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## **Consultation on Additional (HMO) Licensing in Bath City**

**Bath and North East Somerset  
Council**

**Final report**  
**June 2018**



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## Project details and acknowledgements

<b>Title</b>	Consultation on Additional (HMO) Licensing in Bath City
<b>Client</b>	Bath and North East Somerset Council
<b>Project number</b>	18011
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M·E·L Research would like to thank the Council for their support with the consultation. We would also like to thank residents, tenants, landlords, agents, organisations and businesses for taking part in the consultation.

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# Outline of the headline findings

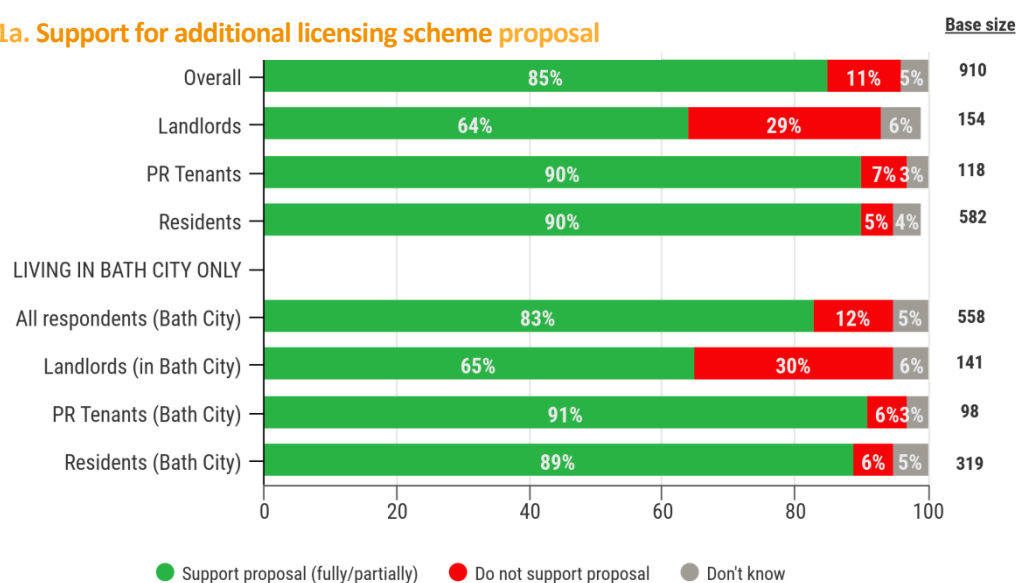
This summary shows the headline findings from a consultation that was undertaken in Bath and North East Somerset on a proposal to introduce Additional (HMO) Licensing in Bath City. In total, 910 respondents took part in the survey with further feedback gathered from two public meetings, stakeholder interviews and written responses. The consultation period spanned 10 weeks (16<sup>th</sup> March to 25<sup>th</sup> May 2018). The main methods of consultation were an online survey and a door to door residents' survey with a representative sample of residents from across the local authority area, undertaken by M·E·L Research.

## Key headlines

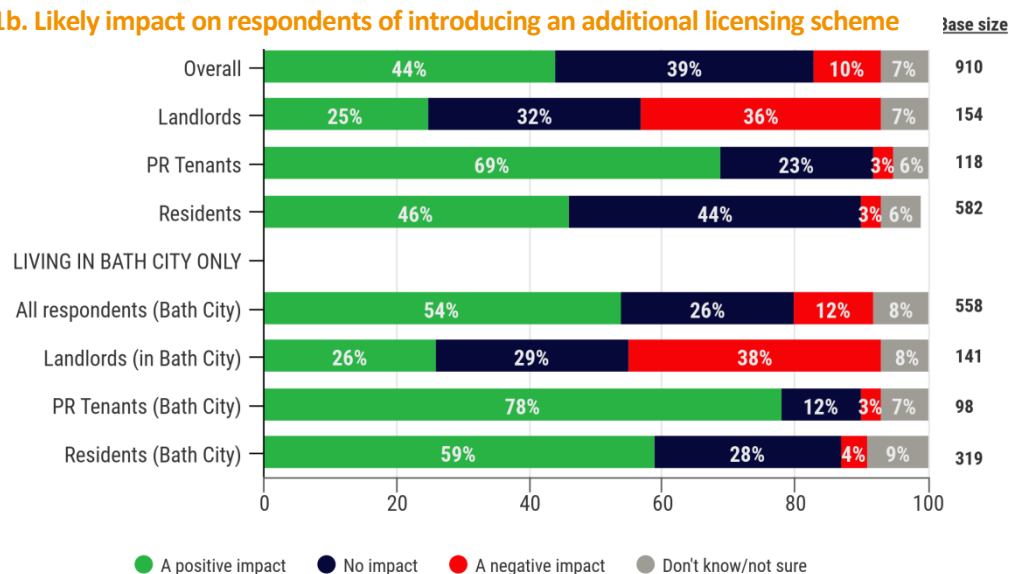
### Proposal for Additional (HMO) Licensing in Bath City

Figure 1: Headline responses to Additional (HMO) licensing proposal (overall/ by respondent group)

#### 1a. Support for additional licensing scheme proposal



#### 1b. Likely impact on respondents of introducing an additional licensing scheme



Overall, support for an Additional Licensing scheme in Bath City is very strong (85% in support). Opposition to the scheme is highest amongst landlords (29%), although more than twice as many support the proposal (64%) than those who do not. Residents and private rented tenants are most in favour (90% each). Respondents were then asked what impact they feel the proposal will have on them as an individual (will it have a positive impact or a negative impact). Under half of all respondents (44%) feel Additional Licensing will have a positive impact on them, whilst only one in ten (10%) feel it will have a negative impact on them. Landlords are most negative in terms of the impact, with over a third (36%) saying it will negatively impact them. This is most likely because the landlords who are responding will need to licence their properties. Seven out of ten (69%) private rented tenants feel it will have a positive impact on them, which could be because they are likely to see an improvement in their rented accommodation through the licensing scheme.

If we look at respondents who live, privately rent or own properties within Bath City, results are fairly similar for levels of support for Additional Licensing. In contrast, results around the impact of Additional Licensing on them as individuals, is higher for private rented tenants and residents within Bath City. Over three quarters (78%) of private rented tenants and 59% of residents living in Bath City feel Additional Licensing will have a positive impact on them. 38% of landlords owning properties in Bath City feel Additional Licensing will have a negative impact on them, whilst around a quarter (26%) feel it will have a positive impact on them.

# Executive summary

This summary provides the main findings from the consultation undertaken in Bath and North East Somerset on a proposal to introduce Additional Licensing for Houses in Multiple Occupation (HMOs) across the Bath City area. An online survey, a residents survey, two public meetings and stakeholder interviews were the main methods of consultation, undertaken independently by M·E·L Research. The consultation ran for 10 weeks from 16<sup>th</sup> March to 25<sup>th</sup> May 2018. In total, we received 910 survey responses. On top of this, qualitative feedback was recorded at two different public meetings, through stakeholder interviews and from written responses submitted by interested parties.

The results show the level of support and likely impact on respondents for the Council's proposal to introducing an Additional (HMO) Licensing scheme, which the Council hopes will improve HMO properties in the Bath City area. The consultation also looked at views on the proposed licensing costs and conditions.

