

Appendix 3

Housing Services

Consultation on proposals for an additional licensing scheme  
for Houses in Multiple Occupation (HMOs) in Bath and North  
East Somerset

**Public consultation - summary report**

V2 February 2013

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## 1. Introduction

In March 2012 the Cabinet of Bath and North East Somerset Council (B&NES) directed that evidence be gathered to investigate if the legislative conditions for introducing additional licensing of Houses in Multiple Occupation (HMOs) could be met, and undertake a 10 week public consultation as required by the [Housing Act 2004](#) (Section 56). Once this process is completed the Cabinet will make a final decision on whether to implement additional licensing and if so, the detail of the licensing scheme.

The formal public consultation took place from the 17<sup>th</sup> September 2012 until the 30<sup>th</sup> November 2012. This report includes responses from the formal consultation and other consultation activities that have taken place.

It is proposed to take the final report to the Council Cabinet for a decision in the spring/summer 2013.

This report should be read in conjunction with the following document:

***'Supporting documents, information and responses to the public consultation'***

which provides background information on the documents used in the consultation process, the activities undertaken and the responses and results received. This document and appendices are available from the following link:

<https://www.dropbox.com/sh/1rkeqtu0x4g37or/NadxJ9A5gl?m>

Instructions: Ctrl+click on the link above, click on the required document then click on the download box and select direct download.

## 2. Summary of consultation activities, promotions and responses

### 2.1 Overview of activities

The table below shows the consultation activities undertaken and a summary of the approximate numbers of people reached through each activity.

Activity	Numbers
Stakeholders workshop	19
On-line questionnaire	272
Written and other responses	62
Drop in events x 3	116
University market stalls x 2	85
Polish Community Event – delegates and service providers	20
Southdown electric blanket testing event	5
Mandatory HMO licence holders mail shot	265
Accredited landlords email shot	400
Letting agents mail shot	46
National Landlords Association (NLA) meeting	68
Accreditation working group	20
West of England Private sector Housing group	4
B&NES Equality Impact Assessment Quality Control Group	8
West of England Landlord Panel	8
Residents (households visited in proposed area)	1120
Businesses visited in proposed area	169
Equality groups and service providers	23
Meetings with student's Union from Bath Spa and University of Bath	4
Local Development Framework (LDF) Steering group	10
B&NES website - Unique page views (17 <sup>th</sup> Sept – 30 <sup>th</sup> Nov 2012)	
<a href="http://www.bathnes.gov.uk/hmos">www.bathnes.gov.uk/hmos</a> (additional licensing information page)	515
<a href="http://www.bathnes.gov.uk/hmo">www.bathnes.gov.uk/hmo</a> (Article 4 Direction/additional licensing information page)	769
<b>Total</b>	<b>4008*</b>

\*Some of the activities undertaken may have covered the same people/groups more than once so the total figure may include some duplicate entries.

### 2.2 Communication

Various direct and indirect publicity and promotion has gone out in 2012 about additional HMO licensing and has assisted with making the public aware of the consultation. This includes information on the Council website, distribution of flyers and articles in the Bath Chronicle.

## 2.3 Respondents to the consultation

The following numbers of responses were received through the various channels.

Mechanism	Residents of B&NES	Residents of proposed area	Landlords, businesses and organisations	Other	Total
Online questionnaire	35	128	100*	9	272
Written/other responses	2	16	37	7	62
Door step surveys		278			278
Consultation events					289**
<b>Total</b>					<b>901</b>

\*Where landlords are also residents their responses have been recorded as landlords and omitted from the residents section. This is because the responses suggest that they have been submitted from a business point of view and are similar to that of other landlords.

\*\*Includes attendees of 3 drop in events, 2 university market stall events, National Landlords Association (NLA) meeting and Polish Community event.

## 2.4 Equality monitoring from online questionnaire

Optional information regarding the equalities profile of respondents was requested as part of the online questionnaire and compared to B&NES wide statistics. The responses roughly show that equality profile of respondents was broadly in line with the district population as a whole.

The noticeable difference was mainly concerning age. The survey appeared to lack responses from the under 25 year olds and 25-34 year olds. This was despite targeted action to engage the students of both the City's Universities. However, significant responses were received from the Student Unions of both Universities who represent and submitted on behalf of a large number of young people from these age groups.

Much higher than expected responses were also received from the 45-54, 55-64 and 65-74 years old groups.

