

West Lindsey District Council

Consultation on Selective Licensing Proposal

Consideration of Consultation Feedback

April 2022

Contents

Reasons for disagreeing with the proposed selective licensing schemes in Designation 1 and Designation 2	3
Reasons for disagreeing with the proposed selective licensing schemes in Designation 1	9
Reasons for disagreeing with the proposed selective licensing scheme in Designation 2	12
Reasons for agreeing with the proposed selective licensing schemes in Designation 1 and Designation 2	16
Comments Regarding the Proposed Fee	18
Comments Regarding the Proposed Discounts to the Licence Fees	24
Comments Regarding the Proposed Property Licensing Conditions	28
Further Comments Regarding the Proposed Schemes	33
Landlord Forum Comments.....	37

West Lindsey District Council carried out a public consultation onto their proposal to introduce a selective licensing scheme in five wards across two designations:

- Designation 1 - Gainsborough South West ward under the criteria of poor property conditions, anti-social behaviour (ASB)
- Designation 2 - Gainsborough North, Hemswell, Market Rasen and Wold View wards under the criteria of poor property conditions.

The consultation ran for 7 weeks from 17th January 2022 to 8th March 2022, when it was halted following a decision from West Lindsey District Council’s Full Council on the 7th of March 2022.

In total the council received 200 responses to the online survey and 135 paper responses. Qualitative feedback was also received at four public meetings and 41 written responses from interested parties. The consultation looked at views on the proposed licence conditions, fees and the respondents’ perceptions of issues in the district.

The below is the council’s consideration of the feedback received during the consultation.

Normally the consultation response would highlight where the council has amended the final proposals based on the feedback from the consultation. However, as this consultation has been halted and the proposals that were consulted on cannot progress at this time, this document seeks to highlight what the council’s position may have been and also to consider and respond to the feedback given by the consultees.

Reasons for disagreeing with the proposed selective licensing schemes in Designation 1 and Designation 2

Example comments	Council’s consideration
Theme: The costs will be passed onto tenants	
This will create an additional burden for good landlords and tenants, any costs associated will be transferred to the tenants - who are already struggling with the basics as it is. West Lindsey Council should be focusing on the bad properties/landlords/tenants not the good ones. It is increasingly difficult to make ends meet, this action will mean more derelict and empty properties leading too anti-social behaviour, crime. Very short-term thinking	We have seen no evidence that landlords have increased rents to cover their licence fee costs or that landlords have moved elsewhere, and this is similar to the findings from other authorities who have also been operating licensing schemes. Similarly, research carried out by an independent agency on behalf of the government (An Independent Review of the Use and Effectiveness of Selective Licensing)
It doesn't work, it adds to the cost of being a landlord which then gets passed to the Tennant by form of increased tenancy rent. No improvement in local area at all.	
Our rented properties are maintained to a good standard and rents are well below market rates. Any license costs would have to be passed to the tenants via rent increases.	

Example comments	Council's consideration
<p>It doesn't work, it adds to the cost of being a landlord which then gets passed to the Tennant by form of increased tenancy rent. No improvement in local area at all.</p>	<p>showed that selective licensing did not result in an increase in rents in areas with a scheme, that market forces dictated the rent levels.</p>
<p>This is an unnecessary tax on tenants via landlords. Landlords that have tried to provide quality housing at a reasonable rent and have complied with current legislation should not be penalised with extra costs.</p>	<p>If landlords want to increase the rent, there are procedures which must be followed and any increase above market rents levels can be challenged via the Residential Property Tribunal</p>
<p>The proposal is a totally inappropriate blunt instrument which will drive ALL affected rents up and create a bureaucratic nightmare for landlords who are mostly good. The bad landlords should be targeted</p>	<p>Within selective licensing schemes property management companies can be the licence holders for properties. It is a decision for the landlord and relevant parties to decide who the most appropriate licence holder for a property is. A factor to consider however, is that if the scheme were introduced, licences cannot be transferred. Therefore, if a property manager was the licence holder for a property, and the landlord ceased their working relationship with the property manager, they would need to apply for a new licence.</p>
<p>the majority of private landlords in this area then to follow the rules and generally operate on a needs-must repair policy and when there is a change of tenant make the necessary improvements to enhance the property and the EPC. This area has relative low rents. These extra costs as well as those required by EPC demands will cause rent increases</p>	
<p>Our modern well-maintained property is located in Market Rasen. It is managed to a high standard by a professional letting agent, all compliance obligations are fulfilled. If we are subjected to the financial burden of your proposed selective licence this and any resulting increase in agents' administration fees will have to be passed on to the tenant at a time of high inflation and fuel price hikes, as responsible landlords we have absorbed any increases in our own costs, however your proposed licence fee would be a bridge too far.</p>	
<p>I own 4 properties in Market Rasen, and I use a very respectable local agent. We are great landlords, and our properties are kept maintained to the highest standards hence we have long term tenants. If we are forced into these ridiculously expensive licences, we will need to raise the rents to cover the costs. We also have properties in Peterborough, and they did a similar scheme, but property management companies could hold the license making sure their managed properties complied. This then kept the license fee to a minimum for landlords.</p>	
Theme: Opposition to the scheme	
<p>Expensive and unfair on landlords</p>	<p>Whilst the council understands that some stakeholders may disagree with the proposal to introduce selective licensing, it has provided evidence of the need for selective licensing to tackle issues with poor property conditions, deprivation and ASB.</p>
<p>there are better ways to deal with the issues rather than making it all about the landlords. Private homeowners don't care about their properties, Housing associations are exempt and the majority of the ASB in these areas should be dealt with by other agencies</p>	
<p>I disagree as a landlord with any kind of licensing - this would only serve to increase costs for ultimately the tenant - plus, coupled with many other factors that landlords now must consider, this</p>	

Example comments	Council's consideration
<p>may be a deciding factor for many to reduce their property stock - forcing up private rentals due to shortage of properties - it must be thought long and hard whether the benefit of such "a tax" is worth the cost, socially and economically - especially as they are laws that can be evoked to deal with many of the issues</p>	<p>The council can only introduce selective licensing in areas in the borough where there is evidence that the areas meet the criteria as laid out in the Selective Licensing of Housing 2015 (Additional Conditions). The council carried out a detail analysis of the evidence available and has been selective in proposing designations for areas that meet the criteria of poor property conditions and ASB.</p>
<p>I am only interested in our one property, we are not familiar with the wider letting of properties, but we would certainly not be prepared to be involved in this scheme and pay what seems to be a ridiculous amount of money.</p>	<p>The council recognises that many landlords who rent out properties in the private rented sector manage their properties responsibility. However, there is evidence of persistent issues with poor property conditions in the proposed area.</p>
<p>Overall rental properties are of a good standard and tenants are looked after when issues with a property are raised. All of what is asked for under the licensing is already carried out by landlords, to be asked to pay an annual fee to prove that these checks have been carried out is unfair.</p>	<p>Whilst the council understand that many landlords will already meet these conditions, licensing would help to ensure this is the case, and focus on taking action against those landlords who place their tenants in properties with poorer conditions or who do not manage them effectively.</p>
	<p>By law, the council is not allowed to make money from the licensing schemes. The proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number</p>

Example comments	Council's consideration
	of licence applications we anticipate, under the proposed designations.
Theme: The council should use existing powers to address issues	
<p>My concern is that in addition, to the ongoing administration costs that will arise, the suggested penalties for a breach could be as much as £30,000. Legislation already exists to allow the council to deal with poorly maintained and unlawful properties. In my opinion the blanket introduction of a district wide scheme is not necessary. Further there will likely be un-intended consequences, the most obvious of which is the charges being passed on to Tenants.</p>	<p>The council have considered a range of alternatives to selective and additional licensing, but do not believe they are as effective in dealing with poor property conditions in the proposed wards, and ASB in the Gainsborough South West ward. The current powers the council has, including the use of the Part 1 Housing Act 2004, do not require landlords to declare themselves. This means there is no obligation for landlords to make their properties known to the council or to be proactive in improving conditions, including minor issues (that may still pose a health and safety risk) but still need to be addressed, but which a tenant may not complain to the council about. Formal action under the Housing Act can be a slow process, and it cannot make the improvements needed on the scale that a selective licensing scheme would allow.</p> <p>The proposed scheme would not have been district wide. The scheme would have applied to only five wards</p>
<p>legislation already exists for the council to deal with all the above problems stated in the previous questions. Licensing is not necessary and just another cost that will have to be paid by someone!! Feet on the ground and ears listening would be far better use of resources!</p>	
<p>Already sufficient legal measures in place. WLDC need to enforce existing rules more vigorously instead of penalising decent landlords</p>	
<p>Legislation already exists to allow the Council to deal with poorly maintained and unlawful properties. In our opinion the blanket introduction of a district wide scheme is not necessary. Further there will likely be un-intended consequences, the most obvious of which is the charges being passed on to Tenants.</p>	
<p>I strongly disagree with this proposed selective licencing as I feel that the current legislation relating to property safety and condition i.e., EPC standards and requirement for Electrical Safety certification and boiler and gas safety checks etc ought to be enough.</p>	
<p>This imposes unnecessary economic and procedural burden on landlords. The government laws already exist to protect tenants and ensure that private let housing is up to standard. There is simply no need for further licensing. The inspections that are required to be carried out by the landlord border on tenant harassment.</p>	
<p>Legislation already exists to allow the council to deal with poorly maintained and unlawful properties. In our opinion the blanket introduction of a district wide scheme is not necessary. Further there will likely be un-intended consequences, the most obvious of which is the charges being passed on to Tenants.</p>	
Theme: Licensing punishes good landlords	
<p>Tackle the problem in the affected areas rather than introducing a blanket charge - that probably won't be managed or have the desired effect - across the whole region. Some of us are respectable, law-abiding landlords, using long standing reputable lettings agents to manage a rental property, who</p>	<p>The council understands that many landlords who rent out properties in the private sector manage their properties responsibly. However,</p>