## Key findings

### 1. Additional (HMO) Licensing scheme in Bath City

- **Support for an Additional (HMO) Licensing scheme is very strong**, with over eight out of ten (85%) respondents in support of the Scheme and more than four out of ten (44%) feeling it will have a positive impact on them as individuals. Although impact is not as high as the levels of support for the scheme, licensing may not affect them personally.
- When we look at support for Additional (HMO) Licensing by the different respondent types, we find that:
  - Residents and private rented tenants across BANES are very supportive of the scheme (both groups 90% in support), with almost seven out of ten private rented tenants (69%) and 44% of residents feeling it will have a positive impact on them. The differences are likely to be that residents may not see a positive impact to them personally because of licensing, whereas it is much more likely to have a direct impact on tenants.
  - Residents and tenants who live in Bath City are more positive about the impact that licensing will have on them than results across the whole of BANES, with 78% of private rented tenants and 59% of residents feeling it will be positive.
  - Landlords are less in favour of licensing; almost two thirds (64%) are still in support, whilst around three out of ten (29%) say they do not support it. Over a third of landlords (36%) say it will have a negative impact on them. In contrast, a third (32%) say that it will have no impact on them and a quarter (25%) feel it will have a positive impact. This could be because they may not be within the Bath City area or because they feel they already comply with the licence conditions.
- Around six out of ten (63%) believe the **licence fee is reasonable**, whilst just under three out of ten (29%) feel the licence fee is unreasonable.
  - Private rented tenants and residents are again most positive about the licence fee, with 75% and 71% respectively saying it is reasonable.

- Landlords are significantly more negative, with around six out of ten (61%) saying it is *unreasonable*.
- Eight out of ten respondents (80%) agree that the **licensing conditions are reasonable**, and that they will help improve the standard of HMO properties in Bath City.
  - Both residents and PRS tenants are supportive of the conditions (86% each feel they are reasonable).
  - Landlords aren't as positive, though around six out of ten (61%) do agree the conditions are reasonable, whilst 29% do not agree.

## 2. Deal with HMOs on a reactive basis (keep things as they are)

The consultation gave respondents the opportunity to say whether they prefer that the Council deal with HMOs on a reactive basis (i.e. when issues are reported).

- Over six out of ten (63%) do not support the Council taking a reactive approach, whilst only a quarter (26%) are in support.
  - Landlords are more supportive of dealing with HMOs on a reactive basis (54% in support) than residents (15% in support and 75% against) and private rented tenants (55% against).
- Over half of all respondents (55%) feel that the Council taking a reactive approach will have no impact on them as individuals, whilst a quarter (25%) feels it will have a negative impact on them.
  - Landlords are more positive than others, with 21% saying it will have a positive impact on them, although 57% feel it will have no impact.
  - Private rented tenants are slightly more negative, with a third (31%) saying it will have a negative impact on them. However, 45% feel it will have no impact.

## 3. Feedback from the public meetings

Attendance was mainly by landlords and agents. Although most do not support licensing, there is some agreement that something is needed and that licensing does help to improve standards. A number of landlords were concerned about the **increase in fees** from the previous scheme and questioned why this would be the case (economies of scale used as the reason). Some questioned the conditions putting the **onus on landlords to deal with rubbish/litter issues**, they felt it was unfair and unjustified as tenants are the ones that live in the properties. Some queried the **evidence used for the business case** – some of the figures in the background document need further clarification and some more detail on what the existing scheme has achieved. Others felt that **rogue landlords won't be found** through the scheme itself, and that **licensing is another penalty on landlords** that they are being forced to suffer, firstly by national policy and now at a local level. Some wanted some further information on **how the scheme costs have been calculated** in terms of the

resources needed, such as the number of staff needed for inspections/licensing and whether it will be feasible to have them in place by January 2019.

#### 4. Stakeholder views

Other stakeholders, such as landlords, agents, third sector organisations and Avon and Somerset Fire and Rescue, are generally supportive of something being done to create a level playing field for HMO properties in Bath, with the majority in support of the Council's proposal. The majority feel that **Bath City and HMOs are the correct focus for a scheme**, although some query why other housing in the private rented sector is not also being targeted. Others think that the Council should really **focus their efforts on finding bad properties and landlords** rather than waste time on licensing. Landlords and agents generally feel that the **licence fee should be lower** or there should be much **greater incentives for those who comply**, whilst **those that don't comply and need more inspections/support from the Council should have to pay more**. However, one agent feels that there **are lots of landlords who simply are ignorant** about what they need to do as landlords, never mind understand licensing and whether they need a licence or not.

Most stakeholders feel that **fees will be passed onto tenants**, but the impact of these will be minimal on most renters, other than those on the **Local Housing Allowance**, who will be affected most with rising rental incomes across the market more generally as a result of standards being raised. There is concern amongst many landlords about the licence conditions including things like **rubbish and litter which are significant problems for HMOs** but where landlords have very little influence over. Some suggest that the Council needs to **make tenants, not landlords, more accountable** for these issues and things like gardens, whilst there should be **more support for HMOs around waste disposal in general**, such as more frequent collections or more communal bins for areas where there are large numbers of HMOs.

# Introduction

## Background

Bath and North East Somerset Council (BANES) is proposing to introduce an Additional (HMO) Licensing scheme across the Bath City Area. Additional (HMO) licensing would extend the scheme to licence properties where 3 or more people, from 2 or more households live in a property (of any size), with a shared amenity. This would require all HMOs in the Bath City area to be licensed (with some exceptions\*).

As part of the licensing considerations, BANES Council commissioned M·E·L Research, as an independent research organisation, to produce an independent report on the consultation, along with running two public meetings to present the proposals to interested parties, and gather feedback on the proposals along with stakeholder interviews from a number of organisations working in and with the sector.

\* Exceptions: Buildings converted entirely into self-contained flats (s257 HMOs), although the individual flats maybe licensable in their own right. Purpose built student accommodation where the organisation which manages the building is subject to a national approved code of practice and the building in question is subject to that code. A building occupied by the owner(s) and their household and no more than 2 other persons is not regarded as an HMO under current legislation and therefore would not be required to be licensed under this proposal.

## Proposal

The consultation asked respondents the degree to which they support the proposal being considered by the Council, along with the likely impact it might have on respondents directly in regards to implementing an Additional (HMO) licensing scheme within the Bath City area.

The consultation also looked at views on the proposed licensing costs and conditions.

## Public consultation

The public consultation took place over a 10-week period (6<sup>th</sup> March to the 25<sup>th</sup> May 2018). There were four key methods of gathering views for the consultation: an online survey, a residents' survey, 2 public meetings and stakeholder interviews.