## 2.5 Overall findings of the consultation exercise

<b>Residents of B&amp;NES</b>	<b>Residents of proposed area</b>	<b>Landlords, businesses and organisations</b>	<b>Other*</b>
Broadly in favour of the proposals although not as strongly as those residents who live in the proposed area	Broadly in support of the proposals for additional licensing	Broadly against the proposals and some very strong objections, however some split on the improvements that may be seen	Broadly more against the proposals than for, although responses were often split

## 2.6 Summary of outcomes and themes of what people told us

Themes	Residents of B&NES	Residents of proposed area	Landlords, businesses and organisations	Other*
<b>Costs</b>	Split on whether the fees structure looks appropriate (66% of respondents to the online questionnaire thought it did)	<p>Costs are too low</p> <p>No discounts should be given</p> <p>Concerned about rents increasing. Rents are already high in Bath</p> <p>Split on whether the fees structure looks appropriate (60% of respondents to the online questionnaire thought it did compared to 40% who did not)</p>	<p>Fees and costs are too high and rents will increase as a result</p> <p>Need to be transparent</p> <p>There should be lower fees/discounts for good/accredited landlords</p> <p>Generally the fees structure does not look appropriate (80% of respondents to the online questionnaire)</p> <p>Bureaucratic and expensive</p>	General disagreement with the fees structure (75% of respondents to the online questionnaire)
<b>Conditions</b>	Agreed that licensing will improve the condition of HMOs (79% of respondents to the online questionnaire)	<p>Agreed that licensing will improve the condition of HMOs (89% of respondents to the online questionnaire)</p> <p>Main concerns with HMOs are rubbish, recycling, noise, untidy messy gardens and appearance</p>	Mixed views on whether licensing will improve the condition HMOs (from respondents to the online questionnaire, 52% disagree and 36% agree)	Mixed views, although general disagreement that licensing will improve the condition of HMOs (of respondents to the online questionnaire, 25% agreed and 62% strongly disagreed)
<b>Improvements</b>	Broad agreement that the proposed	Agreed that licensing conditions will	Additional licensing will not solve the	Broad disagreement that the

	conditions will improve management and safety and quality of HMOs. (78% of respondents to the online questionnaire)	improve the management and safety and quality of HMOs (>90% of respondents to the online questionnaire)	issues (as presented in the evidence report).  Mixed views although balanced towards disagreement that proposed conditions will improve management of HMOs (60% disagreement, 40% agreement from respondents to the online questionnaire) and safety and quality (51% disagreement to 49% agreement from respondents to the online questionnaire).	proposed licensing conditions will improve management and safety and quality of HMOs (75% to 25% of respondents to the online questionnaire disagreed)
<b>Management</b>	Agreed that licensing will improve the management of HMOs (79% of respondents to the online questionnaire)	Agreed that licensing will improve the management of HMOs (85% of respondents to the online questionnaire)  <b>HMO tenants:</b> Generally satisfied with the management of their home (71% of respondents to the door step survey)	Mixed views on whether licensing will improve the management of HMOs (from respondents to the online questionnaire, 53% disagree and 32% agree)	Mixed views although general disagreement that licensing will improve the management of HMOs (of respondents to the online questionnaire, 25% agreed and 62% strongly disagreed)
<b>Area and properties</b>	Proposed area could be increased to include more roads, areas.  Broad agreement that licensing will improve the local area (75% of respondents to the online	Agreed that licensing will improve the local area (79% of respondents to the online questionnaire)  Broad agreement that the Council are targeting the right properties and	Mixed views on whether licensing will improve the local area (of respondents to the online questionnaire, 57% disagreed and 27% agreed)  Mixed views although broad	Mixed views although generally disagreed that licensing will improve the local area (of respondents to the online questionnaire, 25% agreed and 62% strongly disagreed)



	<p>questionnaire)</p> <p>Equally mixed views on whether the Council are targeted the right area (respondents to the online questionnaire).</p> <p>Mixed views although general agreement that the Council are targeting the right properties (of respondents to the online questionnaire, 64% agreed, 25% disagreed)</p>	<p>the right area in the proposals (70% and 86% respectively of respondents to the online questionnaire)</p>	<p>disagreement that the Council are targeting the right properties (57% disagreed and 24% agreed of respondents to the online questionnaire).</p> <p>Mixed views on whether the Council is targeting the right area (from the online questionnaire 45% disagree, 34% agree, 20% neutral).</p>	<p>Broadly disagreed that the Council's proposals are targeting the right HMOs (67% of respondents to the online questionnaire).</p> <p>Some disagreement that the Council are targeting the right area (50% of respondents to the online questionnaire disagreed, one third neutral)</p>
<p><b>Other</b></p>		<p>54% of residents spoken to in the proposed area say HMOs cause them problems (Door step survey)</p>	<p>The Council need to use existing powers better</p> <p>There needs to be stronger enforcement on bad landlords</p> <p>Good landlords are being punished for the bad landlords who will get away with it.</p> <p>The evidence base is questionable and disproportionate to justify such a scheme.</p> <p>The Council need to keep good</p>	<p>Negative impact on vulnerable groups (Online questionnaire)</p>