Example comments	Council's consideration
<p>ensure the level of accommodation provided is comfortable, habitable and somewhere for our tenants to call home. I personally have taken 3 properties in the North Lincs region over the last 13 years and turned them from what I would consider uninhabitable buildings (from owner occupiers - not other landlords) and turned them into safe and welcoming havens - my tenants of which have always been long termers (tenants in my 1 remaining property have been in situ for over 6 years) such the quality and affordability of that provided.</p>	<p>the evidence shows that the areas in the proposed designation are experiencing persistent issues in the private rented sector with poor property conditions and management, as well as issues with ASB in the Gainsborough South West ward.</p>
<p>I don't have a property in these areas, but I do feel that the scheme penalises all landlords rather the specific ones with issues and could lead to a decrease in properties available for rental which could have a detrimental effect on affordable houses for individuals and families that need to rent and could reduce the properties available to them. This could have the adverse effect of more 'unofficial' properties which means that conditions couldn't be monitored and makes tenants more vulnerable from unscrupulous landlords.</p>	<p>The council was proposing to use the regulatory framework provided by selective licensing schemes to focus on those that do not comply and impact negatively on the reputation of those responsible landlords as well as having a detrimental effect on tenants and neighbourhoods. The council would have developed guidance and worked with landlords to bring about compliance where possible, but we will also use robust enforcement against wilfully non-compliant landlords. This is evident from the council's approach in its previous scheme.</p>
<p>I don't see how this licencing will change issues within the neighbourhood. I completely agree if there are unsafe properties been rented out there should be something in place to hold the landlords accountable, but this is penalising ALL the landlords the majority of which are keeping their properties in good order, should it not just be the few which are penalised.</p>	
<p>This is just another cost being levied on a sector that is already experiencing significant increases with mandatory items such as EPCs, EICRs etc. These latter items are important, but a new licensing regime is just more admin that is likely only to be observed by honest landlords that wish to provide habitable homes at a reasonable cost.</p>	
<p>Landlords should not be affected by excessive charges for a licence which only duplicates landlord's legal requirements anyway. A blanket approach to a large area penalises the majority of good private landlords just because some landlords in Gainsborough have unsavoury tenants.</p>	
<p>A blanket licensing fee would penalise good landlords instead of the ones that should be targeted and would lead to an increase in rents as this would inevitably be passed on to tenants</p>	
<p>Theme: Licensing will result in landlords selling /leaving the sector</p>	
<p>As a landlord who invested into purchase and full refurbishment of properties, paying mortgage/loan repayments, maintenance costs, letting agent costs - the profit margin is tight and an additional £675.00 may be the point of decision to sell the property(ties) and reduce rented housing stock to the locality. What evidence exists to the true benefit of such a scheme?</p>	<p>The council has seen no evidence that that landlords have moved elsewhere or that there has been an increase in difficulty in finding rental properties in a licensable area. This is similar to the evidence from other authorities who have also been operating licensing</p>
<p>There is a huge lack of rental properties in the area, which is driving rental prices higher, this legislation is not needed it will drive landlords to raise rents or sell causing more to be on the council</p>	

Example comments	Council's consideration
<p>list for housing, we manage over 200 properties all of which landlords have said if this comes into force they will sell. If properties are managed by agents, legislation and antisocial behaviours dealt with by ourselves perhaps suggesting landlords use a managed service which will cost them less and keep tenants happy</p>	<p>schemes. The private rented sector is a growing sector, and properties continue to be in high demand, including in areas where licensing has been introduced. This sector has grown in the last decade and continues to.</p>
<p>Selective licensing is very frustrating for good landlords who are already compliant as it effectively introduces an additional tax for them. From experience it tends to lead to properties being sold and a further reduced housing stock. Licensing also places a lot of responsibility on landlord for things that a landlord has very little control such as how the tenant deals with their refuse. Responsibility also needs to lie with tenants.</p>	
<p>My friend has a beautiful house in this area. On learning of the proposed license area, she has issued her long-term tenant with an eviction notice. She is going to use the house as a holiday rental. I don't blame her, just a shame the tenants will lose their home.</p>	
<p>Theme: Licensing is unnecessary</p>	
<p>This imposes unnecessary economic and procedural burden on landlords. The government laws already exist to protect tenants and ensure that private let housing is up to standard. There is simply no need for further licensing. The inspections that are required to be carried out by the landlord border on tenant harassment.</p>	<p>Whilst the council acknowledges that many landlords operating in the district keep their properties to a high standard, the evidence presented during the consultation shows that there are persistent issues with poor property conditions, and ASB in the district's private rented sector, that licensing can help to address.</p>
<p>No substantive benefits and an additional cost. Landlords are being squeezed from every angle, tax changes, interest relief, making properties more energy efficient, council tax, Universal Credit etc, and this is just another cost. There's plenty of legislation to cover the key components to keep tenants safe and secure. LAs just don't sometimes have the resources to use them, but Landlords shouldn't make up that shortfall.</p>	
<p>The council already possess statutory powers to deal with these problems. These should be used rather than introducing blanket measures that penalise the good with the bad. Why use a hammer when you already have a scalpel?</p>	<p>The council believes that many landlords will meet the licence conditions, and do keep their properties in good condition, but licensing enables the council to act against those landlords who place their tenants in unsafe properties.</p>
<p>Not required and just a way of the council making money</p>	
<p>I only let one property, through a reputable estate agent, I comply with all relevant legislation and think that your scheme is completely unnecessary</p>	<p>The National Residential Landlord Association, in their "landlord's essential guide to periodic inspections", recommends that "the frequency</p>

Example comments	Council's consideration
	of the inspections should be no less than every three months, to avoid harassment". This is more frequently than the six-monthly inspections which would have been required by the proposed licence conditions.
Theme: Licensing does not have a positive impact	
<p>I don't understand the basis in which selective licencing of landlords will assist in reducing anti-social behaviour, you will only gentrify the area and out price the tenants who can't afford to live there because the rent is too high, deposit too high. people who are anti-social or live in squalor, have far bigger issues such as mental health issues than just having just a bad landlord. You won't be able to stop bad landlords with selective licencing. all it does is put pressure on people who are trying to be good landlords all that will happen is that the cost will be placed on the tenant.</p>	<p>The recent Government research 'An Independent Review of the Use and Effectiveness of Selective Licensing' found that selective licensing can be an "effective policy tool" that can achieve demonstrable positive outcomes.</p>
<p>I see no evidence to suggest the SL has had any positive impact.</p>	<p>Also, as stated above, the previous scheme was extremely successful in getting landlords to comply with both the licensing process and the licence conditions. 249 properties were improved and at the same time, ASB complaints and Police records of ASB were dramatically reduced.</p> <p>The licensing condition that relates to ASB gives the Council a direct route to tackle issues and ensure that the landlord is taking reasonable steps to deal with any ASB occurring from their property.</p>

Reasons for disagreeing with the proposed selective licensing schemes in Designation 1

Example comments	Council's consideration
Theme: The previous scheme did not improve the designated area	

Example comments	Council's consideration
<p>Under the last selective licence period I noticed no change at all in the area and still had my property damaged by crime activity. There were also no schemes provided by the local authority i.e., insulation grants etc to assist landlords in raising the standard of properties. With the current tax rules in place most private landlords are unable to offset mortgage costs against tax and due to the low rental income in the area are running at a loss. As the local authority doesn't have enough of its own housing stock and has to rely on private landlords in order to house tenants, they should do more to assist. Selective licensing just appears to be another stealth tax, as I have stated I noticed no improvements or benefits to either the area, the tenant or the landlord in the previous 5-year period.</p>	<p>The previous scheme, which operated in a small area of Gainsborough South West ward, was successful in getting landlords to comply with both the licensing process and the licence conditions. 98% of eligible properties were licensed, 249 properties were improved and there were 40 successful prosecutions for non-compliance. At the same time, ASB complaints and Police records of ASB were dramatically reduced.</p>
<p>WLDC has had five years to knock my ward into shape. Can it really need another five years? Surely all has been done! I think WLDC needs to tackle the problems by looking at total regeneration of the worst areas. New house would create better tenants. Many Landlords are working off extremely low rents. Higher rents would provide better quality housing. Many of the existing properties are of poor construction and beyond economic upgrading. More financial support from WLDC to provide CTT cameras and many more wardens, especially at night.</p>	
<p>Having been a part of the last licensing scheme, I saw absolutely no improvements to anti-social behaviour, crime, drugs, police patrol or presence. Just had to pay a lot of money as a landlord to the council. All of my properties were maintained and certificated to a high standard</p>	
<p>WLDC already has powers to deal with ASB, fly tipping and poor housing standards. Licensing has not improved the standard of housing where tenants choose to live in squalor. Several good landlords are selling up in SW Ward and several not so good landlords are still operating without a license.</p>	
<p>Theme: More areas should be included in the designation</p>	
<p>If you are going to have a property license scheme, then it must cover all wards and rented properties as you are going to leave yourself open to bias and calls of discrimination which would bring negative press to the WLDC.</p>	<p>The Council can only introduce selective licensing in areas in the district where there is evidence that they meet the criteria as laid out in the Selective Licensing of Housing 2015 (Additional Conditions). The council carried out a detail analysis of the evidence available and has been selective in proposing designations for areas that meet the criteria of poor property conditions and ASB.</p>
<p>Areas which are selected for the scheme would be castigated as a result. Everywhere should be subject the same laws and regulation.</p>	
<p>Should also include East Ward of Gainsborough including Foxby Lane and surrounding area - SW is not sufficient</p>	
<p>Theme: The scheme is unnecessary for previously licensed landlords</p>	