The survey was promoted by the Council to interested parties within the district, such as landlords, agents, tenants, residents, local businesses and third sector organisations. It was also promoted to neighbouring local authorities and encouraged them to promote the survey to landlords, residents, tenants and other businesses

who may wish to take part in the consultation. A full list of all activities taken to promote the consultation is below:

- Email to around 1,200 landlords/Letting Agents operating in BANES, with follow up reminders
- Email to around 60 local organisations and businesses, including equalities groups and the universities, asking them to take in the survey and send the invitation onto members to take part
- Email to West of England Landlords Forum, ALL Wessex, local NLA groups and other national and local landlords associations
- Email to around 30 local stakeholders inviting them to a telephone interview, or alternatively provide a written response or complete the survey
- Leaflets, Posters and paper questionnaires distributed to Libraries and Council offices
- Consultation advertised on home page of the Council's website, with link to webpage containing the consultation information
- Details of the consultation emailed to all neighbouring local authorities to share with their landlord' forums/letting agents
- Council officers attended a public meeting held by local councillors to present information on the proposal.

## 1. Online consultation

M·E·L Research hosted and administered the online consultation, which was also promoted by the Council. M·E·L Research sent out email invitations to landlords, agents, organisations and other interested parties who the Council wanted to participate in the consultation. Paper copies of the questionnaire and a telephone helpline were also available for those who wished to complete the survey in a different format. An email address was also provided to gather any written comments or feedback. These have been analysed and included in the appendices.

Overall, 293 responses were received to the online consultation.

## 2. Residents survey across BANES

A door-to-door survey was undertaken with 617 residents from across the local authority area. Results are broadly representative by ward, gender and age. A breakdown by ward, age and gender is shown in the table on the following page.

**Table 1: Breakdown of respondents to the Residents Survey (counts by ward, gender and age)**

Ward name	Ward	Age							Gender	
		18-24	25-34	35-44	45-54	55-64	65 and over	Prefer not to say	Male	Female
Abbey	21	7	5	2	2	1	4	-	11	10
Bathavon North	24	2	3	4	5	4	6	-	11	13
Bathavon South	9	2	1	1	2	2	1	-	4	5
Bathavon West	10	4	1	1	1	1	2	-	5	5
Bathwick	23	14	1	-	2	2	2	2	11	12
Chew Valley North	9	1	1	3	2	1	1	-	6	3
Chew Valley South	8	1	1	2	2	1	1	-	5	3
Clutton	8	1	1	1	2	1	2	-	4	4
Combe Down	18	2	3	2	3	1	6	1	9	9
Farmborough	7	2	1	-	1	1	2	-	3	4
High Littleton	10	1	1	-	5	-	3	-	5	5
Keynsham East	19	2	2	2	3	3	7	-	9	10
Keynsham North	17	2	3	3	3	2	4	-	9	8
Keynsham South	17	2	3	2	2	5	3	-	9	8
Kingsmead	24	6	4	2	2	2	3	5	13	11
Lambridge	17	1	3	3	3	1	3	3	8	9
Lansdown	15	3	2	2	2	2	2	2	7	8
Lyncombe	18	2	2	2	3	4	4	1	9	9
Mendip	10	1	1	1	2	3	2	-	4	6
Midsomer Norton North	19	2	3	3	4	2	5	-	10	9
Midsomer Norton Redfield	17	2	3	2	4	1	5	-	8	9
Newbridge	19	3	3	4	4	1	4	-	9	10
Odd Down	19	3	5	3	3	-	5	-	10	9
Oldfield	21	11	2	2	3	1	2	-	10	11
Paulton	20	2	5	1	2	5	5	-	10	10
Peasedown	22	2	5	4	5	3	3	-	9	13
Publow and Whitchurch	11	2	1	1	2	2	3	-	5	6
Radstock	18	2	3	3	3	3	4	-	10	8
Saltford	14	1	1	2	2	3	5	-	7	7
Southdown	18	3	2	4	2	2	5	-	7	11
Timsbury	10	1	1	2	1	2	3	-	6	4
Twerton	18	3	4	3	3	2	3	-	11	7
Walcot	20	4	4	3	3	3	3	-	10	10
Westfield	20	3	3	2	5	3	4	-	9	11
Westmoreland	27	14	2	4	2	2	3	-	13	14
Weston	19	2	2	4	2	3	5	1	11	8
Widcombe	21	8	4	2	2	2	2	1	12	9
<b>TOTAL</b>	<b>617</b>	<b>124</b>	<b>92</b>	<b>82</b>	<b>99</b>	<b>77</b>	<b>127</b>	<b>16</b>	<b>309</b>	<b>308</b>

### 3. Public meetings

Two public meetings were hosted by M·E·L Research, to introduce the proposal to anyone interested in finding out more and to share their views. Council officers were present at both of the meetings, with a Question and Answers session included as an opportunity for attendees to ask the Council any questions about the proposals, as well as provide them with an opportunity to feedback views and concerns. The dates, times, venue and approximate number of attendees for each meeting are presented below.

**Table 2: Public meeting attendees**

Date/time	Venue	Approx. no of attendees
19 <sup>th</sup> April 2018 (5.30-7pm)	Guildhall, Bath	16
25 <sup>th</sup> April 2018 (3.30-5pm)	All Saints Centre, Weston	8
<b>TOTAL</b>	-	<b>24</b>

## 4. Stakeholder consultation

Interviews with a number of stakeholders were undertaken by M·E·L Research staff, as part of the consultation. The Council provided a list of potential stakeholders and although attempts were made to contact all organisations, eleven took part in the consultation - nine via telephone interviews and two via written responses. The table below shows the range of stakeholders who took part. In addition, the National Landlords Association (NLA) submitted a written response to the consultation. All written responses are included in the Appendices.

**Table 3: Stakeholder profile**

Respondent profile	No of stakeholders spoken to
Portfolio landlords	2
Avon and Somerset Fire and Rescue	1
Letting agents	2
Councillors	1
Third sector organisations	2
Landlords associations/organisations	2
Council qualities team	1
<b>TOTAL</b>	<b>11</b>

## Statistical significance and profile of respondents

Based on a total estimated population (2016 mid-year estimates - over 18s) of 152,612 in the local authority, results are accurate to a margin of error of +/-3.2% based on a 50% statistic at the 95% confidence level. This means that if 60% of the sample said they support the proposal, had all adults across the whole local authority area been interviewed, the actual response lies somewhere between 56.7% and 63.3%. The data has not been weighted.

A breakdown of respondent types is provided in the table over the page. Within the sample, 121 respondents are private rented tenants.

**Table 4: Respondent profile to the survey**

Respondent profile	Number	% of responses
A resident of BANES	777	85%
A landlord with a property (or number of properties) in BANES	146	16%
An agent, managing properties in BANES	14	2%
A business operating in BANES	23	3%
A community group or charity operating in BANES	11	1%
A resident / landlord / business in a neighbouring local authority	13	1%
Other	3	0%
Not answered	41	5%

(multiple answers possible)

## Reporting conventions

We have used the term 'landlord' in this report to collectively refer to both landlords, their managing agents or both.

Owing to the rounding of numbers, percentages displayed on graphs or charts in the report may not always add up to 100% and may differ slightly when compared with the text. The figures provided in the text should always be used. For some questions, respondents could give more than one response (multiple choice), so the total won't add up to 100%.

The consultation findings have been analysed overall and by type of respondent landlord/agent, private rented tenant, resident – please note that respondents are only in one of these groups when analysed - and method of completion (online or residents' survey). Results for those living in neighbouring local authorities are included in the overall figures, and provided separately as Appendix 7 responses (13 responses in total). Results by the different protected characteristics groups were also analysed, but no significant findings of concern have been found to suggest that any groups would be negatively impacted by the proposal. These results have been provided separately to the Council.