			relationships with landlords  Limitations on what landlords can make tenants do  Support accreditation instead	
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\*Includes those respondents that preferred not to say, were not clear which group they represented or from another group entirely.

### General themes from the totality of consultation responses across all groups

- Questions raised over the evidence and validity of the HMO residents survey
- Need to give advice/training to landlords
- Overly bureaucratic
- The Council should target bad landlords
- Costs are too high
- Extend area – including over the whole of Bath. Several specific roads and areas mentioned including Trinity Road in Combe Down, Bear Flat, Twerton.
- Areas not included could be negatively affected
- HMOs are responsible for noise, parking, waste/recycling problems and anti-social behaviour (ASB).
- The Council need to maintain good relationships with landlords
- Experience of poor HMOs from both local residents and students
- Concerns about enforcement. Needs strong enforcement by the Council against bad landlords
- Rental market is already expensive in Bath and rents will increase
- May lead to a reduced availability of HMOs
- The scheme needs to be kept simple
- Additional licensing should improve conditions and management
- The Council should use their existing powers better
- Some conditions are excessive e.g. energy efficiency
- Better for young people, residents and good landlords

### **3. The consultation process**

The formal consultation was launched on the 17<sup>th</sup> September 2012 and continued until the 30<sup>th</sup> November 2012. Around 1400 flyers were distributed through various means around the district to promote the consultation and the consultation events.

The main focus of the consultation was the online consultation mechanism on the B&NES Council website which provided an online facility to display all the consultation documents and an online questionnaire. A direct link was available from the B&NES Housing webpages which was widely promoted.

The questionnaire and all supporting documentation were also available to be downloaded and completed by hand. Hard copies were also available at the consultation events and available to be viewed in Moorland Road Library and the One Stop Shop on Manvers Street as well as on request.

Consultation events took place in October 2012 and enabled people to turn up at local events, find out information about additional licensing and the consultation and have their say.

A door step survey was also carried out in November 2012 which enabled Housing Services to promote the consultation and gather views and opinions from residents of the proposed additional licensing area.

Throughout the consultation - emails, letters and phone calls were received by a named Housing Services Officer.

#### 4. Stakeholders workshop

A stakeholders' workshop was held on the 19<sup>th</sup> July 2012 where a small group of key partners were brought together to discuss both additional licensing and the Article 4 Direction Supplementary Planning Document (SPD) and to help guide further consultation.

The main points to come out of the stakeholders' workshop were:

- Some concern that the HMO residents survey in the evidence report represented a small sample, which may undermine its validity. However, most agreed that more evidence would not prove anything different from that already found.
- Useful to have more detail on the reasons for some HMO residents' dissatisfaction to inform and justify additional licensing conditions.
- Surprise about fuel poverty and bad conditions.
- The introduction of additional licensing was broadly supported.
- General consensus that the Wards selected look appropriate. Suggested that there could well be a case for rolling this out to other Wards in due course e.g. Kingsmead, Abbey, Newbridge and Twerton. One group raised the concern that bad landlords might move outside the Wards where there is additional licensing into less regulated Wards.
- A comment was made that the scheme should be rolled out to all three Wards at once – as otherwise it could be confusing.
- Suggestions were made that in consultation and implementation it would be useful to either include whole streets where Ward boundaries divide them, or, particularly in the case of long streets, to include numbers xx – xx to define which parts of the street are affected.
- No concerns were raised with regard to the exclusion of Section 257 HMOs.
- There was support for the fact that proposed conditions pick up conversion of garages into additional bedsits.
- Suggestion that conditions should include requirements for hard-standing for waste receptacles or requirement for storage inside or in back garden. However, there was also a desire to encourage green front gardens to be retained.
- There was a question about what the energy efficiency standards would be and how far these would go.
- There was a comment made that there needs to be awareness that there are limitations on what you can make tenants do (in terms of the tenant agreement).

