neighbourhood's feature in the 20% most deprived communities in the UK and in recent history have faced many associated challenges such as drug and alcohol misuse, high levels of crime and anti-social behaviour and issues surrounding houses of multiple occupation.

In order to address some of these challenges Operation CAN-do was established in 2011.

Operation Can Do is a long-term multi-agency approach aimed at addressing the area's problems. Operation Can Do exists to enable those who are living in, working within or visiting the area to attain a greater quality of life through improved health and well-being, safety and security, increased economic opportunity and an enhanced physical environment.

Dedicated policing teams have been established, a range of multi-agency intelligence led prevention, enforcement and education activities have been undertaken and community participation and leadership encouraged. It remains however a challenging area for all agencies.

(ii) Peterborough City Council & National Landlords Association

In 2013 Peterborough City Council launched The Landlord Accreditation Scheme. The scheme is a commitment by Peterborough City Council to work with landlords on a voluntary basis and to encourage them to co-operate with the Council taking advice on how to improve condition and management of their properties. The scheme is widely promoted by officers across Peterborough to encourage awareness and take-up. The scheme is run by the National Landlords Association, and gives private landlords recognition for operating and managing properties to a high standard and within the legal framework. By completing a training course on all aspects of renting property, landlords are given the opportunity to join the nationally operated scheme, recognised by Peterborough City Council.

Administered through the NLA, landlords first become members of the organisation and then complete an online or in-person course to become accredited. The course covers all aspects of renting property, from safety and standards to rental agreements and disputes. After signing a declaration, landlords become accredited for a period of 12 months, only being able to renew their accredited status after completing a minimum of 10 hours Continued Professional Development throughout the year. This could be achieved by attending NLA meetings locally, completing online courses also through the NLA or by doing further study.

Since its launch in May 2013, there have been 13 landlords present themselves as fully accredited to Peterborough City Council, and have had this confirmed through the presentation of their membership numbers and accreditation certificates.

(iii) House of Multiple Occupation Licensing

For a five-year period between July 2009 and July 2014 the council operated an additional HMO licensing scheme within the Operation Can Do area of the City. Additional licensing required that all houses in multiple occupation have a licence to operate as such. A house in multiple occupation is a rented property which is occupied by three or more people if those three or more people form at least 2 households. The licence cost £80 per rentable room and had a duration of 5 years. There are over 500 properties operating as HMO's at any one time in this area. This type of housing is in high demand and is a valuable source of accommodation providing affordable housing for those who want to live close to the City Centre.

73 properties have been licensed and 10 landlords have been prosecuted for operating a HMO without a licence, with fines ranging from £500 to £12,000. Interim Management Orders have been made on 5 properties. This involves the council taking over the management of the property for a period of time in order to take steps to ensure its proper management and bring the house up to an acceptable standard of accommodation and safety. One Final Management Order was made which involved the Council taking over the property for up to 5 years.

During the term of the licensing scheme a number of landlords took the drastic step of illegally evicting tenants when the council asked them to apply for a licence. This caused fear and uncertainty amongst some tenants within the area as to the security of their accommodation. The burden of proof that the Council had to supply to demonstrate that a property is a HMO and the tenants are not inter-related was high and labour intensive. Some landlords found that they thought they let a property to one family but others moved in or there was more than one family, thus creating a HMO. A Selective Licensing Scheme applies to all rented properties and will remove any uncertainty for landlords as to whether they need a licence or not.

4.4 How does Selective Licensing work?

- 4.4.1 The introduction of a Selective Licensing Scheme will afford Peterborough City Council the power to require that all private landlords within the designated area must register their properties by making an application for a licence for each property. This will result in a clear understanding of: (a) where these properties are; (b) who the landlord or manager is; (c) the condition of the property as every property will be inspected and the appropriate safety certificates (i.e. annual gas safe certificate) will need to be provided as part of the scheme; (d) how many people are living in the property to manage overcrowding in the area; and (e) the ability of the licence holder.
- 4.4.2
- 4.4.3 A full outline of the scheme can be found at Appendix 1, attached.