# Results

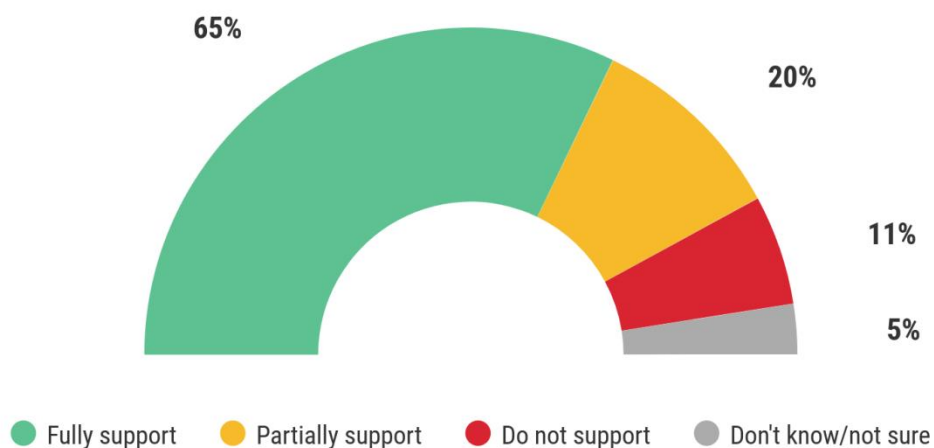
This section of the report presents the results from the consultation.

## Introduce Additional (HMO) Licensing across Bath City

The Council is proposing to introduce an Additional (HMO) Licensing scheme across Bath City, which would require all Houses in Multiple Occupation (HMOs) in the city to be licenced.

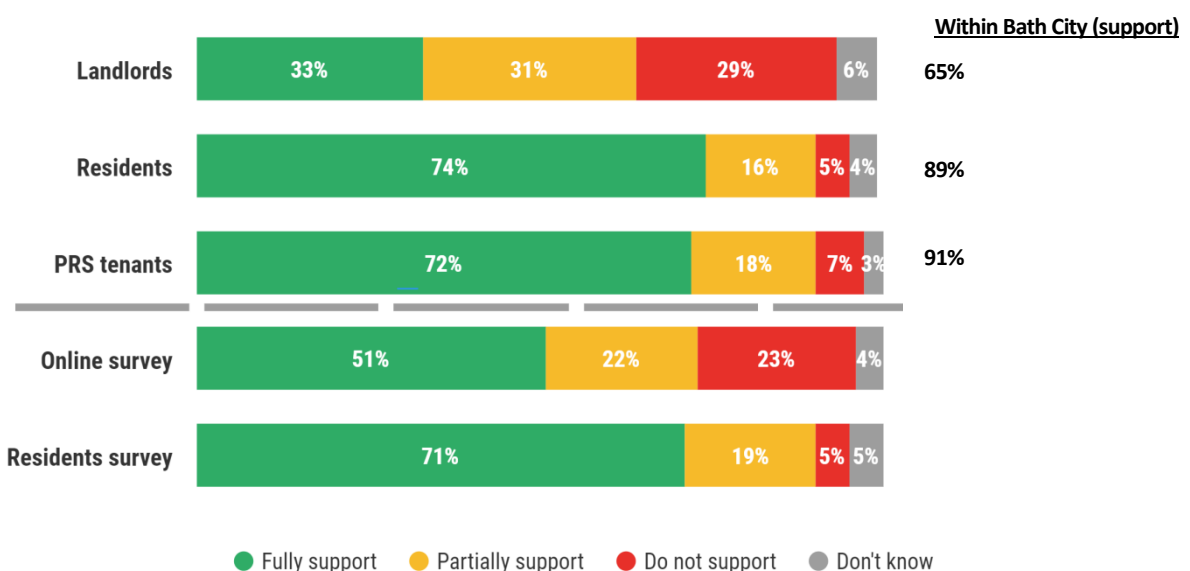
The majority of respondents (85%) support the proposal to introduce an Additional (HMO) Licensing scheme in Bath City, whilst around a tenth (11%) do not support it. Of those who support the proposal, around two thirds say they fully support it (65%).

Figure 2: Support for introducing Additional (HMO) Licensing across Bath City (overall) (base 910)



Residents and private rented tenants are very supportive of a scheme being introduced (90% in support). Landlords are much less in favour, with 64% in support, although a much higher proportion are in support of the proposal than those who do not support the proposal (29%).

Figure 3: Support for introducing Additional (HMO) Licensing across Bath City (by respondent type/method)



Support levels for those living, privately renting or owning properties within the Bath City area are fairly similar to the overall response levels.

Respondents to the residents' survey are more supportive of the proposal, than those who completed the online survey (71% compared to 51%). This is primarily due to the number of landlords, who almost solely took part in the online survey. As we would therefore expect to find, a higher proportion of respondents to the online survey do not support the proposal, when we compare results to the residents' survey (23% compared to 5%).

The survey asked respondents to give their key reasons for supporting or not supporting the proposed scheme. All literal responses have been provided separately to the Council. Key reasons for not supporting the scheme are provided below (125 individual comments in total). The most common response is that the scheme will have a **negative impact on the area** in terms of things like rent increases, reducing the supply of housing and driving up house prices (27 comments). This was followed by comments around **not needing a scheme** (24 comments) and that it is just **more bureaucracy/money making for the Council** (16 comments).

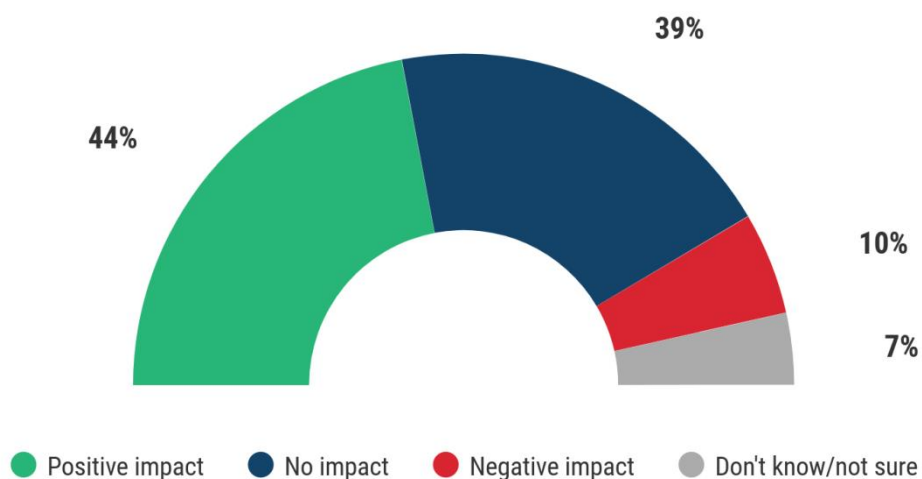
**Table 5: Reasons for not supporting Additional (HMO) Licensing across Bath City (literal responses)**

Themes	No of individual comments
Negative impact - increase rents, reduce no of houses available, house prices, increase homelessness etc..	27
Don't need scheme	24
More bureaucracy/money making for Council	16
Penalising good landlords	13
Existing scheme not working/not being enforced	12
Tenants should be more accountable	11
Costs should be proportionate for landlords	5
All PRS/HMOs should be licensed	1
Other	16
<b>TOTAL</b>	<b>125</b>

### Likely impact on respondents

Respondents were asked what they feel the likely impact of introducing licensing would be on them (as individuals, not on the local area.) Under half of respondents (44%) feel that introducing Additional Licensing will have a positive impact on them, whilst one in ten (10%) feel it will have a negative impact. Around four out of ten (39%) feel it will have no impact. This could be because they may not be in the licensing area or may not be a landlord or tenant affected directly by licensing.