Example comments	Council's consideration
<p>If these properties have already met the previous 5 years' worth of inspection surely they are now up to the selected license standard? Otherwise, how have the landlords continued to rent for last 5 years?</p> <p>This area has been under SL for 5 years so therefore all rented properties should be in good condition and managed properly</p>	<p>It must be recognised that the proposals that were made by the Council include the whole of the Gainsborough South West Ward. The previous scheme covered a smaller geographical area and included less than 50% of the properties that were proposed to be included within the new proposals for the whole ward. The previous scheme has contributed to addressing some of these category 1 hazards, but there is evidence that these still exist across the broader ward.</p> <p>The new proposals had clearly recognised the efforts that landlords licensed under the previous scheme had made to make improvements to their properties. This was reflected in the proposal to leave the fee the same for those landlords who had a property licensed under the previous scheme.</p> <p>The data for Gainsborough South West ward shows that there is still a need for a selective licensing designation, despite the good work undertaken during the first scheme</p>
Theme: Other	
<p>I have paid into the current licencing system and have gained nothing from it, it needs to be made clear exactly what you are offering other than simply making demands on landlords. Are you going to assist landlords with eco grants to help them bring property up to a better standard? If not, how do you think landlords are going to do this?</p>	<p>The outcomes from the previous scheme have been well documented. There are various options for landlord available via the government's grant schemes. The council has provided grants previously for things such as long-term empty homes, however there are currently no plans to offer additional grants. In</p>

Example comments	Council's consideration
	relation to minimum energy efficient standards, landlords already have a legal obligation to meet these, since they became a legal requirement in 2015.
Not all areas of Gainsborough SW are affected by issues that West Lindsey Council believe are there. The council should concentrate on the existing streets in the previous licencing scheme and improve them.	As stated above, the council cannot introduce selective licensing in areas which do not meet the criteria, and the data and evidence produced show that there are issues with ASB and poor property conditions across the whole ward.
I dealt with the previous licensing scheme in the worst areas of South West. There have been vast improvements. No other areas were, or are, that bad.	The council agree that there have been vast improvements due to the previous selective licensing scheme. However, there is evidence of continuing issues with ASB and poor property conditions in the Gainsborough South West ward, and of poor property conditions in the four wards proposed for the second designation,
Education starts with the tenants - not the majority of landlords who normally abide by the law	The council agree that tenants should be educated on their rights and responsibilities is key for the scheme to work, and had committed to incorporate this into the new scheme, including more engagement with tenants and additional support for landlords

Reasons for disagreeing with the proposed selective licensing scheme in Designation 2

Example comments	Council's consideration
Theme: The designated areas should be different	
To big an area. Blyborough, Willoughton etc do not have an issue, more on the camp at Hemswell only	The council recognises the concerns about using wards as the designation boundaries. We

Example comments	Council's consideration
<p>If you have concerns about a specific area identify it. Designation 2 covers a vast area, including such areas as Tealby and Six Hills where landlords have high standards (I speak as a tenant)</p>	<p>believe that our data and evidence support this approach, which a standard approach for ta selective licensing scheme used by other councils, however a different approach may have been considered based on the consultation feedback.</p>
<p>Theme: Licensing should be used on smaller area</p>	
<p>Again, it is not all areas, just some streets. The council should focus on those.</p>	<p>There was evidence for the ward-wide schemes in the proposed designated areas, but as stated above, the council may have considered looking at a different approach to this based on the consultation feedback.</p> <p>The council's evidence base is robust, the evidence report sets out the sources of the data, including actual council data. The data is not based on an algorithm. Assumptions form part of this, but this is based on the best available data.</p> <p>This is an approach that has been accepted by the DLUHC and is recommended as an approach in research carried out by an independent agency on behalf of the government (An Independent Review of the Use and Effectiveness of Selective Licensing. This states that the use of "data analytic techniques to pooled data held authority wide" provides intelligence on the private rented sector for a local authority.</p>
<p>There are small pockets where sub-standard housing maybe an issue and it is bad policy to include the whole ward as a consequence. If necessary at all selective licensing should only be applied to genuinely poor-quality housing. The council needs to gather more actual data on this rather than relying on algorithms which have inherent bias.</p>	
<p>Theme: It is unclear what the benefit is to landlords</p>	

Example comments	Council's consideration
<p>I can see absolutely NO benefit to me as a landlord in getting a licence if it is going to cost me 2 months rental income that I would collect from a tenant & there is already ample legislation in place that I adhere to regarding the provision of "good quality safe housing" and where I utilise a professional management Letting Agent.</p>	<p>The council believes there will be several benefits to the licensing schemes.</p> <p>For landlords, the benefits would be:</p> <ul style="list-style-type: none"> • Licensing encourages landlords to proactively manage their properties and to take reasonable action to address problems. • The council will work with landlords to help support them and build their professionalism. • Licensing enables the council to create a 'level playing field' for responsible landlords by taking a much more robust approach to the minority of 'rogue' landlords who fail to invest in their properties and meet their legal obligations. • A large scale approach to improving the sector can be taken, rather than one based on reactive complaints. <p>The benefits for the wider community would be:</p> <ul style="list-style-type: none"> • Poorly managed privately rented properties have a negative impact on many neighbourhoods. Licensing will increase the number of landlords managing their properties effectively, including the enforcement of tenancy conditions to combat neighbourhood nuisance caused by their tenants or people visiting their properties.

Example comments	Council's consideration
	<ul style="list-style-type: none"> Poor waste management and fly tipping has been cited as a major issue in many wards. All property licences contain a condition that the holder must provide adequately sized bins and sufficient recycling containers for the occupiers. <p>When a property is overcrowded, this is often linked to an increase in noise complaints. Through licensing the council is able to limit the number of occupants in a property, reducing overcrowding and the likelihood of noise nuisance</p>
Theme: More areas should be included in the designation	
Licensing should be across the whole area	As stated above, the council can only introduce selective licensing in areas in the borough where there is evidence that the areas meet the criteria as laid out in the Selective Licensing of Housing 2015 (Additional Conditions). The council carried out a detail analysis of the evidence available and has been selective in proposing designations for areas that meet the criteria of poor property conditions and ASB
Theme: Other	
From a very good landlord's position, I don't think you should include good landlords in this proposal, work on a points-based system working on tenant complaints.	As stated above, the council has evidence that the issues with poor property conditions are more widespread than just the areas covered by the previous scheme

Reasons for agreeing with the proposed selective licensing schemes in Designation 1 and Designation 2

There were a number of positive comments regarding the proposed licence schemes from consultees. They continued the following themes:

- Agrees with the scheme
- Supports licensing if it will address issues in the area
- Licensing will help improve properties
- The area of the designation is experiencing issues
- More areas should be included in the designations
- Tenants also have to take responsibility
- Landlords should have responsibility for tenants
- The scheme needs to be enforced

A sample of the comments supporting licensing are below:

- The area has been positively impacted by the previous scheme and makes perfect sense to continue it.
- Property licensing is massively important for the safety of everyone
- All private landlords should meet a high level of standards for the benefit of tenants and the larger community
- This will allow the area and rental properties to be better managed
- Anything to make the area safer and the housing up to a decent standard
- More regulation is required to ensure high standards in rented accommodation
- Without adequate licensing there will be no improvement and the lives of homeowners will not improve. House prices will be affected by the neglected properties
- The area desperately needs help and support
- I agree entirely, this is an area of low-quality housing and high unemployment. You need to come down hard on the landlords you get tenant complaints from.
- This should cover all areas. I live in a 'nice' rural area but the property, with its charm, is over 150 years old. Just because we are not in a designated low-income/anti-social area, doesn't mean we fare any better.
- Some very poor properties hidden away in rural areas and far less choice for tenants with limited resources made far worse by e.g., lack of health and social support services and no public transport
- The two friends I have also rent in Market Rasen are in very poor condition properties, one without operable bath or shower. Council inspection (or the threat of it) would force improvements