- It will be important that if you can make landlords provide tools for gardens, they must be in good working order.
- Important to link to other corporate teams and projects.
- There was an acceptance that landlords would recoup the costs incurred through rent and it may not be passed on fairly. Some suggested that this may be less of an issue if licencing payments were made annually and landlords could spread the cost.
- The new standards should be the focus of the licencing consultation – the details of these will be important.
- There was a general comment that more help, advice and updates to landlords and agents on legislation and standards to keep them informed, will be required.

## 5. Consultation events

In October 2012 various events were held in order to promote the additional licensing consultation and seek feedback. The events were held jointly with Planning Policy who were consulting on the Supplementary Planning Policy (SPD) for the Article 4 Direction.

In summary, nearly 300 people attended the events. The main views and themes to come out of these events are summarised as follows:

Event	Main themes about additional licensing proposals
Presentation to members of the National Landlords Association (NLA) of Wessex, 17th October	<ul style="list-style-type: none"> <li>• Perceived by many as a tax on good landlords.</li> <li>• Bureaucratic/expensive process with nothing in return.</li> <li>• Not convinced on some of the criteria e.g. energy efficiency.</li> <li>• A way of the Council funding services that used to be free to landlords – questions about enforcement.</li> <li>• Need better enforcement on bad landlords.</li> <li>• Should consider financial incentives for good landlords – maintained goodwill of landlords.</li> <li>• Accounts need to be transparent.</li> </ul>
Market Stall at Bath Spa University Students' Union, 18th October, 11am – 2pm	<ul style="list-style-type: none"> <li>• Recognition of the negative quality of housing that many had experienced.</li> <li>• Worry about costs being passed on to tenants as rental market is already expensive in Bath.</li> <li>• Generally not supportive of aesthetic improvements.</li> <li>• Raise standards and give students piece of mind.</li> <li>• Some questions were asked about particular conditions e.g. outside recycling receptacles.</li> <li>• There were concerns raised about enforcement and that bad landlords would stay “under the radar”.</li> </ul>
Market Stall at University of Bath Students' Union, 23rd October, 11am – 2pm	<ul style="list-style-type: none"> <li>• There was recognition of the negative quality of housing that many had experienced.</li> <li>• Worry about costs being passed on to tenants as rental market is already expensive in Bath.</li> <li>• Some misunderstanding about how onerous and costly it would be to comply with the proposed licensing conditions (both on the part of landlords and tenants).</li> </ul>
Open Event at One Stop Shop, Manvers Street, 23rd October, 6-9pm (with briefing presentations)	<ul style="list-style-type: none"> <li>• Variety of views, ranging from full support to various concerns about implementation, and a feeling that good landlords are already doing this, to complete objection.</li> <li>• There was discussion about whether this could create illegal sub-letting of rooms.</li> <li>• There was some discussion about whether this would reduce the HMO market, with landlords choosing to let to families instead.</li> <li>• Requests made to minimise bureaucracy and paper</li> </ul>

	<p>work as much as possible.</p> <ul style="list-style-type: none"> <li>• There was a concern that additional licensing could ruin good relationships the Council already has with landlords, and questions were raised over why it is being proposed.</li> <li>• There was a comment that it should be extended to cover the whole of B&amp;NES.</li> </ul>
<p>Open Event at St Alphege's Parish Hall, Oldfield Lane, 24th October, 5.30 - 8pm</p>	<ul style="list-style-type: none"> <li>• There was general consensus in support of the licensing proposals, with some asking why it had not been brought in earlier.</li> <li>• One comment that landlords need to be responsible for their properties, especially the outside.</li> </ul>
<p>Open Event at Oldfield Baptist Church Hall, Moorland Road, 25th October, 3 - 7.30pm</p>	<ul style="list-style-type: none"> <li>• Most people were supportive. Local residents were particularly supportive of the waste and gardening conditions.</li> <li>• Landlords expressed concerns about the costs being too high.</li> <li>• Some local residents felt costs were too low.</li> <li>• Some comments were received that there should be conditions relating to noise and sound insulation.</li> <li>• Must be strong enforcement on the bad landlords.</li> <li>• Some comments were received that licensing may not improve HMO quality.</li> <li>• Comments were received that the area should be extended.</li> </ul>
<p>Polish Community Information Event, St John's Catholic Primary School, 27<sup>th</sup> October, 1-4pm</p>	<ul style="list-style-type: none"> <li>• There was concern raised that rents in and around Bath are already very high.</li> </ul>

Attendees of some of the events were also asked whether they agreed or disagreed with what additional licensing could achieve via a sticker tally board.