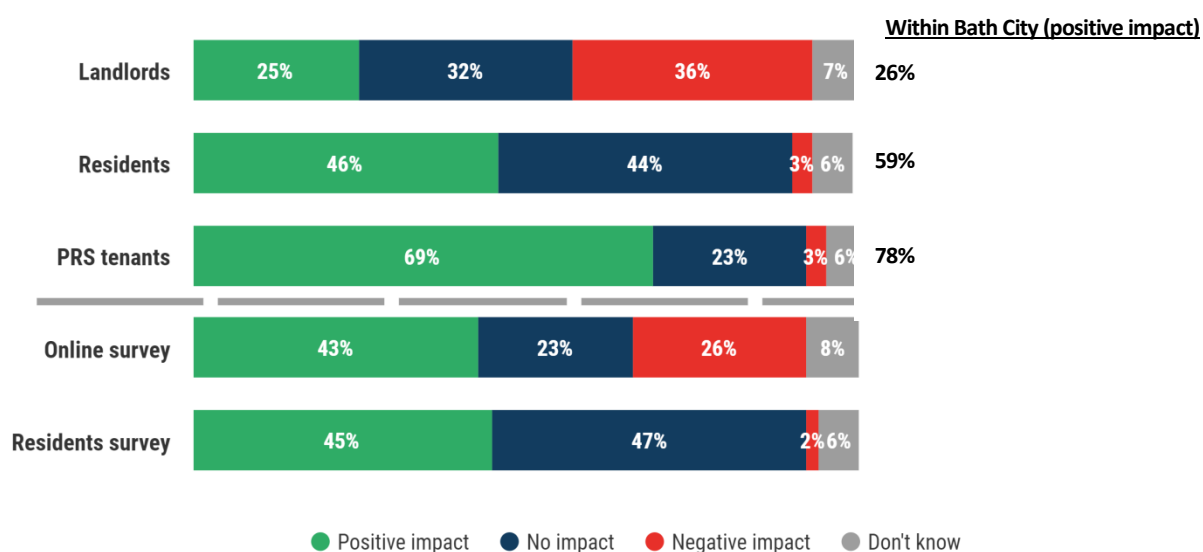
Figure 4: Likely impact of introducing Additional Licensing on respondents (overall) (base 910)



Private rented tenants are again most positive, with just under seven out of ten (69%) saying Additional Licensing will have a positive impact on them (as they may see improvements), and only 3% saying it will have a negative impact. Just under half of residents (46%) are in support, whilst over four out of ten (44%) feel it will have no impact on them as they do not live in this accommodation, or they may not live in an area with HMO properties. Landlords are more negative, with over a third (36%) saying it will have a negative impact on them.

If we look at respondents who live, privately rent or own properties within Bath City, positive impact is higher for private rented tenants and residents than those across the whole district. Over three quarters (78%) of private rented tenants and 59% of residents living in Bath City feel Additional Licensing will have a positive impact on them. 38% of landlords owning properties in Bath City feel Additional Licensing will have a negative impact on them, whilst around a quarter (26%) feel it will have a positive impact on them.

Figure 5: Likely impact of introducing Additional Licensing on respondents (by respondent type/method)

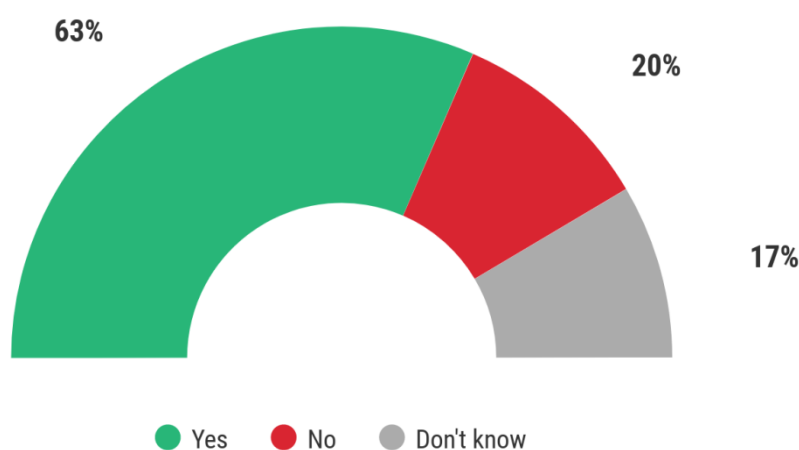


The proportion of respondents who feel additional licensing will have a positive impact on them is similar between the online and residents survey results. However, a higher proportion of those responding to the online survey feel it will have a negative impact (26% compared to 2%). Just under half of those who took part in the residents' survey (47%) feel it will have no impact on them.

## Scheme design

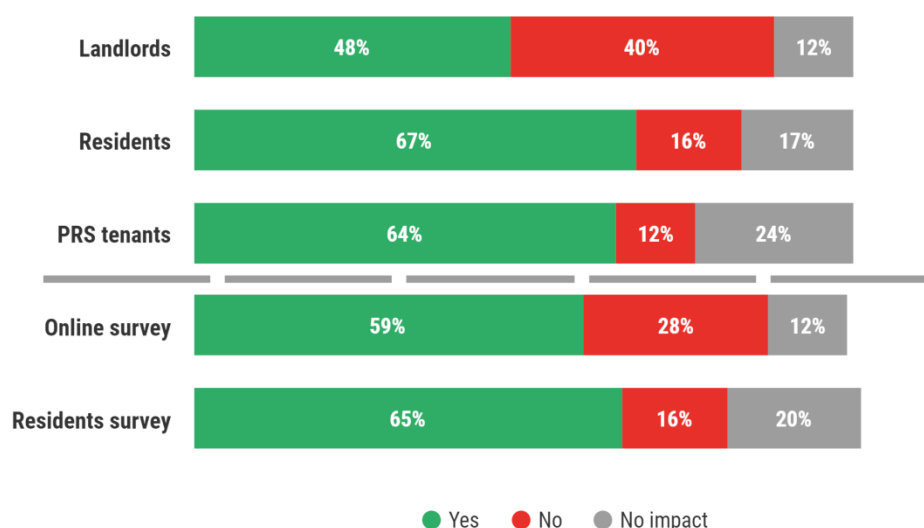
Respondents were asked a number of questions about the scheme design. They were firstly asked whether they feel that the types of HMOs proposed for the scheme are correct. Over six out of ten (63%) respondents feel they are they are correct, whilst a fifth (20%) feel they are not.