- I agree Landlords have a responsibility to minimum standards and have a duty to maintenance. Tenants equally have responsibilities to respect property and community
- Landlords should take responsibility to ensure their tenants behave in a manner that doesn't impact on their neighbours
- I think any landlord not maintaining their property to health and safety standards and tenants not looking after property should be made to
- the rental market has been open to abuse and profit and tenants need protection as well.
- Hopefully it will make landlords to do health and safety checks every year and do repairs that they don't seem to care about
- Just to say that it is well covered and welcomed.
- If landlords were made more responsible for their property and the anti-social actions of their tenants, it would be wonderful for people like me who own and live in property in these areas

Comments Regarding the Proposed Fee

Example comments	Council's consideration
Theme: The scheme needs to be enforced	
Please ensure the enforcement element is large enough to cover costs	Had the scheme been approved, the council's enforcement capability would have been increased in line with the number of licences, including pro-active compliance checks. The council sought to actively inspect for unlicensed properties and would have taken action against those who refused to license their properties.
I hope this is not just a money-making scheme for the council and that this scheme will be managed effectively to rid our wards of unsuitable landlords who prey on the poor of society	
Theme: The council should focus on bad/poor landlords	
We should not be enforcing selective licencing fee on good landlords like myself - focus on the bad	<p>Under an approved Licensing scheme, the council will carry out inspections to find unlicensed properties and take action against those who refuse to licence their properties.</p> <p>An independent agency on behalf of the government (An Independent Review of the Use and Effectiveness of Selective Licensing) found that licensing "provides a clearly defined offence (licensed / unlicensed) which simplifies enforcement - and where a landlord is intentionally operating without a licence it is highly likely the inspection process will uncover further offences". The council believes that licensing will enable it to work with landlords to raise standards of living in the borough and work to tackle the issues of poor property conditions, and ASB, by holding landlords to a high standard, and by carrying out inspections.</p>
Non-compliant landlords should be fined instead of a charge across the board	

Example comments	Council's consideration
	<p>Alongside the enforcement powers granted by licensing, the council will also carry out a comms campaign to make landlords, tenants and residents aware of the licensing schemes, and raise awareness of how to report issues.</p>
<p>Theme: Licensing will not have an impact</p>	
<p>How will simply taking money from landlords achieve targets of any sort</p>	<p>See previous answer on this theme above in Reasons for disagreeing with the proposed selective licensing schemes in Designation 1</p>
<p>Under the last selective licensing period I couldn't see any positive tangible results for anyone.</p>	
<p>Theme: Licensing is unnecessary bureaucracy</p>	
<p>Another paper exercise!</p>	<p>As stated above, whilst the council acknowledges that many landlords operating in the district keep their properties to a high standard, the evidence presented during the consultation shows that there are persistent issues with poor property conditions, and ASB in the district's private rented sector, that licensing can help to address.</p>
<p>Private landlords have increased costs anyway with MEES and EPCs without a further layer of unnecessary bureaucracy</p>	
<p>Theme: It should be free for previously licensed landlords</p>	
<p>Having already had the licence I think it should be free</p>	<p>By law, the council is not allowed to make money from the licensing schemes. The proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number of licence applications the council anticipate, under the proposed designations.</p> <p>The council have considered the level of discounts for previously licensed landlords as part of its fees setting process and consider the level of discount to be appropriate.</p>
<p>Previously licenced properties with same landlord & tenant should not be necessary</p>	

Example comments	Council's consideration
Theme: Landlords with properties in good condition should be exempt	
There should be a 100% exemption where a landlord can demonstrate that the property is not in poor conditions	By law, the council is not allowed to make money from the licensing schemes. The proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number of licence applications the council anticipate, under the proposed designations.
Unfair cost to landlords who stick to the rules.	
Theme: It is not clear what the benefit to landlords is	
It is a charge for what benefit to me as a landlord? Communication has been poor or non-existent	<p>As stated above, the council believes there will be several benefits to the licensing schemes.</p> <ul style="list-style-type: none"> • Licensing encourages landlords to proactively manage their properties and to take reasonable action to address problems. • The council will work with landlords to help support them and build their professionalism. • Licensing enables the council to create a 'level playing field' for responsible landlords by taking a much more robust approach to the minority of 'rogue' landlords who fail to invest in their properties and meet their legal obligations. • A large scale approach to improving the sector can be taken, rather than one based on reactive complaints.
It seems reasonable that the landlord should pay, provided they gain something in return.	
I can see absolutely NO benefit to me as a landlord in getting a licence if it is going to cost me	
Theme: The fee will mean landlords have less to spend on improving their properties	
Agree there should be a fee but rather than was nominal with balance directed to property improvement	The proposed fees have been calculated based on the cost of setting up and operating the

Example comments	Council's consideration
<p>Is the Fee going to add £675 to tenants rent or mean landlords spend £675 less on their houses? That's £675 you could spend on improving the property</p>	<p>licensing schemes, so that the costs would be met by the expected income from the number of licence applications the council anticipate, under the proposed designations.</p> <p>A selective licence obtained at the start of the five-year scheme for a property will pay a one-off fee of £675 (which equates to around £2.60 per week).</p> <p>Whilst the council recognises that the licence fee is a cost to the landlord, this is not considered unaffordable compared to the average rental income obtainable in West Lindsey at present.</p>
Theme: The licence should be free	
<p>If you want landlords to get a license and likely incur extra cost, should be free funded by council There should be no fees. Selective Licensing is akin to a Landlord Tax Funding should not be coming from responsible private landlords. Should come from general government taxation</p>	<p>As mentioned previously, the proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number of licence applications the Council anticipate, under the proposed designations. In order to undertake the scale of work needed, based on the evidence provided, it is not believed that this can be funded through the council's usual general fund activities.</p>
Theme: The fee must reflect the cost of running the scheme	
<p>I assumed that WDC has clearly modelled and determined the costs to be self-funding from the charge The fee must reflect the cost of managing the scheme Fees should cover the costs of the scheme</p>	<p>The proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number</p>

Example comments	Council's consideration
	<p>of licence applications the Council anticipate, under the proposed designations.</p> <p>The council's enforcement capability will be increased in line with the number of licences, including pro-active compliance checks. The council will be actively inspecting for unlicensed properties and will take action against those who refuse to license their properties</p>
Theme: Licensing punishes good landlords	
Do not charge the good landlords to pay for enforcement on the bad landlords.	<p>See previous answer on this theme above in Reasons for disagreeing with the proposed selective licensing schemes in Designation 1 and Designation 2</p> <p>Reasons for disagreeing with the proposed selective licensing schemes in Designation 1</p>
Too expensive for good landlords	
I feel it may penalise good landlords	
Theme: Licensing will result in landlords selling / leaving the sector	
I deal with Landlords hit by the pandemic with tenants defaulting. Will lead to houses having to be sold letting agent.	<p>See previous answer on this theme above in Reasons for disagreeing with the proposed selective licensing schemes in Designation 1 and Designation 2</p>
For portfolio owner that own more than 10 properties will struggle and therefore most likely sell.	
If you do this, it is not worth me renting out a property I will sell it so one less for you to worry.	
Theme: The fee is too low	
Should be higher to deter rogue landlords and those who have a portfolio of properties.	<p>The fees have been set to cover the cost of the scheme, which is a legal requirement.</p>
Increase the fee.	
Fees should be higher.	
Theme: Agrees with the fees	
it will regulate and improve housing standards with rented properties	<p>As stated above, the fees have been set to cover the cost of the scheme, which is a legal requirement, and agree that it is not considered unaffordable compared to the average rental income obtainable in West Lindsey at present.</p>
I help fix these houses and notice a really positive benefit to the tenant's life.	
Fee may be an incentive and represents a small proportion of the potential [rental] income	
This will put off bad landlords	
Theme: Money-making scheme	

Example comments	Council's consideration
<p>This is a tax by the council. There are robust and strong laws in place to protect tenants.</p> <p>this is a landlord tax to increase the housing budget to deal with other things not relating to ASB.</p> <p>This fee is ludicrous!!! Not only are you penalising the landlords of decent properties, but also taking more money away from them investing it into the property itself.</p>	<p>Under the law, the Council is not allowed to make money from the licensing schemes. The proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number of licence applications the Council anticipate, under the proposed designations. The legislation requires the council to only use the fees for the administration and enforcement of the scheme.</p> <p>In order to undertake the scale of work needed, based on the evidence provided, it is not believed that this can be funded through the council's usual general fund activities.</p>
<p>Very poor value for money. It's just another tax.</p>	
Theme: Fee is too high	
<p>Far too expensive. Landlords have to pay for all rental related fees now such a credit scoring etc.</p> <p>It is not affordable at all to independent landlords as there is already little profit to be made.</p> <p>As a landlord in London, this fee appears incredibly high, and far more than landlords can pay. £100 is far more reasonable - anymore and the cost will be passed on to tenants</p> <p>They are far too high for the amount of work required.</p>	<p>As stated above, the proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number of licence applications the Council anticipate, under the proposed designations.</p> <p>A selective licence obtained at the start of the five-year scheme for a property will pay a one-off fee of £675 (which equates to around £2.60 per week). Whilst the Council recognises that the licence fee is a cost to the landlord, this is not considered unaffordable compared to the average rental income obtainable in West Lindsey at present.</p>
<p>I think that this is an unacceptable extra cost per let property.</p>	