Peterborough's private rented sector has many good, responsible landlords and agents. However the sector does have problems. Many landlords are not professional or portfolio-holder landlords, owning only one or two properties, and have little experience or understanding of their legal responsibilities. Additionally, they are not always familiar with the day to day duties that go with owning and managing rental properties in which other people make their homes. These issues are exacerbated within the designated area. Some landlords are criminal, deliberately neglecting their responsibilities for safe housing, overcrowding their properties and abusing their role as landlord. The Selective Licensing Scheme is considered necessary to engage with the less responsible private landlords who do not proactively manage their properties, or address unacceptable levels of poor behaviour by tenants.

- 4.4.4
- 4.4.5 Landlords will be required to take ownership of their management responsibilities thus increasing the prospect of long-term trouble-free renting. This in turn will make the sector a more valuable asset to the area and prevent it from falling further into a low demand area. The Selective Licensing Scheme will extend housing choice and increase the confidence of occupiers within the area.

- 4.4.6 Landlords will have to pay a fee upon application and this income will cover the running costs of the scheme. The scheme will drive up standards as landlords will have to demonstrate that their properties are well managed and meet the required standards.

- 4.4.7 A licensing scheme will set a number of conditions for the standard of the property and good management practice. Appropriate training, advice and support will be provided on the necessary improvements required to bring the property up to standard. Proper application of the scheme will raise standards in the area and improve the economic viability of the housing stock.

- 4.4.8 Licensing would require that landlords meet the 'Fit and Proper Person' criteria. Landlords who have been convicted of serious offences, including housing offences, may not be able to obtain a licence. In addition the 'Fit and Proper Person' criteria will include the need to speak and write

English.

- 4.4.9 Where landlords are unwilling to or are unable to meet the requirements of licensing, the City Council will follow its enforcement policy. Failure to comply may lead to prosecution – the costs being recovered through Court-imposed financial penalties – and/or Peterborough City Council could take over the management of the property.

The private rented sector performs an essential role in the City's housing market, offering flexibility and choice, with potential to support economic growth as well as meet housing needs. The Council wants to ensure that standards are high across the private rented sector. The Selective Licensing Scheme will form a part of a wider set of measures that seek to address issues within the private rented sector associated with anti- social behaviour and low demand.

5. KEY ISSUES

5.1 Public Consultation

- 5.1.1 In September 2013 the Council launched its Consultation into the proposal to introduce a Selective Licensing Scheme in the Gladstone, Millfield, New England and Eastfield area of Peterborough.
- 5.1.2 A full summary of the evaluation process can be found at Appendix 3, attached.
- 5.1.3 The Consultation ran for 13 weeks and closed on 27 December 2013. The original close date was 6 December 2013 but after representation by the local community the closing date was extended by a further three weeks.
- 5.1.4 The Council's initial consultation was by way of a questionnaire posted by Royal Mail to 18,500 interested parties, 10,933 of which were dwellings of which in turn 3,446 were privately rented properties. The questionnaire was made available in English, Hindi, Urdu, Latvian, Lithuanian and Polish. Consultees included local residents, tenants, landlords and managing agents, representative bodies and other members of the community who live or operate a business or service in the proposed designated area. Local residents and businesses in the surrounding area who may also be affected were also consulted.
- 5.1.5 During the consultation period:
- Press releases were published in the Peterborough Telegraph and featured on Look East
 - A dedicated telephone line, email inbox and website page was launched
 - 14 Public meetings were held
 - Meetings were held with local and national bodies including the National Landlords Association and Peterborough Racial Equality Council
 - A poster campaign was launched and placed in the proposed area, including posters translated into the most commonly spoken languages found in Peterborough
 - Questions received were answered and made public by way of a "Frequently Asked Questions" factsheet available on the Peterborough City Council website
- 5.1.6 In addition, a Round Table Focus Group including a smaller Task and Finish Group was formed which continued through 2014.
- 5.1.7 The Council received approximately 1,900 completed or partially completed responses, not including petition signatures, almost all of which responded to question 9 asking whether they would want Selective Licensing in their area. The response rate was 10.3% (5% is considered an acceptable level). The final results indicated that 32% of respondents agreed that the introduction of a selective licensing scheme would help reduce anti-social behaviour, 37% agreed that Selective Licensing can have a positive impact on private rented housing in the area and 36% of respondents felt the Council should intervene in areas suffering from low demand.