**Figure 6: Are the types of HMOs targeted correct (overall)?**



Around two thirds of residents and private rented tenants feel that the HMOs are the correct property types to target (67% and 64% respectively), whilst a higher proportion of landlords do not feel that they are correct (40%) compared to these other groups.

**Figure 7: Are the types of HMOs targeted correct (by respondent type/method)?**



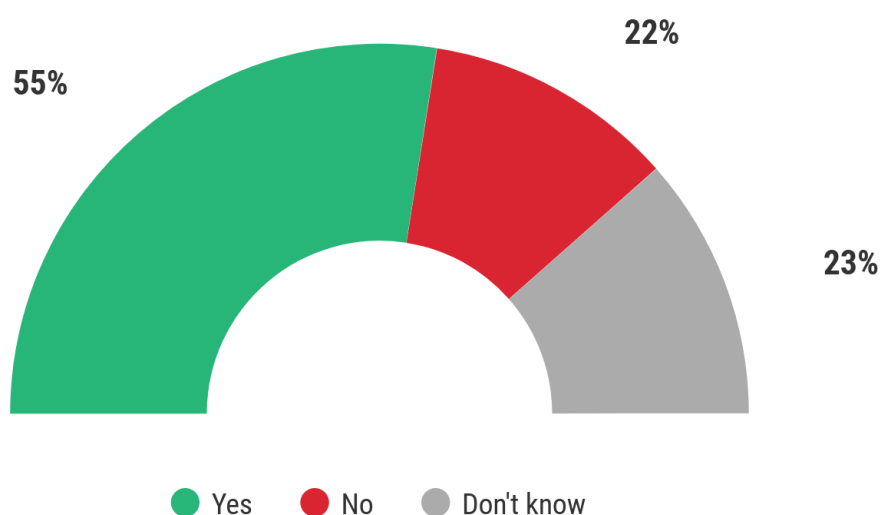
Respondents were given the opportunity to say what types of properties should be targeted. The results analysed are only for those who commented 'No' to the previous question. The most common response was that the scheme should be for **all privately rented properties** (78 comments), followed by the scheme **should not target such a small number of sharers** (i.e. 3 or more) (19 comments) or that in general they do not support the scheme (11 comments).

**Table 6: Are HMOs the correct type of property to target?**

Themes	No of individual comments
Should be for all rented property	78
No of sharers is too low	19
Unfair scheme	13
Generally do not support proposal	11
Too broad	4
Mandatory scheme is only thing needed	3
Not just for sharers	2
Should be across all of BANES	2
Student blocks should be included too	2
For 2 or more people	1
For landlords with small no of properties	1
Other	32
<b>TOTAL</b>	<b>168</b>

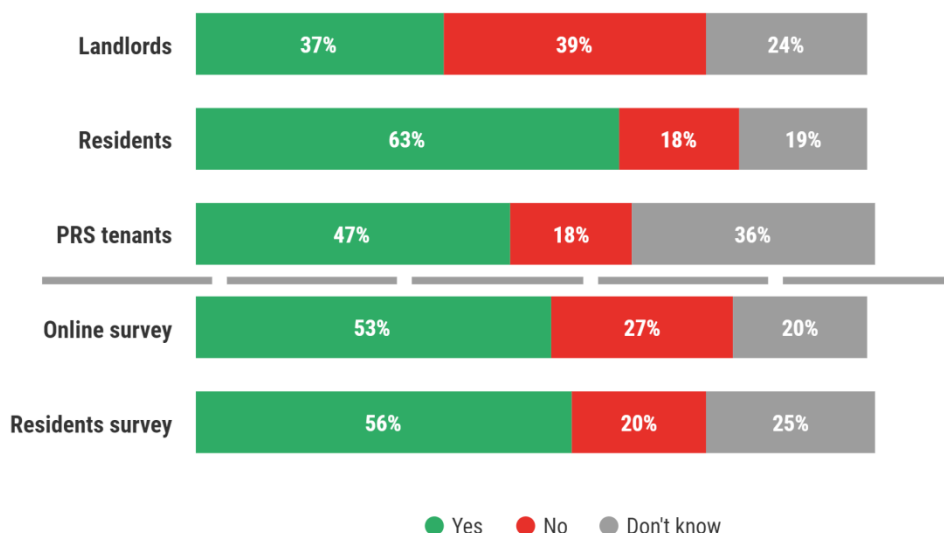
Next, respondents were asked whether Bath City should be the focus for the scheme. Over half (55%) feel Bath City should be the focus, whilst around a fifth again (22%) feel that it should not.

**Figure 8: Should Bath City be the focus for the licensing scheme (overall)?**



Over six out of ten residents (63%) feel that Bath City should be the focus, which is higher than landlords (37%) and private renting tenants (47%). Results are fairly similar for those who responded online or to the residents' survey.

**Figure 9: Should Bath City be the focus for the licensing scheme (by respondent type/method)?**

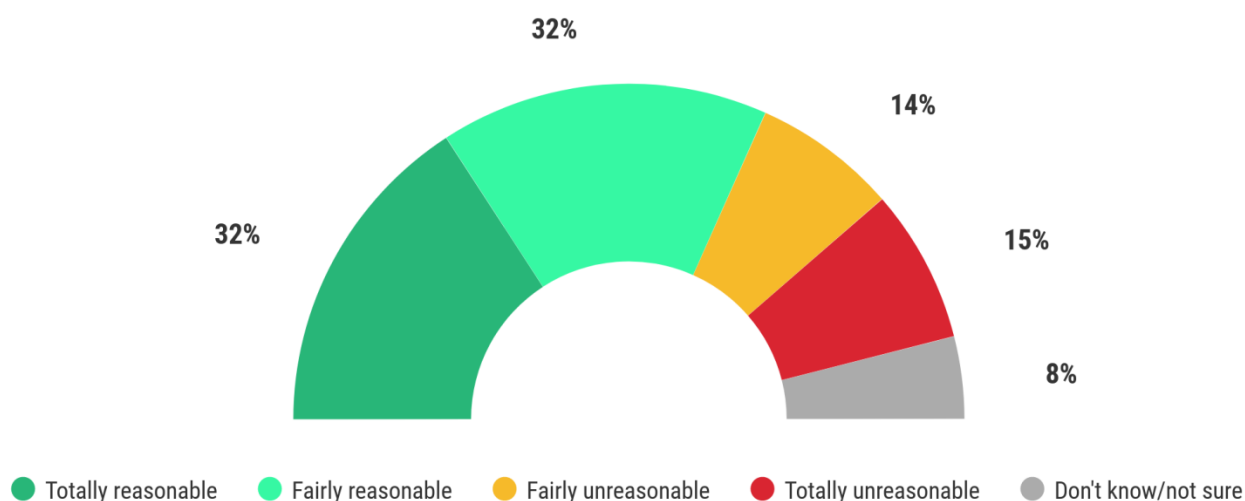


## Additional Licensing fees

As part of the consultation, respondents were asked to comment on the proposed fees for the Additional Licensing scheme of £800 for a five-year licence (excluding any discount or additional charges/penalties). Further information on how the fees were calculated, was provided in the consultation document.