In summary, these tally boards (shown in Appendix 3 of the supporting documents) show that views at the University of Bath Students Union were mixed as there was some disagreement that the Council is targeting the right areas and right properties but some agreement that additional licensing will improve the condition and management of HMOs. At the events at St. Alphege's Parish Hall and Oldfield Baptist Church, there was broader agreement that the Council's proposals will see improvements.

## 6. Online questionnaire

An online questionnaire was made available for completion from the 17<sup>th</sup> September until the 30<sup>th</sup> November 2012. Hard copies of the online form were received by Housing Services up until the 7<sup>th</sup> December 2012 to allow for responses that were delivered by hand to Council offices to go through internal post.

272 responses were received to the online questionnaire. However, not all questions were completed by all respondents so the number of completed responses to each question was generally lower.

### 6.1 Main points from the response

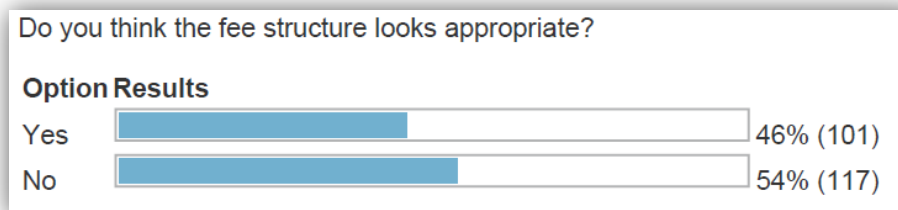
- The majority of responses were received from residents although a sizeable number of landlords also responded. In some cases, residents who responded were also landlords for example, and therefore the initial figures appear higher than 100% as they may have ticked more than one box.
- The majority of respondents were homeowners whereas only 11% rent privately.
- On average the following statements were agreed with.

	Strongly Agree	Agree	Neutral	Disagree	Strongly Disagree
Do you agree that additional licensing will improve the condition of HMOs?		●			
Do you agree that additional licensing will help improve the local area?		●			
Do you agree that additional licensing will improve management of HMOs?		●			
Do you agree the evidence shows that a significant proportion of the HMOs in the selected area are being managed sufficiently ineffectively to cause problems for occupants or members of the public?		●			

- The average response was neutral in respect of *'Do you agree that the scheme should cover HMOs with shared facilities and not include buildings converted into self-contained flats and purpose built student accommodation?'*
- There was general agreement that the proposals are targeting the right area.
- 73% agreed that the proposed licensing conditions will help improve how HMOs are managed. 27% disagreed.



- 76% agreed that the proposed licensing conditions will help improve the safety and quality of HMOs. 24% disagreed.
- 60% agreed it was a good idea to improve the energy efficiency of HMOs within the scheme. 23% were unsure, 17% did not agree.
- The responses received regarding the fees structure were very even as shown below:



This question did not allow for elaboration on the response however an open question was given allowing for such elaboration and this is summarised later.

- Regarding vulnerable people, 51% thought additional licensing would positively impact on vulnerable people compared to 30% who did not know and 18% who believed the impact would be negative.
- A large number of respondents wished to be kept informed.

## 6.2 Comparisons between types of respondents

The responses were divided in to 4 different groups to get a stronger feel about what different people wanted:

1. Residents of proposed additional licensing area
2. Residents of B&NES
3. Businesses and organisations – including landlords, letting agents, universities
4. Other/prefer not to say

Where landlords are also residents their responses have been recorded as landlords and omitted from the residents section. This is because the responses suggest that they have been submitted from a business point of view and are similar to that of other landlords.

Residents of the proposed additional licensing area were not included in the responses from B&NES residents as they were considered on their own merit.

Numbers and percentages of responses for each question represent where an answer was given. Where no answer was given to the questions these responses were omitted.

In summary, residents of the proposed additional licensing area and residents of B&NES were generally more in agreement with the aspects of the consultation than businesses and organisations.