Example comments	Council's consideration
Theme: The cost will be passed on to tenants	
Unfortunately, any incurred cost that landlords get are often then added to increase rents	See previous answer on this theme above in Reasons for disagreeing with the proposed selective licensing schemes in Designation 1 and Designation 2
The fees will be passed to the tenant, or be deducted from property improvement contingencies	
Additional costs would have to be passed onto tenants and may reduce the availability property.	
If you introduce fees nobody but the landlord would pay it and pass cost onto tenant, so nothing is gained.	
Any amount paid for a license will ultimately be passed on in rents therefore upping the cost of living once again to those who struggle now	

Comments Regarding the Proposed Discounts to the Licence Fees

Example comments	Council's consideration
Theme: Agree with discounts	
The discounts seem fair.	The Council have considered the level of discounts as part of its fees setting process and consider the level of discount to be appropriate.
Discount system is fine.	
Theme: Not enough information provided to comment	
Nor enough info to answer	The information on the proposed discounts was available on the council website and linked to the consultation survey page. Opportunities were provided throughout the consultation for stakeholders to attend online forums or submit questions to the council via email or via a phone call.
I have seen no mentions of discounts or their percentages	
Theme: Agrees with the early bird discount	
Early bird discount good idea so long as the renewal date (in five years) isn't set at point of pay	The fee would cover the full five years of the scheme, regardless of when it was paid, for the period of the five-year designation
1. No discount for the new 5-year period. 2. The early bird discount is fine.	
Theme: A discount if the landlords makes an improvement in energy efficiency	
It's clear these charges will happen. Discounts should apply. as well as eco grants implemented.	As stated above, the council have considered the level of discounts as part of its fees setting
Discount if landlord makes improvements in energy efficiency e.g., insulation or heating	

Example comments	Council's consideration
	<p>process and consider the level of discount to be appropriate. Advice from the council on eco grants or other initiatives such as this is still available on the council website.</p>
<p>Theme: It's a money-making scheme</p>	
<p>This is a disgusting money-making scheme that the country should hear about</p>	<p>See previous answer on this theme in Comments Regarding the Proposed Fee</p>
<p>This seems like a council's way of just getting money for doing nothing, neither tenants or landlords get any benefit out of this proposal, only a money-making thing for the council.</p>	
<p>Theme: Discounts should be repaid if enforced is required</p>	
<p>Discounted fees should be repaid if enforcement is warranted.</p>	<p>If a property is found to be in breach of the licence conditions or legislation relating to renting out a property, the licence holder would face enforcement action ranging from a schedule of works to remedy the issues, up to a financial penalty or prosecution. If the council is concerned about a property when they receive a licence application, they can issue a one-year licence on condition that improvements are made to the property, before issuing a full licence.</p>
<p>Discount should be removed and paid for any landlord subject and enforcement. Landlords subject to enforcement should have to re-apply at full fee after each enforcement</p>	
<p>Theme: It should be free for good quality housing</p>	
<p>No charge should apply to landlords providing and taking care of good quality housing. It's a disincentive</p>	<p>As mentioned previously, the proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number of licence applications the Council anticipate, under the proposed designations.</p>
<p>Zero fee for good landlords</p>	

Example comments	Council's consideration
	It is not possible to determine property by property the standard of each landlord, without a scheme such as selective licensing.
Theme: There should be fewer discounts	
Less discounts should be issued so that landlords have to seriously consider risk	The council wants to reward responsible landlords who apply promptly for a licence, and for those landlords whose properties were covered under the previous licensing scheme.
No discounts. Landlords make money, homeowners have lost thousands.	
Theme: There should not be a fee	
There should not be a fee at all.	The schemes are required to be self-funding therefore for the council to be able to implement and run the schemes and carry out inspections, there is a need for a fee.
No fee needed	
Theme: There should be a further discount/free for previously licensed landlords	
If 1 fit and proper check has been done, you don't need to charge again for it	The Council have considered the level of discounts for previously licensed landlords as part of its fees setting process and consider the level of discount to be appropriate.
Greater discounts should apply to those in SWW. Landlords received nothing of what was promised.	
Theme: Discount for landlords depending on the number of properties	
Heavy discounts for portfolio owners	The licence fee is set based on the cost of the schemes. The fee is not permitted to be set based on the number, size or rental value of the property. A slightly reduced fee would be offered due to the need for the fit and proper person checks only being required once.
Discounts for several properties per landlord	
Theme: There should be a discount for good landlords	
A fee at the beginning of the term and a 50% refund if no complaints have arisen.	The council considers that good landlords would apply promptly for a licence, and therefore be eligible for an early-bird discount. It is not possible to provide refunds for any fees paid.
Perhaps as an incentive to good landlords, any property deemed very good on first inspection could receive a discount.	
Theme: The discounts should be based on the quality of the property	

Example comments	Council's consideration
<p>Possibly for good landlords with several good properties for rental.</p> <p>90% discount on property where landlord is in full legal compliance and tenant agrees with status</p> <p>Landlords that maintain their properties to high standards should be waived all fees or be exempt</p> <p>Greater discounts for landlords who manage their properties better than others.</p>	<p>As mentioned previously, the proposed fees have been calculated based on the cost of setting up and operating the licensing schemes. Though many landlords will meet the licence conditions, and keep their properties in good condition, licensing enables the council to take action against those landlords who place their tenants in unsafe or overcrowded properties.</p> <p>Furthermore, the council appreciates that good tenant feedback is important, but the council is aware that many tenants may not be aware of the safety standards that they should expect from rental properties, nor are tenants always comfortable in raising their concerns.</p>
Theme: The fee is too high	
The fees are extortionate for Landlords who credit score, gain references and maintain properties.	See previous answer on this theme in Comments Regarding the Proposed Fee
Landlords are struggling with court costs etc for evictions. They don't have the money.	
I am an exemplary landlord, and these additional costs would be crippling, could be counterproductive	
Theme: No discounts	
Why discount? Just charge the fee to anyone	The council wants to reward responsible landlords who apply promptly for a licence, and for those landlords whose properties were covered under the previous licensing scheme.
there should not be a discount, it is a fee. I don't get a discount for paying council tax early!	
No discounts should be offered	
Should be the same for all	
Theme: It should be free	
The licence fee should be entirely voluntary for landlords and a 'Nominal Fee'	See previous answer on this theme in Comments Regarding the Proposed Fee
Remove the fee totally and tackle any problems differently	
Fully discounted. Should be no fee	
Theme: Other	

Example comments	Council's consideration
Monthly cost spread over 5 years will be more affordable	The payment of fees on a weekly/monthly basis would lead to a substantial increase in administration which would raise the overall cost of the licence. Fees are however payable in two instalments.
Accidental landlords, very little profit, have no choice but to rent, not a big business.	As stated above, the licence fee is set based on the cost of the schemes. The fee is not permitted to be set based on the number, size or rental value of the property The council is also running schemes by which landlords could get a discount: <ul style="list-style-type: none"> • Early bird discount – 15% off for landlords who sign up to the scheme within three months of launch • £300 discount for previously licensed properties
landlords using proper agencies to let their properties should have discounted rate	The council will not be offering a discount for those who are signed up to any accrediting agencies as they all vary in their requirements and are also voluntary.

Comments Regarding the Proposed Property Licensing Conditions

Example comments	Council's consideration
Theme: Maintenance of external areas	
Impact of rented property on wider streetscape is important	
Maintenance of external areas	The conditions are set out to address these issues, including the proposed condition “The Licence Holder must ensure that any gardens, yards and other external areas within the curtilage of the house are kept in reasonably clean and tidy condition and free from rodent

Example comments	Council's consideration
	infestation, waste accumulation and fouling from pets.”
Theme: The conditions are reasonable	
All seem reasonable at this stage.	The council believes that the licence conditions set reasonable requirements for landlords and will raise the standards in the private rented sector and help to address the issues identified with poor property conditions and ASB in the proposed designations.
I have no issue with some demands.	
Theme: The only condition should be to provide smoke and carbon monoxide detectors	
landlords should demonstrate that they have provided fire and monoxide alarms only	We do not believe that would have a significant impact on its own in improving poor property conditions. There is existing legislation relating to smoke and CO alarms.
Whilst I agree with carbon monoxide detectors, I strongly disagree with the others.	
Theme: It's a money-making scheme	
This is a tax on landlords.	See previous answer on this theme in Comments Regarding the Proposed Fee
Just another way to squeeze us for money	
Theme: Complaints process for tenants	
Tenants have access to complaints procedure and council/authority should address antisocial behaviour.	There are a variety of ways to report issues to the council. Selective licensing would enable the council to identify and inspect a much greater volume of properties in a proactive manner. It also sets out additional conditions for landlords to comply with which are easy to understand for tenants and tenants can contact the council if a landlord is in breach of these. The council does also investigate issues relating illegal evictions and harassment under separate powers.
Many tenants do not dare complain, contact council due to threats from landlords. Council cannot act if tenant doesn't contact them!	
Theme: Landlords should be responsible for the safety of their properties	
Safety is most important to all as a landlord access can be issue	

Example comments	Council's consideration
I think all landlords should be responsible for health and safety conditions in their properties	Landlords have a legal duty to comply with the housing act and selective licensing seeks to add additional regulation to this sector.
Theme: The licence conditions are excessive	
Bit draconian on maintenance visit records and keeping rents reasonable.	As stated above, the National Residential Landlord Association, in their " landlord's essential guide to periodic inspections " recommends that "the frequency of the inspections should be no less than every three months, to avoid harassment". This is more frequently than the six-monthly inspections which would have been required by the proposed licence conditions, Council has no jurisdiction on rent amounts in private rented sector, and does not have licence conditions relating to the cost of rent
Many of these conditions and requirements will border on harassment for the tenants in occupation.	
Theme: Properties should be safe and habitable	
Properties should be safe and habitable.	The council agrees that properties should be safe and habitable, and this is one of the aims of the proposed scheme. As stated above, the council believes that the licence conditions are reasonable requirements of landlords, and will raise the standards in the private rented sector and help to address the issues identified with poor property conditions and ASB in the proposed designations
The safety requirements for rented property should be paramount	
Theme: There should be no conditions	
Don't do any conditions	The council does not feel it can make the required improvements to the sector without selective licensing, and the related licensing conditions. If the designation was brought in,
All of it should be scrapped, it should be free help and advice within existing laws.	