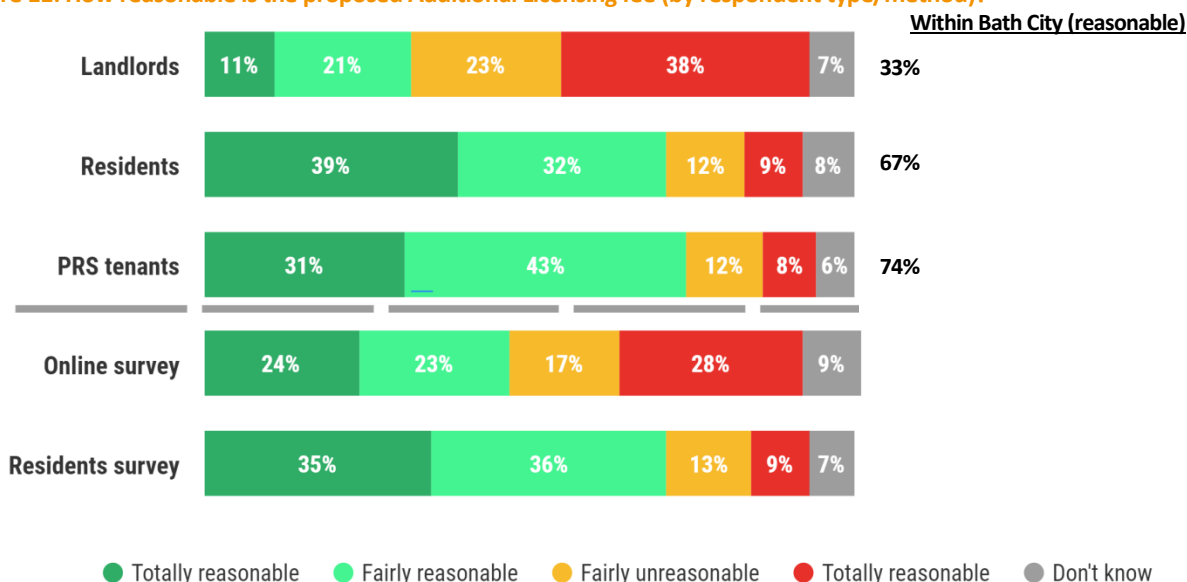
Respondents were asked a number of questions around the licensing fee. Overall, around six out of ten (63%) respondents feel that the proposed Additional Licensing fee is reasonable. Around three out of ten (29%) think it is unreasonable.

**Figure 10: How reasonable is the proposed Additional Licensing fee (overall)?**



Private rented tenants and residents are most positive about the licence fee, with 75% and 71% saying it is reasonable. Landlords are significantly more negative about the proposed licence fee, with six out of ten (61%) saying it is unreasonable. Around a third of landlords (32%) feel it is reasonable. Results are similar for those within Bath City.

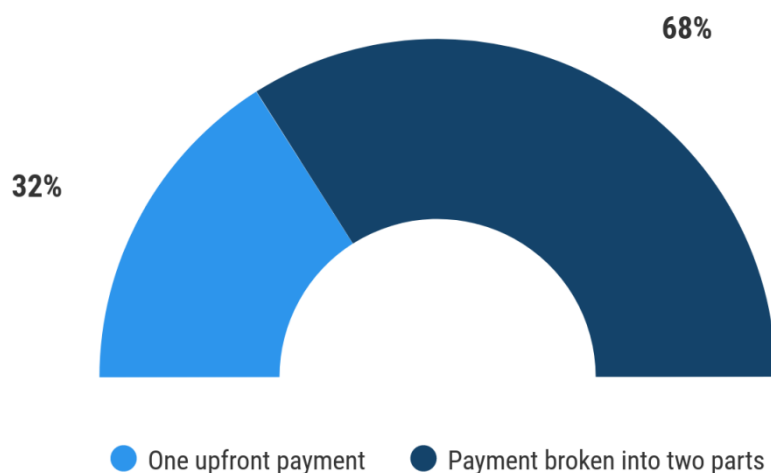
**Figure 11: How reasonable is the proposed Additional Licensing fee (by respondent type/method)?**



As part of the consultation, the Council is considering how payment of the license is made. Respondents were therefore asked whether they feel the license fee would be better paid upfront in one sum, or in two separate payments. Around a third (32%) feel it should be one upfront payment, whilst just under seven out of ten (68%) feel it should be in two stages.

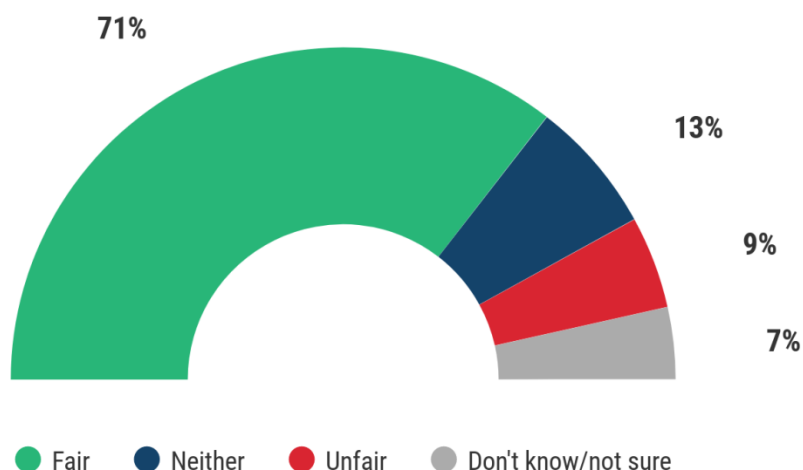
Interestingly, results are fairly similar, with a third (32%) of landlords preferring one upfront payment, compared to 27% of private renting tenants and 32% of residents. Around two thirds of landlords, however, prefer payment broken in two parts (68%).

**Figure 12: How should payment of the license fee be made (overall)?**



Respondents were then asked whether they feel it would be fair to give a discount for applicants who complete an online application form, submitting the correct documentation. Seven out of ten (71%) feel it is fair, whilst one in ten (9%) feel it is unfair.

**Figure 13: How fair is the discount (overall)?**



Results are relatively similar across the groups, with 74% of tenants, 71% of residents and 68% of landlords feeling the discount is fair.

Respondents were invited to add any additional suggestions for discounts (236 comments in total). Those with fewer than 5 comments are not included as a theme in the table. The most common responses were in support of the suggested discount (31 comments), followed by costs **should be variable according to the work needed** (i.e. those who comply pay less than those who don't) (26 comments).