The most noticeable comparisons between the groups are summarised below:

- 89% of residents of the proposed area and 79% of B&NES residents agreed or strongly agreed that additional licensing will improve the condition of HMOs. Only 36% of businesses agreed or strongly agreed that licensing would improve the condition of HMOs as did 25% of 'other/prefer not to say'. 52% of businesses and organisation and 62% of 'other/prefer not to say' disagreed or strongly disagreed.
- 89% of residents of the proposed area and 75% of B&NES residents agreed or strongly agreed that additional licensing will help improve the local area compared to 27% of businesses and organisations. 57% of businesses and organisations disagreed or strongly disagreed and 62% of 'other/prefer not to say' strongly disagreed.
- 85% of residents of the proposed area and over 79% of B&NES residents agreed or strongly agreed that additional licensing will improve management of HMOs. 53% of businesses and organisations disagreed or strongly disagreed compared to 32% who agreed or strongly agreed. 63% of 'other/prefer not to say' strongly disagreed whereas 25% agreed.
- 87% of residents of the proposed area and 65% of B&NES residents agreed or strongly agreed that the evidence shows that a significant proportion of the HMOs in the selected area are being managed sufficiently ineffectively to cause problems for occupants or members of the public. 30% of businesses and organisations and 25% of 'other/prefer not to say' also agreed or strongly agreed compared to over 47% and 63% respectively who disagreed or strongly disagreed.
- 70% of residents of the proposed, 64% of B&NES residents and 24% of businesses and organisations agreed or strongly agreed that the scheme should cover HMOs with shared facilities and not include buildings converted into self-contained flats and purpose built student accommodation. 67% of 'other/prefer not to say', 57% of businesses and organisations and 25% of B&NES residents disagreed or strongly disagreed.
- 86% of residents of the proposed area, 45% of B&NES residents and 34% of businesses and organisations agreed or strongly agreed that the Council is targeting the right area for this scheme. 50% of 'other/prefer not to say', 46% of B&NES residents and 45% of businesses and organisations disagreed or strongly disagreed.
- Over 92% of residents of the proposed area and 78% of B&NES residents agreed that the proposed licensing conditions will help improve how HMOs are managed. Businesses and organisations were 60% to 40% against, 'other/prefer not to say' were 75% to 25% against.

- Over 94% of residents of the proposed area and 78% of B&NES residents agreed that the proposed licensing conditions will help improve safety and quality of HMOs. Businesses and organisations were roughly 50:50. 'Other/prefer not to say' were 75% to 25% against.
- 78% of B&NES residents, 69% of residents of the proposed area, 40% of businesses and landlords and 25% of 'other/prefer not to say' agreed it was a good idea to improve the energy efficiency of HMOs in the scheme. This compared to 75% of 'other/prefer not to say' and 38% of businesses and organisations who disagreed. 26% of residents of the proposed area and 21% of businesses and organisations were unsure.
- Over 80% of businesses and organisations did not think the fee structure looked appropriate supported by 75% of 'other/prefer not to say'. Around 60% to 40% of residents of the proposed area thought the fee structure looked appropriate supported by two thirds of B&NES residents.
- All responses from the 'other/prefer not to say' group thought additional licensing would have a negative impact on vulnerable groups in the community. Businesses and organisations were evenly split and residents broadly thought the impact would be positive.

### **6.3 Responses from inside and outside the proposed additional licensing area**

Responses were then classified according to whether they were received from people or organisations operating within or outside the proposed area.

In general there was a clear divide between responses received from people directly affected (living or operating within the proposed area) compared to those coming from outside the proposed area. The responses from those inside the proposed area were more in agreement that improvements would be seen if additional licensing came in than those that were not. It should be noted that those outside the proposed area were only small in number.

### **6.4 Responses from tenants who live in private rented accommodation**

Respondents who said they rent privately from a landlord or agent were also looked at separately. The number of private renters who responded was very low and there was a broadly even split between agreement and disagreement for most questions. The responses that stood out were:

60% agreed that it is a good idea to improve the energy efficiency of HMOs within the scheme. 20% no; 20% unsure. 73% thought the fee structure did not look appropriate and 57% felt the proposals would have a negative impact on vulnerable groups. 21% positive; 21% didn't know.

## 6.5 Free text responses

Below is a summary of responses given where free text answers were available.

### **What other help and support do you think we should be offering landlords whose properties will need a licence?**

- The most common responses received suggested that we should not provide any further help to landlords. However, it was frequently suggested that the Council should provide further information, guidance, training and education to landlords. It was also raised that residents should be better kept informed about HMOs in their area.
- It was also suggested that the Council should offer financial support to landlords, ensure strong enforcement of the legislation and provide more support if problems occur related to HMOs.
- Resourcing the voluntary accreditation scheme was also raised as was lowering the fees. Other comments were concerned with the Council offering discretion where appropriate and encouraging communication between landlords and the community.