Example comments	Council's consideration
	there are conditions which are a mandatory requirement for licensing from the legislation
Theme: The licence conditions should already apply without licensing	
<p>These are all covered by existing legislation and checked by current Letting Agent.</p> <p>Already in our tenancy agreement</p>	<p>Selective licensing conditions are not currently mandatory to privately rented properties. Whilst we acknowledge that some landlords may already meet these conditions, unfortunately this is not the case for the whole sector and the properties in the proposed designated area, and therefore the council believes selective licensing is necessary.</p> <p>Letting agents do not have legal powers under the Housing Act. Landlords should not rely on letting agents to ensure that they are meeting their legal obligations.</p> <p>The councils acknowledges that many good letting agents operate in the district, but the council's experience is that the use of letting agents does not guarantee a good standard of properties.</p>
Theme: Tenants also need to be held accountable	
Tenants need to be encouraged to have pride in their properties, neighbourhoods and respect for their neighbours	The council agree that additional support should be considered for tenants and a number of other projects are ongoing to support our communities and increase pride in the local area. More information is available on the council website about these plans and projects
So long as the tenant is equally accountable to maintain the condition of the licence	
The tenants must commit to keeping all smoke/co Alarms in working order. I see a lot that are removed	

Example comments	Council's consideration
	<p>There are no legal powers available to the council to manage tenants in the way proposed. This legislation applies to the landlords only.</p>
Theme: Other	
<p>Rental houses should be inspected by the council without the need to licences.</p>	<p>The council responds to reports of disrepair in the PRS and in 2021/22 received 276 requests from tenants to inspect properties. This is reactive and based on a tenant making a complaint to the council.</p> <p>The council does not have the resource to inspect all rented properties. If selective licensing were introduced, the council would be able to fund additional resource to inspect properties in the private rented sector. From the evidence, there are currently c.4,060 private rented properties in the proposed designated areas, at least 23% of which are predicted to have a category 1 hazard. The council requires SL to have the resource to inspect the properties.</p>
<p>Should be a requirement to improve energy efficiency</p>	<p>There is existing legislation (MEES) to meet at least an E rating for EPC for rented properties. The council can, through selective licensing and inspections, also see if rented properties are meeting this legal requirement.</p>
<p>There should be minimum standards for property to be classed as fit to live and should include heating and detectors for example</p>	<p>There is an existing standard, set out by the Housing Act 2004, and the council does enforce to this standard. Selective licensing adds additional conditions based on whether an area is experiencing specific problems and enables the council to proactively inspect and hold</p>

Example comments	Council's consideration
	landlords to the higher standard and licence conditions.

Further Comments Regarding the Proposed Schemes

Example comments	Council's consideration
Theme: The council should keep a record of poorly behaving tenants	
Council should also keep a list of bad tenants as have heard of some families who trash their rented accommodation and then go on to repeat this bad behaviour elsewhere with no consequence.	The council is required to abide by GDPR regulations. The council is not able to keep and share this type of information with landlords. The selective licensing scheme would include a condition for landlords to carry out tenant referencing. Landlords should seek to ensure that they take all the relevant references and do their own due diligence when offering a tenancy.
Regarding residents, the landlords must have some sort of protection from repeat offenders as tenants, a system of early warning of undesirable or offensive tenants should be raised so that landlords can object to bad tenants being foisted on them in the name of any and all sorts of discrimination laws	
Theme: There was a lack of communication during the previous scheme	
Funny how I have not received a bit of information from WLDC housing for 4 years and had to contact Home Safe scheme direct to find out if renewal of licensing continues and yet, had 5 emails for this consultation. That is not cooperative or collaborative but draconian misuse of public funds. If this is to work better communication needs to be between landlords and council. Noticed the NRLA does not do sessions in WLDC anymore, yet it indicated in your figures there are 40% private housing. Somewhere something smells in your statistics	The council has identified a number of ways the previous scheme could be improved and are keen to understand the perspective of landlords on this. The council held a focus group with previously licensed landlords to gather their feedback and this was planned to continue before the scheme was halted.
I have been frustrated with the previous scheme regarding communication - very poor, reporting issues - no action or advised to contact someone else, poor clarity regarding function and statements relating to benefits of the previous scheme of improvements with property(ties) would have taken place with or without the scheme! Crime rates - ASB etc possibly the result of more effective policing and not the scheme. The lettings agents vetting potentially tenants could be the reason for improved property(ties) in the area and not the scheme. Where are the comparisons between privately owned	

Example comments	Council's consideration
<p>property(ties) and rented property aspects of the scheme? The list is endless, but a clear failure of comparative studies exists. The evidence of benefit is weak</p>	
<p>Theme: Poor property conditions can be caused by tenants</p>	
<p>Having once been a landlord, I sold my houses because the tenants ruined the properties and then complained. I was pleased to see the back of them, but I was able to provide myself with a pension.</p>	<p>The council agrees that tenants should be aware of their rights and responsibilities, and this is key for the scheme to work, and had committed to incorporate this into the new scheme, including more engagement with tenants and additional support for landlords. The council would also recommend regular inspections (which is in line with the NRLA's guidance) to see the condition of the property. Landlords are also required to use a tenancy deposit scheme, which can be used to address issues if the tenant causes damage in the property</p>
<p>Some tenants will not accept any responsibility. Property should be safe and in good condition and tenants can help maintain this</p>	
<p>Theme: Properties let by property agents should be exempt</p>	
<p>Where it is evident and proven that rental properties are fully managed by professional property agents, these properties should be exempted from the proposed selective licencing scheme.</p>	<p>Lettings or estate agents have no legal powers under the Housing Act. Landlords should not rely on letting agents to ensure that they are meeting their legal obligations.</p> <p>The councils acknowledges that many good letting agents operate in the district, but the council's experience is that the use of letting agents doesn't guarantee a good standard of properties. Also, the legislation relating to selective licensing does not allow for this</p>
<p>Licenses could be offered to property management companies whose responsibility is to make sure the properties rented pass a criteria. This would then reduce the cost to landlords. They did this in Peterborough.</p>	
<p>Theme: Tenant complaints process</p>	
<p>The Council should have a department to which a resident with a complaint could apply. The department should have the responsibility to check the complaint and, if upheld, should see that the</p>	<p>As stated above, there are a variety of ways to report issues to the council.</p>

Example comments	Council's consideration
<p>work/change, supply is carried out. Under such a system, the resident would almost certainly inform the landlord first of his/her problem. This, in turn, would reduce the numbers applying to the council department and provide an official, protective, link between the resident and landlord.</p> <p>Listen to complaints from tenants, make all tenants in rented properties aware that they can report problems to the council, whether council owned or privately owned would be a good start</p>	<p>The licensing the council to identify and inspect a much greater volume of properties in a proactive manner. Selective Licensing sets out additional conditions for landlords to comply with which are easy to understand for tenants and tenants can contact the council if a landlord is in breach of these. The council does also investigate issues relating illegal evictions and harassment under separate powers.</p> <p>The council is also aware that many tenants may not be aware of the safety standards that they should expect from rental properties, and therefore they may not know that they can complain about some issues, which should be addressed.</p>
Theme: Incentivise landlords to improve the energy efficiency of the property	
<p>you need to implement eco grants for landlords assisting them to change EPC ratings and therefore assist with fuel poverty that you mention. Many of the issues mentioned are general ones that exist across communities not just in Gainsborough but in many places and don't seem to be anything to do with licencing, i.e., dog fouling. Also, several issues you mention are down to the tenants not the landlord. A garden full of waste will become the landlord's issue when the tenant leaves with associated costs and then landlords are denied access to deposits to retain to cover these and indeed these deposits do not cover many costs anyway. It seems to me this is more about helping the tenant rather than persecuting the landlord, I can't make a tenant do the right thing, look at the difficulty in removing that tenant and the rise of tenant rights groups to stop landlords doing anything positive. why would I want to house an anti-social person, no landlord wants that, then it's made difficult for a landlord to do anything if they are anti-social anyway. A licencing scheme is all well and good but I'm not sure of the reality behind it unless the council is prepared to fund social initiatives within designated areas and assist landlords (we aren't all millionaires), grants, to upgrade property.</p>	<p>Advise from the council on eco grants is still available on the council website.</p> <p>The EPC rating has been a legal requirement since 2015, therefore landlords have had seven years to improve the EPC rating of their properties, and to factor the EPC rating into the decision to buy a property for the purposes of renting them out.</p> <p>Landlords should make an informed decision about buying a property to rent out, and the costs involved in bringing the property up to a let-able standard.</p>
<p>Encouraging landlords to update housing with economic friendly modifications such as solar panels.</p>	