59% of owner occupiers in the area were in favour and would support the introduction of licensing. 56% of businesses were in favour and would support the introduction of licensing, 71% of stakeholder and partner agencies would be in support of licensing. 10% of landlords were in favour and would support the introduction of licensing.

- 5.1.8 We have sought Counsel opinion on the proposed scheme and that opinion validates our model. We also sought confirmation that our consultation process was lawful and sufficiently comprehensive, and again this was confirmed.

5.2 Fees and Licence Conditions.

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

- 5.2.2 Full details of the licence conditions can be found at Appendix 2, attached.

- 5.2.3 The proposed fees to be charged purely cover the costs of administering and enforcing the Selective Licensing scheme and is for the 5 year licence period.

- 5.2.4 The scheme has been developed to recognise the professional landlords and the role that accredited membership of landlords associations plays in the continuing development of professional landlords and agents. Therefore:

- Landlords that are accredited themselves or who put their properties in the hands of an accredited agent will pay a fee of £50 for a 5-year licence
- Landlords who are not accredited or use an accredited Agent will pay a fee of £600 for a 5-year licence
- Landlords of HMOs will pay a fee of £750

5.2.5

We believe that landlords who co-operate and come forward straight away should not pay the same as those who try and avoid licensing, therefore three months after the start of the scheme the enforcement process will come into action. From this point:

- Landlords that have not applied for a licence 3 months after the start of the scheme will pay a fee of £900 for a 5-year licence
- Landlords who submit incomplete applications will pay an additional fee of £30
- Landlords who do not comply with licence conditions will be subject to re-inspection and will pay an additional fee of £100

- 5.2.6 It should be noted that application will be via digital means in most cases (although paper based applications will also be available). This will help ensure that applications are complete before being submitted, thereby reducing the risk of the incomplete application fee being charged.

5.3 Licence Conditions

- 5.3.1 A 'Selective Licensing' licence would be granted with a set of conditions that must be adhered to. Failing to adhere to any licence condition is a criminal offence and may result in prosecution and a fine of up to £5,000 if found guilty.

- 5.3.2 There are 19 licence conditions. They cover tenancy management, property management, security, waste management and anti-social behaviour.

5.4 Value Added Activities

- 5.4.1 During the Consultation period a number of concerns and suggestions arose, primarily linked to

preventing good landlords or those who simply weren't aware of their responsibilities from being adversely targeted. Whilst the core scheme described above is defined by statute, we have listened and responded to the suggestions that came forward by including a range of other measures within the scheme to support landlords and to improve the area.

5.4.2 In addition to the heavily discounted licence fee for accredited landlords described above:

- Training, advice and support to landlords and tenants. We will work with the National Landlords Association and Registered Landlords Association to improve standards of our landlords and tenants. Council officers will provide support to landlords and where necessary look to provide 'expert witness' testimony when landlords are struggling with difficult tenants
- Local accreditation scheme. We will look to introduce a local accreditation scheme and develop landlord and tenant forums to deal with issues about the environment, processes and issues facing the private rental community. We will work with landlords to look at the possibility of developing a tenant referencing system to enable landlords to make informed decisions when letting property.
- An added benefit of the scheme will be more security for tenants whilst in tenancy, rent books, deposits in bonds, tenancy agreements increasing length of tenancies, reducing homelessness, and more professional landlords who know their responsibilities and act within the law
- Bulky waste collection. One of the major concerns of landlords, residents and businesses in the area is the issue of bulky waste collection. The council will work to introduce specific bulky waste collections within the selective licensing area in order to improve the street scene and support landlords to legally dispose of their previous tenants waste prior to letting so helping to reduce flytipping within the area.

Public Spaces Protection Order

5.4.3 To complement the Selective Licensing Scheme and to continue to improve the area Peterborough City Council is proposing to introduce a Public Spaces Protection Order in the Selective Licensing area.

Public spaces protection orders are intended to deal with a particular nuisance or problem in a particular area that is detrimental to the local community's quality of life, by imposing conditions on the use of that area which apply to everyone. The order could also be used to deal with likely future problems.