### **Would you like to see any changes to these proposed conditions or do you have any suggestions?**

Suggestions received included the following:

- The strongest area to come out of these responses was that there needs to be strong enforcement by the Council, not just of the conditions but also better use of existing powers and targeting of bad landlords and tenants.
- There was also general disagreement with the proposals and a feeling in some cases that the conditions were excessive. There was also some general agreement.
- It was mentioned that costs are too high and properties may be sold as a result and rents may increase. It was mentioned that the standards should be the same as the accreditation standards and one person mentioned that accredited properties should be exempt from licensing.
- Concern was raised about the minimum room sizes, restricting garage conversions and how landlords can be expected to manage tenants.
- There were concerns about the condition on energy efficiency and that it was too onerous. It was also suggested that conditions around parking, noise, external areas, waste and recycling and security should be included as well as an element of neighbour consultation

and reasonable discretion shown in applying the conditions.

**Do you have any suggestions about the fees structure, for example, some people think we should offer discounts where landlords behave in a professional manner and save the Council time and resources.**

- A number of responses were in direct comparison. It was suggested that the proposed fees are too high and similarly the proposed fees too low; discounts should be given and similarly discounts should not be given.
- It was also suggested that there should be lower fees for good landlords including those that are already accredited and higher or only fees for bad landlords.
- It was mentioned that rents will increase as a result, there should be a reduced fee for renewals, the income should be used to pay for sorting out problems with the properties and locals concerns. The fees need to be transparent and there should be the opportunity to pay yearly or in instalments.
- There was one response saying that the proportional increase in fees is not fair and one saying it was fair. There was also a request to keep simple.

**Please give us more detail on who you think will be positively or negatively impacted by additional licensing and why?**

Common responses suggested that the following positive and negative effects would be felt by additional licensing:

<b>Positive affects</b>	<b>Negative affects</b>
Safer for tenants Young people (including students) Residents Good landlords Mixed communities Elderly people	Rents will go up Young people (including students) Areas not covered by additional licensing Good landlords Bad landlords Low income Tenants Evictions Reduced availability Home owners Disabled

**Would you like to make further comments on additional licensing?**

In summary, common suggestions and comments included:

- Additional licensing overlaps with accreditation.
- There needs to be strong enforcement.

- Rents will increase.
- Costs are excessive.
- Some responses were generally against additional licensing and some were generally for additional licensing.
- HMOs cause problems associated with recycling and rubbish, parking, noise and poor appearance.
- Additional licensing will result in less housing.
- Proposed area should be larger or city wide.
- HMOs need to be safe.
- Landlords cannot control tenants.
- Energy efficiency condition is excessive.
- The council should use existing powers better.
- Keep it simple.
- Transparency.
- Fines should be imposed on landlords if problems occur with properties and tenants.
- Landlord forums would improve the Councils working relationships with landlords.

Other points raised during the consultation process, not directly related to licensing included:

- Parking, residents parking permits and lack of parking.
- Rubbish collections and provision of recycling containers from the Council.
- Balanced communities – less HMOs in certain areas and more family homes.
- 24 hours out of hours service for the council including assistance with anti-social behaviour, noise nuisance etc.
- Landlords should be considered as a business and pay business rates.
- Students should pay Council tax.

Several comments were received that not enough space was given for free text responses. As a result, this increased the number of other written responses received.

## **7. Written and other responses**

62 written and other responses including notes taken from verbal responses were received in relation to the consultation.

In summary, the responses were received from 29 landlords and letting agents, 18 residents, 9 groups and organisations (including landlord groups and a residents group) and 6 other.

27 responses were generally in favour and 24 were generally against with the remainder being non-committal.

### **Residents**

Of the residents who responded including 1 residents group (19), 17 were generally for and 2 were non-committal. Two landlords responded who were also residents and their responses were grouped with the landlords.

The residents group that responded was the Westmoreland Residents Association who were in favour of the proposals and raised concerns regarding untidy gardens, being able to contact landlords and the Council not having a 24 hour service.

Residents mainly had concerns associated with rubbish and recycling, noise and untidy and messy gardens.

### **Landlords and Letting Agents**

Of the landlords and letting agents who responded including 3 landlord groups (32), 22 were generally against and 6 were generally for the proposals. The remainder did not make it clear either way.

The landlords groups that responded were The National Landlords Association (NLA), The National Landlords Association Wessex (NLA Wessex) and The Residential Landlords Association (RLA). They submitted significant responses and were all against the proposals raising concerns regarding the evidence base, the impact of the licensing proposals and increasing rents.

