

Statement against the Additional Licensing Proposals within the City of Bath

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The National Landlords Association doesn't believe that the imposition of either Additional Licensing or an Article 4 direction will improve the private rented sector in Bath. Indeed these proposals are likely to make the situation worse.

I am going to concentrate on the financial impact of the additional licensing proposals and the increased costs that have been incurred elsewhere that discretionary licensing has been imposed. I will highlight the legislative framework within which Bath and North East Somerset (BANES) must work and so incongruously the zero provision made by the housing department for what must be seen by you as increased costs to be borne.

Let us be totally clear, as is set out in statute, financial reasons are not lawful justification for bringing in additional licensing. It is not a mechanism for income.

I ask are your proposals really a way of funding a lesser version of your long run Accreditation scheme that is very shortly scheduled to be terminated? - the guidance from DCLG (Department of Communities and local Government) on approval steps for additional and selective licensing designations in England is transparent. I quote

"It is important for Local Housing Authorities (LHAs) to demonstrate how licensing will work in conjunction with existing initiatives (such as accreditation) and partnerships. Licensing in itself is not a stand alone tool, and LHAs should take account of this. For example, landlords will need adequate support to help them deal with problem tenants. LHAs should ensure that their schemes are adequately resourced and include services such as active outreach support programs to engage with landlords and tenants who need their assistance."

The existing accreditation scheme covers the whole Bath area, is voluntary and encourages co-operative working. You will lose information regarding management standards of other HMOs not within the proposed designated area.

It is also clear from the Housing Act when fixing the level of fees, what they can be used for and that deviation is not allowed. Enforcement and the inspection costs that go with them are not included. So on one hand, you tell us that a significant proportion of properties in the targeted area have problems or inadequate conditions and need attention and yet I know directly from your head of housing that there is no additional budgetary provision made for the deluge of cases you must surely expect them to be dealing with. The landlords of Bath will demand financial transparency and no obfuscation – it is their money.

In any event, advice from Head Office is that licensing schemes to date have been found once implemented to cost the local authorities substantial sums in excess of the license fee collected. (More than £½ million in the case of Thanet District Council)

In reality this all smacks of political manoeuvring and seizing a chance to raise funds from the private sector. Sadly increased costs to Landlords will in the end make it even more expensive to rent in Bath and increased costs to the authority will either drive up all of our council tax bills or reduce services elsewhere. Widcombe, Westmoreland and Oldfield are not comparable with Stapleton Road in Bristol or the worst bits of Margate where the schemes in operation are closely aligned to the spirit of the originating legislation. You have existing powers at your disposal I would recommend that they are put to use effectively throughout the district.

Market forces tend to self correct with time, there is currently an oversupply of HMOs in student dense areas - this alone will drive up standards- there is no need or justification for Additional Licensing in Bath.