

Appendix 3 – summary of issues raised during the consultation

Online Questionnaire Responses

43 Respondents completed the questionnaire.

Summary of responses received	How the issues have been acted on or not
<p>Licence fees are high and will be passed onto tenants. Why are landlords from previous scheme charged again</p>	<p>The council has reviewed the fees since the consultation and believes that they are fully justified, proportionate and reasonable. The fee amounts have been set to ensure full cost recovery for the service provided. Over the course of the scheme designation (up to 5 years) the fees are not considered excessive. The new scheme is proposed to ensure the area benefits from a regulated private rented sector and licence fees are used to fund the scheme administration costs.</p>
<p>Does not improve the standard of tenants, poor quality tenants are attracted to area</p>	<p>The primary aims of the scheme are to improve housing conditions and property management. The scheme introduces licence conditions relating to property management that help to ensure effective property management and can be used to address criminal or antisocial behaviour associated with tenants.</p>
<p>£800 would be better spent on decorating premises and carpets. What has scheme achieved in past 5 years. Will push rents up and make people homeless.</p>	<p>The council takes the view that the licence fees are good value to ensure minimum standards are achieved and that the private rented sector in Netherfield is effectively regulated. Rent rises and increased homelessness are concerns for the council which are weighed up against the improvements selective licensing achieves. The council has reviewed the fees since the consultation and believes that they are fully justified, proportionate and reasonable.</p>
<p>As result of previous scheme landlord increased rents by 47% and landlord required to spend £12,000 upgrading property which were funded by loans still being repaid. Only beneficiary was the council.</p>	<p>This comment is noted. The 47% increase in rent cannot be solely attributed to the licence fee costs as there are many factors which contribute to rent increases. We have seen in recent years that the Covid pandemic and cost of living crisis has significantly impacted rents within the private rented sector. Selective Licensing is a way of regulating property management. If upgrades are required within a privately rented property to ensure the safety of the tenant, then it is likely that those requirements would have been required irrespective of selective licensing. If the landlord has only become aware of the need to make those</p>

	<p>improvements because of the selective licensing scheme, then we would argue that this is further evidence that the scheme is needed. With that level of investment, we would expect the tenant to benefit from improved living standards and quality of housing and that the landlord has benefitted by now being aware of their legal responsibilities in maintaining and managing their property.</p>
<p>Good landlords paying to cover those who aren't. Why not assess all landlords and only force the bad ones to join the scheme. Did landlords pay through licence fees for works to other rented homes. Did anything change since the original scheme has been in place.</p>	<p>All private rented homes in the designated area are required to be licensed. In order for the council to assess landlord compliance requires staffing resource which needs to be funded. The proposed model could not be delivered without landlords paying a fee. The licensing income from phase 1 was used to fund staff administering the scheme and not repairs or renovations to private rented homes in the area.</p>
<p>£800 is excessive licence fee, is this value for money? Feels like a money making scheme for council.</p>	<p>The scheme is self-financing and delivered on a full cost recovery basis. The scheme is not used to make a profit for the council.</p>
<p>Disagree that properties the other side of the railway line should be included in the scheme.</p>	<p>The proposed scheme includes the whole of the Netherfield ward to ensure all areas of the ward benefit from the scheme and are not at a disadvantage.</p>
<p>Scheme does not improve the area. The scheme does not offer support that actually helps.</p>	<p>As the proposal and scheme review document shows, the phase 1 scheme has delivered improvements to the area. However the work is not complete and the council wants to ensure improvements are sustained and where possible further improved. The staff employed as a result of the scheme provide support to landlords achieving compliance and also to tenants to ensure their needs are met in terms of safeguarding and signposting to partners who can offer further support.</p>
<p>Scheme should concentrate on landlords who have complaints about them and leave those who aren't complained about.</p>	<p>The proactive approach of selective licensing provides greater improvements than a reactive approach only providing a service to those who complain. Many tenants in phase 1 who were living in homes that did not meet minimum standards were not aware and did not previously complain to the council. Due to the pressures on the private rented market currently, a lot of tenants may be too worried to complain to the council due to fear of eviction. The scheme ensures that the council is able to check properties meet the minimum legal standard without the tenant having to complain.</p>