Example comments	Council's consideration
	<p>The council has a number of initiatives in place and works with partners to address the broader issues the community faces, and selective licensing is one of these initiatives. More information is available on the council website</p>
Theme: More frequent inspections	
<p>The scheme worked well before, but you can't just keep working on one area. also, I feel two inspections in 5 years is very poor value for money.</p>	<p>Inspections are based on risks presented by properties and are prioritised from high to low risk. However, the council would consider looking at the inspection regime as part of any future proposals</p>
Theme: More support to landlords who are experiencing issues with tenants	
<p>More help for landlords with antisocial behaviour problems and mor communication when you need advice and help often emails not answered for weeks!</p>	<p>The proposals included a provision for additional support for landlords.</p>
<p>More support offered by the council to maintain their tenants to the reg flagged family's / individuals</p>	<p>The council has resources in place to support landlords, but is aware that it cannot resolve all the issues that may result from property management.</p>
Theme: More engagement with the police	
<p>If a charge of £675 is to be made in order to have a licence, then the local authority should ensure that the money is spent on providing more Police Officers in the area to counter ASB. There should also be more cooperation and liaison between the local authority and landlords with schemes in place (as other local authorities have done / do) to assist landlords with the upgrading of properties to make them more thermally efficient etc. Especially as the majority of houses in the area are older terraces buildings that aren't particularly efficient and also tend to need good ventilation. I also believe that the tenants should also be educated and held to account by the local authority with regards to their responsibilities and that this shouldn't be done by the landlord as landlords need a good relationship with the tenants and by us giving warnings for ASB or waste disposal violations then that would only be a detriment to that relationship.</p>	<p>The council also has an effective working relationship with the police, and as stated above, the proposals included a provision for additional support for landlords.</p> <p>The licensing scheme would help to bring additional resource into the areas it effected</p> <p>Social housing is excluded from selective licensing under the legislation.</p>

Example comments	Council's consideration
Need more policing more help from the council when you make a complaint more regulations on social housing landlords as they seem to not have to be licenced	
Theme: Other	
The council should be taking responsibility providing social housing. Not expecting and then penalising the private sector	The council is not a stock holding authority.

Landlord Forum Comments

Example comments	Council's consideration
Theme: evidence base	
How has the council surveyed properties to conclude that they are in poor condition in these areas? Metastreet predictions for the number of properties with category 1 hazards in each Ward is very precise. What sample size did they use in each Ward or was it only on the district as a whole? If the latter, surely the results would be skewed due to the Gainsborough situation?	As mentioned above, the council's evidence base is robust. The evidence report sets out the sources of the data, including actual council data. The data is not based on an algorithm. Assumptions form part of this, but this is based on the best available data, and this is an approach that has been accepted by the DLUHC. It is also recommended as an approach in research carried out by an independent agency on behalf of the government (An Independent Review of the Use and Effectiveness of Selective Licensing, which states that the use of "data analytic techniques to pooled data held authority wide" provides intelligence on the private rented sector for a local authority.
Theme: lack of prior engagement	
If the council has a concern over conditions, why have you not previously contacted known landlords? If the Council is concerned about poor standards and category 1 hazards in rural wards, why has there been no prior engagement with the known landlords on this subject previously?	There is not a legal requirement to contact stakeholders prior to consultation, as the purpose of the consultation is to gather their feedback. As stated in "Independent Review of the Use and Effectiveness of Selective

Example comments	Council's consideration
	Licensing” (2019), in the section on the Common Characteristics of a Successful Scheme, the “consultation serves not only to gather opinions and views that should inform planning, but also to initiate the ongoing process of landlord engagement that will continue through the scheme (if designated.
Theme: landlords leaving the sector	
Do you appreciate that this could change the private rent sector in rural WL and landlords may now decide to sell property? Causing a scarcity of rental property which pushes the rents up. The rural communities will suffer as a result.	See previous answer on this theme above in Reasons for disagreeing with the proposed selective licensing schemes in Designation 1 and Designation 2. The level of PRS properties within the areas is not decreasing.
Can you produce data and evidence to back up that landlords didn't sell up because of the scheme.	
What consideration has been given to the possibility that housing stock in the rental sector will diminish as additional costs reduce any profit margin in the Buy to Let sector?	
Theme: costs being passed on to tenants	
Did the council find that rents went up in Gainsborough due to the licence fee and increased administration?	See previous answer on this theme above in Reasons for disagreeing with the proposed selective licensing schemes in Designation 1 and Designation 2
You claim one benefit to the proposals is to improve privately let properties. What is the real benefit for tenants (and landlords) where private landlords are fully compliant? The risk is that the cost is passed onto tenants where there is no issue. Should the scheme be more robustly 'selective'?	
Theme: new scheme not needed if prior scheme was successful	
If the original scheme in Gainsborough from 2016-2021 was so successful, why does that area need to be included in the new Gainsborough scheme?	See response on theme ‘The scheme is unnecessary for previously licensed landlords’ for disagreeing with the proposed selective licensing schemes in Designation 1
Why are there so many cat 1 hazards after a 5-year scheme?	
Theme: Licensing punishes good landlords	
Good landlords still incur all the cost, time and extra admin for no benefit in reality	See previous answer on this theme above in ‘Reasons for disagreeing with the proposed selective licensing schemes in Designation 1 and Designation 2’, and ‘It is unclear what the benefit is to landlords’ in Reasons for
A lot of people will see this as a property tax, this places burden on landlords with properties in rural areas with already little services	
With more potential tenants than properties what tangible benefits are there to good landlords? We can only identify financial cost, time and administrative burden.	

Example comments	Council's consideration
<p>What feasibility studies have taken place with regard to the benefit of this scheme please?</p>	<p>disagreeing with the proposed selective licensing schemes in Designation 2</p>
<p>Theme: licence conditions</p>	
<p>Interested to understand reports and date why certain conditions have to be included, e.g., why a managing agent changes, why do we have to tell you?</p>	<p>The Council needs to be aware of who is in control of the property in order to respond to any concerns or queries that we have in relation to it. If a managing agent is unknown to the Council, this may delay any response or action for both the Council and the tenant.</p> <p>The Council also need to determine if that managing agent is fit and proper to act in that role.</p> <p>The feedback in regard to ASB conditions for designation 2 and their relevance would have been considered in any final proposals. The Council believes that the ASB conditions help to strengthen the overall role of selective licensing.</p> <p>Category 1 hazards are addressed through our Part 1 powers under the Housing Act 2004. Any Cat 1 hazards would be dealt with at the point of inspection should they be present.</p>
<p>Are all draft conditions applicable? e.g., is ASB is not a concern in the Designation 2 wards, would the ASB conditions be excluded?</p>	
<p>The draft licensing conditions make no mention of cat 1 hazards.</p>	
<p>Theme: the costs involved for landlords would be more than just the fee</p>	
<p>It is something you do not seem to have considered fully. It is not just the cost of the licensing; it is the time and admin that goes with the scheme. The 'selective' process does not seem to be taking tenants of compliant properties into account.</p>	<p>Whilst the council recognises that licensing does place an additional burden on landlords, the level of engagement with each individual landlord will depend on the risk their property presents, and if they face any issues during the period of the scheme. The council recognises</p>
<p>If the Council thinks it costs them £675 to set up the licence, the financial burden on a landlord actually complying with the license conditions is substantially more expensive than that, which the Council seems to have completely disregarded. Do you agree?</p>	

Example comments	Council's consideration
	that landlord may incur some additional cost in regard to complying with the licence conditions, however we deem this to be of benefit to both the landlord, the tenant and the council in terms of making property improvements
Theme: Other.	
Are you considering using Homesafe to administer the scheme again?	We are not intending to use any third party to administer the scheme. If we receive feedback on this as part of the consultation, it will be considered.
Council tax is paid by tenants - should this money not pay for/financially support the scheme?	It is a legal requirement that the scheme be funded by the licence fees.
Will you waive the fee if a landlord is housing formerly homeless people referred by the council?	Fees will not be waived if tenants are referred by Home Choices. The exemptions that would apply are in the documents on the council's SL webpage.
Landlords with multiple properties will have a larger bill	<p>In Gainsborough, the average landlord has less than two properties. In rural areas, some have more. We encourage landlords with a substantial number of properties to speak with us directly about how we can manage the process.</p> <p>In terms of fees, we can only issue the licence when the fee is paid, so are unable to set up staggered payments but can discuss any issues that this causes with those impacted.</p>