Landlords mainly had concerns associated with good landlords being punished for the bad ones who they believe will continue to get away with not complying. They raised concerns with increased bureaucracy and felt the Council should use existing powers better and there should be stronger enforcement. They also felt fees are too high, rents will increase, evidence is questionable, licensing will not solve the issues and voluntary accreditation should be used instead.

### **Other organisations who responded**

- Avon and Somerset Police who were keen to see security measures included in any scheme.

- Avon Fire and Rescue Service who were in favour of any measure that would protect occupiers and provide training to tenants.
- Bath Spa University and Bath Spa Students Union (joint response) welcomed improving standards but had concerns about licensing and potential for rental increases.
- The University of Bath Students Union were generally against any licensing and questioned the evidence and the conditions being proposed.
- The University of Bath were in favour of additional licensing.

#### **The main themes identified from the responses included**

- HMOs are responsible for problems associated with rubbish, recycling and waste, untidy and messy gardens; parking problems, noise problems; anti-social behaviour; poor appearance.
- Stronger and better enforcement is needed by the Council and the Council should use their existing powers better.
- Proposed fees are too high and rents will increase as a result of licensing.
- More bureaucracy which will not solve the issues.
- Evidence base is questionable to justify this kind of intervention.
- Use and resource accreditation instead.
- Bad landlords will get away with not complying and good landlords are being punished for the bad ones.
- Area being covered should cover the whole of Bath.



## 8. Door-step surveys

During November 2012, Officers from Housing Services visited 169 business premises in and around the proposed additional licensing area. Each was given a letter, information on the proposals for additional licensing and details on how to formally respond to the consultation.

During this same period, a further 1,120 residential premises were visited in the areas affected by the additional licensing proposals. The areas visited are detailed below.

Ward	Road
Oldfield	Herbert Road
Oldfield	St Kilda's Road
Widcombe	Brougham Hayes
Widcombe	Lorne Road
Westmoreland	Triangle North
Widcombe	Pulteney Gardens
Westmoreland	Coronation Ave
Widcombe/Lyncombe	Wells Road
Widcombe	Carlton Gardens
Widcombe	Carlton Road
Westmoreland/Twerton	Shophouse Road
Twerton	High Street
Widcombe	Calton Walk
Oldfield	Beckhampton Road
Westmoreland/Southdown	Lymore Avenue
Bathwick	Lime Grove Gardens
Oldfield	Third Ave
Oldfield	Monksdale Road

Through this work each household was door knocked and left with a letter detailing the consultation.

Where an occupant was at home and willing to talk to the surveyor, the additional licensing consultation was discussed and promoted and pre-defined questions were asked of the occupant.

### 8.1 Residents of HMOs

129 HMO residents were spoken to and the following responses were given:

- 129 tenants of HMOs spoken to. 27% from Oldfield; 38% from Westmoreland; 33% from Widcombe; 2% other
- 95% have working smoke alarms in their homes, over half were only battery powered.
- Over half were not advised to check their smoke alarms every week, one quarter were and the remainder did not know.

- Over half were not shown how to check their smoke alarms, over one quarter were.
- Over 80% were informed about refuse and recycling collections days.
- Over two thirds have been given enough recycling and rubbish containers.
- 40% were given a copy of the EPC when they moved in. 35% were not and 24% did not know.
- 57% were given a copy of the gas safety certificate when they moved in. 21% were not and 23% did not know.
- 95% knew who to contact if their home needs a repair.
- 73% have 24 hour contact details for their landlord or agent. 22% did not.
- 89% either very or fairly satisfied with their home.
- 71% very or fairly satisfied with the management of their home. 20% either fairly or very dissatisfied

## 8.2 Non-HMO residents

Residents who did not live in HMOs were simply asked:

1. Are you aware of any shared houses in your local area?  
Yes/No/Don't know and Comments

2. Do they cause you any problems?  
Yes/No/Don't know and Details

149 residents were spoken to and the following responses were given:

- 149 residents spoken to. 31% from Westmoreland; 26% from Oldfield; 26% from Widcombe; 17% from a combination of Bathwick, Widcombe/Lyncombe, Westmoreland/Southdown, Westmoreland/Twerton. These spilt Wards are instances where roads pass through Ward boundaries.
- 139 (93%) were aware of shared houses in their local area.
- 81 (58% of residents who were aware of shared houses in their local area; 54% of total people spoken to) reported that shared houses cause them problems.
- Some people chose to elaborate into the problems. The top 3 concerns recorded were rubbish, noise and appearance.
- Some people also mentioned the positive result of increased numbers of shared houses being more young people in the area and improved bus routes.