<p>Selective licensing schemes are overly bureaucratic and just cost tenants, landlords and councils more money.</p>	<p>The council aims to keep bureaucracy to a minimum, we provide guidance to assist with submission of licence applications and can support landlords and applications in submitting applications. Whilst there are licence fees involved with the scheme these are set to provide resources to ensure poor housing conditions are addressed and introduce minimum standards in the private rented sector.</p>
<p>Will there be a rollover option / cash back option for landlords who applied in the in the later years of the previous scheme who did not receive a 5 year licence.</p>	<p>Since the public consultation the council has reviewed the proposed fee structure. The council is unable to refund a proportion of the part 2 fee which covers the running costs of the scheme. The part 2 fee justification is based on the shared cost of compliance during the operation of the scheme. The actual costs of an individual compliance visit will be higher than the amount recovered in an individual part 2 fee from one landlord. The fee covers the cost of compliance and is shared to ensure the fees are kept reasonable and proportionate for landlords. Therefore, the council is unable to reduce the part 2 fee for landlords who apply in the later years of the scheme.</p>
<p>Respondent agrees with the scheme but feels there should be additional controls for HMOs. The selective licensing scheme should work with planning applications and planning committee and developers who should make their intentions to create a HMO at the point of applying for planning permission.</p>	<p>Selective licensing in Gedling Borough only applies to HMOs with 4 occupiers or less. For compliant HMOs the council has limited powers to refuse a licence and therefore cannot prevent landlords setting up HMOs. Larger HMOs with 6 occupiers or above are required to apply for planning permission and these are likely to require a mandatory HMO licence which the council are unable to refuse if the property and management arrangements meet minimum standards. The council's private sector housing team and planning department work together to ensure minimum standards are achieved where landlords apply for planning permission to develop a HMO.</p>
<p>Anything that helps private rented tenants access a decent standard of home is a good thing. Hope the fee doesn't result in rents rising.</p>	<p>Across the duration of the scheme (up to 5 years) the cost of the licence is a few pounds a month which should not lead to significant rent increases.</p>
<p>No proof that scheme improves area beyond the powers that already exist to local authorities. Crucially the scheme fails to address the many problems that tenants themselves cause in terms of how they live.</p>	<p>The evidence outlined in the proposal and review document to introduce the phase 1A selective licensing scheme presents the data available to the council and police which demonstrates the Government's criteria for introducing selective licensing has been satisfied. Selective licensing does not eradicate all issues but provides a framework to enable the sector to be regulated. A significant number of the conditions within the licence are over and above the standard powers available to the council in order to regulate property management.</p>

<p>The scheme has a good purpose but fails to think about the extra costs which the tenants will end up paying. Maybe consider tenants review of landlord and make this public information. This allows tenants to review their landlord and help inform a decision on whether they are a good landlord.</p>	<p>The licence fees are kept as low as possible to minimise any costs for landlords or tenants. The council will not be introducing a tenant review requirement as part of the licensing process as this would be very subjective and would be impossible for the council to distinguish genuine reviews from false ones. The purpose of selective licensing is to introduce minimum standards and additional enforcement powers and staffing resource to regulate the standard, it does not categorise landlords as “good” or “bad” or similar.</p>
<p>Maybe this scheme will make Netherfield a better place to live. Landlords should be held responsible for the state of the property, the garden and the outside. Too many tenants do not care about the community they are part of, so the landlords need to take responsibility for the property they are letting out. They need to make sure the tenants are not going to add to the antisocial behaviour that is happening in Netherfield.</p>	<p>These comments are noted and support the proposal for introducing a selective licensing scheme.</p>
<p>Previous scheme targeted Netherfield for 5 years - landlords complied and improvements were made. If scheme targeting same ward is the council saying it didn't work? If it did work why are landlords paying the full fee again. A cynical person might say it's a way of landlords paying the wages of 5 staff rather than the council paying them.</p>	<p>This comment is noted the licensing fees are used to fund the costs of administering the scheme. Whilst there is evidence the phase 1 scheme was successful the council wants to ensure the improvements are maintained and that tenants continue to have access to good quality housing. The council has reviewed the fee structure and proposes a discounted fee for landlords who re-licence their properties with the council. The discount will be available where the management arrangements are the same as on the previous licence and where there hasn't been any compliance issues.</p>
<p>Tenant destroyed house costing £6,000 in damages. Landlord owns 5 homes in Netherfield and will have to sell up to pay licence fees. Scheme and Government do not help tenants and will reduce the</p>	<p>The licence fees are relatively small in comparison to the total costs a landlord can incur when letting out a property. It is important landlords have suitable financial arrangements in place to run their business effectively and ensure homes are well maintained and managed.</p>