Written Responses Comments

Example comments Theme: Criticism of the consultation	Council's consideration
The consultation lacked in active engagement	It is recognised that there are concerns about the approach to consultation and these will be reviewed and considered before any further proposals are put forward.
The online consultation process is limited	The consultation received 335 responses from a range of stakeholders (tenants, landlords, residents and others) from across the district. The council held four forums, which were attended by 44 people. The above response levels are not out of line with other schemes that have been proposed, nor are they lower than expected in regard to the Council's usual consultation responses.
Criticism of the methodology to gather input	<p>If the consultation had continued, the council had planned to send out leaflets to 48,000 households in the borough informing them of the consultation and to hold face-to-face meetings and attend public events, such as market days, to encouragement engagement with the consultation.</p> <p>As raised in the Full Council meeting on 7th March, there are various benefits to the online approach to meetings, one of these being to reduce the Council's overall carbon footprint. Other councils have held online only consultations for selective licensing and had schemes approved. Likewise, West Lindsey has previously undertaken online consultation, especially during the period of the Covid-19 pandemic. Similarly, the consultation started at a time when the omicron variant of the coronavirus was much in the news, and there was a lack of certainty if further restrictions would be placed on public gatherings.</p> <p>The council are also aware that holding in person meetings can be restrictive for many people (for example, those who have accessibility issues, who have other commitments which mean they do not have the time, means or money to travel to a public meeting) and that online meetings can be more inclusive for such stakeholders and enable them to actively participate in the consultation.</p>
No landlords or tenants were contacted before the consultation and data gathered from them	The aim of the consultation was to gather feedback from stakeholders, while the proposals were at a formative stage. Using the feedback gathered from the consultation, including from private landlords, the council would

Example comments	Council's consideration
<p>The feedback from landlords should drive the proposals, before going to the consultation</p> <p>Argues that engagement with tenants and landlords before consultation</p>	<p>review and possibly amend the proposed scheme based on that feedback. The council was following the Sedley criteria, which was endorsed by the Supreme Court in 2014, that the local authority should:</p> <ul style="list-style-type: none"> • Consult at a time when their proposals are still at a formative stage; • Give sufficient reasons for their proposals, to enable intelligent consideration and response; • Allow adequate time for consideration and response; and • Take responses into account conscientiously when finalising their proposals. <p>The council is required to provide a high level of detail on the proposed scheme. Dean Underwood (leading Barrister on Selective Licensing) states that “LHAs will be expected to provide consultees with details about: • The area or areas affected; • The need for the proposed designation in each area; • The alternatives to designation and the reason for their inadequacy; • The alternative schemes available, their respective merits and demerits, the LHA’s preferred choice and the reasons for its preference; • Those likely to be affected by the designation; • The likely effect of designation - and the LHA’s preferred scheme in particular - on those affected; • The process by which those affected may apply for and obtain a licence; – likely licence conditions; and – the proposed licence fee and fee structure”.</p> <p>However, although this detail is required of the public consultation, the proposals were still at a formative stage, and would be subject to change in light of the feedback received during the consultation.</p> <p>There is not a legal requirement to contact stakeholders prior to consultation, as the purpose of the consultation is to gather their feedback. As stated in “Independent Review of the Use and Effectiveness of Selective Licensing” (2019), in the section on the Common Characteristics of a Successful Scheme, the “consultation serves not only to gather opinions and views that should inform planning, but also to initiate the ongoing process of landlord engagement that will continue through the scheme (if designated).”</p>
<p>Lack of transparency</p>	<p>The consultation was widely advertised in the local media, the councils website and social media. There were also specific press releases alongside emails to previously licensed landlords and other key stakeholder groups.</p> <p>During 2021 a number of papers relating to Selective Licensing were discussed by the Councils Prosperous Communities Committee, who approved to consult on the proposals at its meeting on 2nd November 2021. The minutes and webcast of the meeting are available here .</p>

Example comments	Council's consideration
	<p>The consultation also held four public meeting for stakeholders to join to ask questions about the consultation. The evidence base, licence conditions and fee information were available via the council website, along with all the Council's previous consultation activities and an email address for the selective licensing team was available on the website if stakeholders wished to contact council officers.</p> <p>The process by which the Council would consider the feedback given and then subsequently make any determination was also set out in the presentation slides that formed part of the public consultation. The relevant committee of the Council would be required to approve any designation and depending on its size, there may also be a requirement for Secretary of State approval.</p>
Theme: Criticism of the previous scheme	
<p>Selective licensing has had limited success in other areas with ASB, community safety and crime levels</p>	<p>There is not a definitive way to determine success across all designations that have been made of this nature. The "Independent Review of the Use and Effectiveness of Selective Licensing" (2019), consider the pros and cons of delivering any scheme and the council has ensured that its proposals are in line with this review.</p>
<p>Argued that the previous scheme:</p> <ul style="list-style-type: none"> • has not changed the area • no partnership with landlords, • no engagement with tenants, • lack of landlord support (esp. ASB, early presentation of waste and drug dealing), • inconsistency of licensing, • criticism of fee and use of fee, • lack of enforcement, • criticism by other agencies, • no tracking of problem tenants • poor landlords have not been addressed 	<p>The council recognises that there are a number of areas in which its previous scheme could have been improved and the new proposals sought to incorporate these as much as possible. The review of the councils previous scheme was considered at its Prosperous Communities Committee meeting in September 2021 and highlight the areas where learning and improvement was needed.</p>
Theme: Criticism of the evidence base	
<p>Argues against the use of algorithms as unreliable and are being used instead of engagement</p>	<p>The tenure intelligence approach has been adopted by more than 20 local housing authorities across England to help understand the distribution of privately rented housing and related stressors. The approach is based on a wide range of real data frontline records including, tenant complaints, council enforcement interventions, anti-</p>

Example comments	Council's consideration
	<p>social behaviour, council tax and electoral register data. Validation of this approach typically results in an 80%-90% positive prediction rate. Furthermore, this approach has been accepted by government as a reasonable methodology to review a local authorities housing stock is based on real frontline data at the property level; tenants' complaints, enforcement work, ASB etc.</p> <p>The report 'An Independent Review of the Use and Effectiveness of Selective Licensing' states that "This lack of intelligence on the true extent of the private rented sector often provides a significant impediment to authorities... This issue can be mitigated by applying data analytic techniques to pooled data held authority wide (an approach demonstrated to be extremely effective in one London borough that has since been adopted by other authorities"</p>
Criticism of the ward-based approach	<p>Plans are not set in stone. Proposals are still in a formative stage and are open to change/adaptation based on feedback within the consultation. Use of LSOAs (smaller areas) is anecdotally difficult to enforce but this approach could be adopted if public opinion suggests that this approach is warranted.</p> <p>Tighter boundaries than a ward boundary were considered; however, during evidence collection, for example, the council carried out separate analysis of certain sites in ex-MOD areas and concluded that there was no significant difference in what was found when compared to analysing the entirety of the wards they are situated in.</p>
Haven't done an impact assessment on tenants (e.g., impact on rents)	<p>An impact assessment on tenants is not a requirement to introduce selective licensing. The findings of other authorities who have also been operating licensing schemes is that there is no evidence that landlords have increased rents to cover their licence fee costs or that landlords have moved elsewhere. Similarly, research carried out by an independent agency on behalf of the government (An Independent Review of the Use and Effectiveness of Selective Licensing) showed that selective licensing did not result in an increase in rents in areas with a scheme, that market forces dictated the rent levels.</p> <p>If landlords want to increase the rent, there are procedures which must be followed and any increase above market rents levels can be challenged via the Residential Property Tribunal.</p>
Theme: Some parts of the proposed designation should be removed	
I believe certain areas in the north ward do not have issues in these areas and therefore should be removed	As stated above, the council recognises the concerns about using wards as the designation boundaries. We believe that our data and evidence supports this approach, which a standard approach for ta selective licensing scheme used by other councils, however we would have considered looking at a different approach to this based on the consultation feedback.

Example comments	Council's consideration
from the list / considered for exemption.	
Theme: The council should use the accreditation model (DASH)	
<p>DASH (Decent and Safe Homes) operated by Derbyshire Council but for East Midlands landlords is endorsed by WLDC. DASH accredit landlords and inspect their properties in much the same way as the previous WLDC SL scheme did. DASH do this at minimal, often at no, cost to the Landlord. Why do WLDC need to charge such a high amount and why are WLDC not using DASH and / or their model for running a future scheme?</p>	<p>As stated above, the council believes that selective licensing is required to achieve the scale of improvements it believes is necessary in the private rented sector. The proposed fees have been calculated based on the cost of setting up and operating the licensing schemes, so that the costs would be met by the expected income from the number of licence applications the Council anticipate, under the proposed designations. In order to undertake the scale of work needed, based on the evidence provided, it is not believed that this can be funded through the council's usual general fund activities.</p> <p>The Council are already signed up to and members of the DASH scheme, along with other Lincolnshire Councils. The DASH model is voluntary and there are very few landlords in West Lindsey who have signed up to the DASH scheme. This suggests to the Council that whilst the merits of the DASH scheme are positive, its voluntary nature means that it does not lend itself to dealing with the scale of properties and landlords that are required as there is no way to force a landlord to sign up for this. The Council would encourage all landlords regardless of selective licensing to sign up to some form of accreditation scheme.</p>
<p>What engagement with DASH has there been to run the scheme? As I understand they are running a scheme in North Lincs / Scunthorpe area?</p>	<p>The DASH scheme running in North Lincolnshire is already in place in West Lindsey. It is a voluntary scheme, see point above.</p>