

ADULTS AND COMMUNITIES SCRUTINY COMMITTEE	Agenda Item No. 8
11 JANUARY 2017	Public Report

Report of the Service Director: Adult Services and Communities		
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SELECTIVE LICENSING

1. PURPOSE

- 1.1 To provide a report on the introduction and progress of the Selective Licensing Scheme.

2. RECOMMENDATIONS

- 2.1 The Committee is asked to note and endorse the contents of the report, the progress to date of the implementation and development of the scheme and the planned future enforcement activity.

3. LINKS TO THE CORPORATE PRIORITIES AND RELEVANT CABINET PORTFOLIO

- 3.1 Providing affordable, warm, safe and secure housing is a cornerstone of a strong society.
- 3.2 Whilst this work supports all of the council's corporate priorities, it is most closely aligned to the priorities of keeping our communities safe, cohesive and healthy.
- 3.3 Responsibility for the Selective Licensing scheme sits within the portfolio of the Cabinet Member for Communities and Environment Capital.

4. BACKGROUND

- 4.1 The Strong and Supportive Communities Scrutiny Committee previously considered a report at its meeting on 20 January 2016 on the implementation of the scheme following an extensive consultation. The scheme was then submitted to the Secretary of State for approval and was subsequently approved in July 2016 for implementation on 1 September 2016.

5. KEY ISSUES

- 5.1 Throughout the year considerable work has been undertaken in order to prepare for the introduction of the scheme. Selective Licensing was chosen to be a pilot for the Council's front door project which required all estimated 6500 applications to be made online through the digital services hub. This included the design and implementation of an online application form, an online payment system, improvements to scanning services in libraries to allow applicants to upload evidence documents as part of their applications, and the development of a new database to allow the applications to be recorded and processed within Salesforce.
- 5.2 The online application and payment process are a totally new concept both to the public and council officers. Officers were trained to assist members of the public with their applications and answer general licensing queries. Applications were initially slow to come in during September and early October and officers were able to spend time helping those who needed technical assistance with the online process (mainly those who struggled with IT and the elderly).

- 5.3 During November it became apparent that there were still a significant number of applications to be submitted. The team therefore arranged drop in sessions at the central library for people to come and receive face to face help. This was greatly appreciated by the public and over the two, two-hour sessions over 70 people were helped. The team also handled in the region of 4,500 telephone and email enquiries from landlords and agents during the same period.
- 5.4 The licence process required the applicant to enter their address online to verify whether it needed a licence or not. This action resulted in a number of properties being identified that were not on the council records, and as such had been converted unlawfully or without the appropriate planning permissions. They were passed to planning enforcement colleagues for investigation and/or the addresses added to the gazetteer, to be included in council records so the relevant application could be made and any missing council tax revenue collected.
- 5.5 By the end of the introductory period (1/9/16 to 30/11/16) 5947 applications had been made. Of these 59% were made by accredited landlords and agents. These applications show that many landlords and agents have made the choice to join one of the landlord associations and take the accreditation courses, thus improving their knowledge of their legal obligations that come with renting out property and avail themselves of appropriate legal advice and documentation through their memberships.
- 5.6 One of the requirements of making a licence application is that a valid gas safety certificate must be provided. During the month of November 5226 applications were received. Of these 938 submitted gas safe certificates that were issued during November, suggesting that these properties did not have a valid gas safety certificate in place as is the legal requirement, but the landlords had one issued in order to submit their licence applications.
- 5.7 At time of writing:
- 360 properties have been inspected
 - 188 properties have inspections booked
 - 241 properties are ready to have the licences issued
 - 135 applications have been rejected as not duly made or where an incorrect fee has been paid
- 5.8 Enforcement action was authorised to commence from 1 December 2016. A straw poll of the housing condition complaints received in the first 8 days of December within the central and east area of the city show that 27% of these were properties that did not have a licence application made. It became a legal requirement for all landlords/lettings agents with rented properties in the Selective Licensing designated areas to have made a valid licence application by 1 December 2016.
- 5.9 Anecdotal evidence from visiting officers, tenants and tradespersons suggest that the scheme is already having a positive impact as landlords are carrying out improvement works in preparation for the housing teams inspections.

6. IMPLICATIONS

- 6.1 The scheme covers specific areas across the city that are located within the following wards:
- Central
 - North
 - East
 - Park
 - Fletton
 - Bretton North
 - Stanground Central
 - Walton
 - Orton Longueville

All landlords who have property within the designated areas that they are renting but have not

6.2 submitted a licence application will now have to pay £900. They may also be liable to prosecution and face an unlimited fine for renting the property without a valid licence application as staff will now be actively seeking out unlicensed properties.

7. CONSULTATION

7.1 A full and extensive consultation exercise took place before implementation of the scheme.

8. NEXT STEPS

8.1 The team will continue to process the applications that have been received. Priority will be given to those properties whose initial inspection identifies conditions that are prejudicial to the health of the occupants and enforcement action will be taken against landlords to ensure the properties are improved.

8.2 The team will proactively seek out all landlords that are renting out properties without a valid licence and robust enforcement action will be taken with a low tolerance approach being adopted which will result in landlords who fail to licence being swiftly brought before the magistrates.

8.3 A public register will be kept of all properties. This will be available for members of the public so that they can see what properties are licensed within their communities and identify those which should be but are not.

8.4 Regular updates by way of an email newsletter will be sent to landlords outlining successes, prosecutions, legislative changes, etc to keep them up to date with the progress of the scheme.

9. BACKGROUND DOCUMENTS

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

- Part 3 Housing Act 2004
- The Selective Licensing of Houses Additional Conditions)(England) Order 2015
- Department for Communities and Local Government 'Dealing with Rogue Landlords: A Guide for Local Authorities' - August 2012

10. APPENDICES

10.1 None

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