number of homes available and increase costs.	
Is this a profit generating scheme or really an attempt to raise standards in the private rented sector.	All licensing income generated from the scheme is used to cover the costs of administering the scheme. The scheme is self-financing and does not make a profit. The scheme is a genuine attempt to raise standards in the private rented sector.
Reduction in fees or a full remission should be offered for landlords who are already licensed. Social housing should be inspected also.	The licence fees have been reviewed to take into account these comments. The council is now proposing a reduced fee for re-licensing a property has been proposed if there has been no changes in the management arrangements of the property. Government did not include social housing within the scope of selective licensing when the legislation unpinning the regime was adopted. Other legal frameworks apply to social housing and the council works with social landlords to achieve compliance.
Fee should only be for those who require major improvements.	The licence fee covers the cost of administering the scheme to ensure minimum standards are maintained.
Bad landlords did not apply for the previous scheme and respondent saw very little evidence of the council trying to locate them and enforce the licensing.	Council officers made significant efforts to ensure landlords applied for licences. We believe the approach was successful as more landlords applied for licences than were forecast before the scheme started. We also now have a dedicated enforcement officer who is proactively investigating and enforcing non-compliance.
Fees should not be the same for new application and renewal. Discount should be offered for renewal.	Whether the application is for a new licence or to re-licence, the process is largely the same to apply and for the council to assess the application. However, where a licence has previously been issued and the management arrangements are still exactly the same and there hasn't been any compliance issues, the council is proposing a reduction in the part 2 fee.
The pilot scheme has brought standards up but to blame all issues in Netherfield on private rented homes is not true. HMOs, social housing and supported living accommodation also contribute to issues in the area. The attitude of people living in the area and not taking responsibility is a societal issue and not down to private landlords.	Agreed that the phase 1 scheme has delivered improvements. The council is not saying private landlords and tenants are to blame for all issues in Netherfield. The Government sets out the criteria for when selective licensing can be introduced and so the council's proposal evidences how this criteria has been satisfied. The council takes the view that selective licensing is worth introducing to help improve the area, but it is not the only course of action the council is taking, lots of other services are provided to help improve Netherfield.

<p>No benefits to the majority of tenants as 85% of properties didn't need any improvements.</p>	<p>The evidence outlined in the proposal and the case studies and statistics available to the council describes a different conclusion that the majority of properties did require improvements to bring up to minimum legal standards.</p>
<p>Consideration should be given to landlords joining later years of phase 1 and the costs of re-licensing. Landlord spent £60,000 upgrading property as a result of phase 1. Property in better condition now and fees would need to be passed onto tenant.</p>	<p>The scheme fees have been reviewed since the consultation with a number amendments proposed for consideration with the aim of accommodating some improvements to the fee structure. It is encouraging that the phase 1 scheme has led to significant improvements and investment to bring properties up to legal minimum standards.</p>
<p>Government should be paying these costs to fund the staff licensing the properties not the landlords. Costs will be passed onto tenants or a lot of landlords will be forced to sell up making a bigger mess in the rental market.</p>	<p>Government policy is consistent that the cost of regulation should be born by those subject to the regulation. Through introducing selective licensing, the council is compliant with Government policy which does not support that the general tax payer should fund the cost of regulating the private rented sector.</p>
<p>Landlords who paid during previous scheme should be able to renew for nominal fee if already been checked and are accredited.</p>	<p>The fee structure has been reviewed since the consultation and is not considered excessive to ensure that minimum standards achieved and improvements to the quality of private rented housing. A discount fee is available for landlords who have voluntarily become accredited and the council is now proposing a reduced part 2 fee for re-licence applications where the management arrangements are the same as on the previous licence and where there hasn't been any compliance issues.</p>
<p>The licence just punishes hardworking landlords who will have to put rents up to cover rising costs. Council will end up having to rehome tenants on housing benefits if this does not cover the full rent.</p>	<p>The council is conscious that the licence fees need to be paid and these are kept as low as possible to ensure the council can administer the scheme effectively.</p>

Written responses

2 typed documents were received during the resident's briefing event at the St Georges Centre, Netherfield on 20th February 2024. These documents did not respond to evidence set out in the council's review of selective licensing in Netherfield or the proposal to

declare a phase 1A scheme. Instead, the documents focussed on the governance surrounding councils and presented inaccurate information suggesting the council is a corporation and does not have a legal basis to implement any statutory powers in the local population. These documents were noted but are wholly inaccurate and do not have a legitimate basis or relate to the selective licensing proposal which aims to improve housing conditions and property management in the private rented sector.