Only a local authority could issue the order, and before doing so, they must consult with the chief officer of police, the Police and Crime Commissioner and any representatives of the local community they consider appropriate. The test for issuing the order will be that the local authority reasonably believes that the behaviour is detrimental to the local community's quality of life, and that the impact merits restrictions being put in place. The behaviour must also be ongoing or persistent (or there must be a reasonable belief that future behaviour will be ongoing or persistent).

In this area, such an order could be considered for:

- No Consumption of alcohol with in a PSPO area.
- No unsealed vessels containing alcohol within the PSPO Area
- No urinating
- No littering
- Not to Leaving domestic and commercial bins out on the highway, excluding on days of refuse collection
- Not to congregate in groups of XX or more persons (with in the following areas)

- No spitting on a public highway or on council land (parks, open spaces)
- Offence to fail to pick up dog foul when in charge of a dog
- Offence to fail to put a lead on a dog when on a pavement
- Allowing a dog to be in a children's play area

A public spaces protection order is designed to stop individuals or groups committing anti-social behaviour in a public space. It is designed to be broad and to focus on the impact anti-social behavior is having on victims and communities.

6. IMPLICATIONS

- 6.1 All privately rented properties in the proposed area will be required to have a licence. Landlords will be required to be a 'fit and proper person', to pay a licence fee and adhere to the proposed licence conditions. The 'Selective Licensing' scheme will ensure a consistent level of property management among all private landlords in the area, thus assisting prospective private tenants in making a positive, confident choice about their next home in Peterborough within a sector often branded as the 'tenure of last resort'. Reputable landlords could be assured that under the 'Selective Licensing' scheme, those landlords whose business practices do not meet the required minimum standards would be encouraged and supported to improve their management standards.
- 6.2 Landlords who are not willing to work with the Council could face being refused a licence and ultimately be liable to prosecution resulting in an unlimited fine and having a criminal record and/or having a Management Order imposed against the property.

7. NEXT STEPS

- 7.1 The proposed Selective Licensing scheme will be presented to the lead Cabinet Member for consideration.

8. BACKGROUND DOCUMENTS

Used to prepare this report, in accordance with the Local Government (Access to Information) Act 1985

- 8.1
- Housing Act 2004
 - Housing Act 2004; Selective Licensing of Houses (Additional Conditions) (England) Order 2015; The Selective Licensing of Houses (Specified Exemptions) (England) Order 2006; The Housing Act Licensing of HMO's and Selective Licensing of Residential Accommodation (England) General Approval 2010; The Licensing and Management of Houses in Multiple Occupation and other House (Miscellaneous Provisions)(England) Regulations 2006.
 - Housing Minister Letter to local authorities, 11 March 2015.
 - Evaluation of the impact of HMO licensing and selective licensing" commissioned by DCLG (January 2010)
 - The Department for Communities and Local Government - Selective Licensing a Guide for Local Authorities March 2015.
 - The Department for Communities and Local Government – Guidance on consultations revised in April 2010.
 - Guidance issued by the Department of Communities and Local Government ("*Approval Steps for additional and selective licensing designations in England*" - February 2010)
 - Evaluation of the impact of HMO Licensing and Selective Licensing – published by the Department for Communities and Local Government ISBN: 978 1 409815365
 - Selective Licensing for Local Authorities – A good practice guide – published by Shelter 2006 ISBN: 97 1 903595 68 8
 - Parliamentary briefing notes. Standard Notes published by House of Commons Library. SN/SP/1012 Anti-Social Neighbours in Private Housing (7 June 2013); SN/SP/4634 Selective Licensing of Privately Rented Housing (16 June 2010, 23 September 2013, 16 December 2013, 17 March 2015)
 - Examples of good practice have been gained from other Local Authorities who have completed a Selective Licensing Consultation and had their designations subject to Judicial Review proceedings.
 - Peterborough City Council 2009 Private Sector Stock Conditions Survey.

- Review of Property Conditions in the Private Rented Sector. Department for Communities and Local Government – February 2014
- Anti-social Behaviour, Crime and Policing Act 2014: Statutory Guidance.

9. APPENDICES

- 9.1 Appendix 1: The Peterborough Selective Licensing Scheme
- Appendix 2: Licensing Conditions
- Appendix 3: Consultation Evaluation Document