**Table 7: Alternative ideas for discounts**

Themes	No of individual comments
Support the suggested incentive of £50 discount	31
Variable cost of license acc to work/inspections required	26
Do not support scheme in general/no licence fee	24
No incentive	20
Ratings/star related payments e.g. rating by tenants	13
Reduce overall fee	12
Reduce price for renewals for those in current scheme	12
Raise fines/costs for non-compliance	11
Reduced fee for those who have several properties	10
Payments on a spread out basis (e.g. one or two payments, annual or monthly)	10
Discount for membership of associations	6

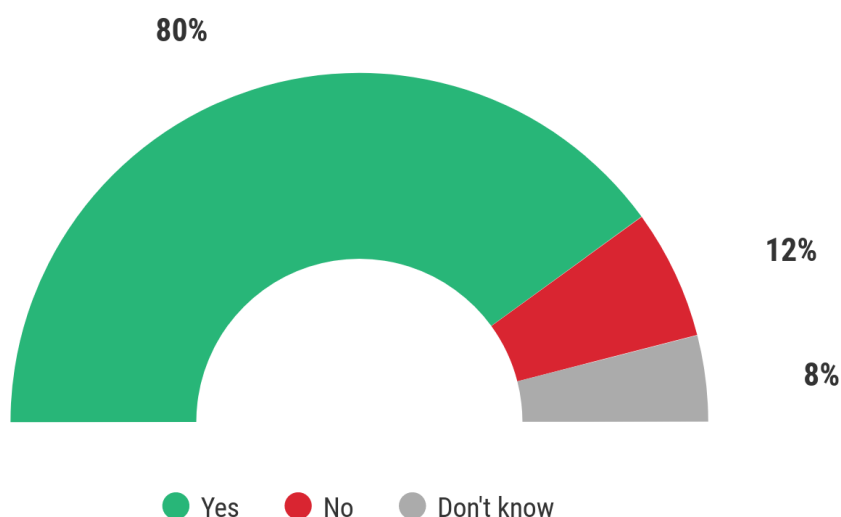
Early bird	5
Support the suggested incentive of £50 discount	54
Other	31
<b>TOTAL</b>	<b>168</b>

## Additional Licensing conditions

Respondents were asked whether they feel the Additional Licensing conditions (provided as a separate document) are reasonable, and whether they will help to improve the standard of this type of housing.

Eight out of ten respondents (80%) agree that the conditions are reasonable, and that they will help improve the standard of HMOs, whilst only one in eight (12%) do not agree.

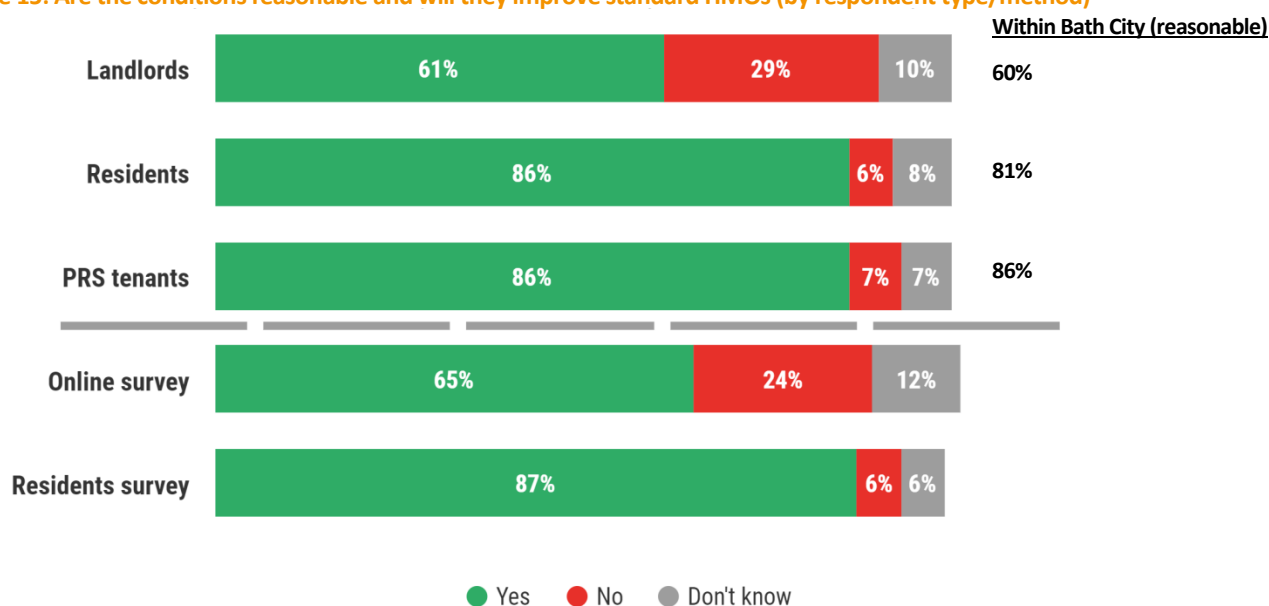
**Figure 14: Are the conditions reasonable and will they improve the standard of HMOs (overall)?**



Over eight out of ten residents and private rented tenants (86% each) feel that the conditions are reasonable and will improve HMO houses. Landlords are more negative, with around six out of ten (61%) agreeing they are reasonable/will help improve HMOs, whilst 29% do not agree. Results are similar for those within Bath City, although slightly fewer residents (81%) feel the conditions are reasonable than residents from across the whole of the district.

Respondents to the online survey are more negative than those responding to the residents' survey, with two thirds (65%) saying they are reasonable and 24% not reasonable, compared to 87% and only 6% who do not feel they are reasonable.

Figure 15: Are the conditions reasonable and will they improve standard HMOs (by respondent type/method)



The survey asked respondents to give their key reasons for saying that the conditions are/are not reasonable and will/will not improve the standard of HMOs. All literal responses have been provided separately to the Council. Key reasons for saying the conditions are not reasonable/will not have an impact are provided below (108 separate comments in total). The most common response is that the **scheme is not needed/respondents oppose it generally** (27 comments). This was followed by comments around the scheme needing to be effectively enforced to have any impact (10 comments).

Table 8: Conditions are not reasonable/ will not improve HMO standards (literal responses)

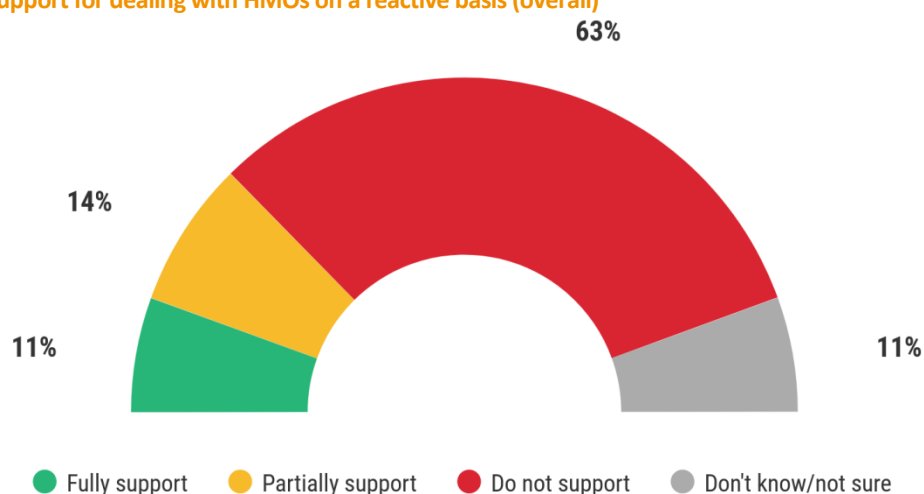
Themes	No of individual comments
Scheme not needed/generally opposed	27
Needs to be enforced to have an impact	10
Already covered by existing legislation	9
Will have negative impacts e.g. rent increases etc...	9
Too bureaucratic/many unnecessary for these properties	8
Conditions will not have direct impact on raising standards	8
Tenants should be more accountable rather than landlords e.g. recycling/waste/gardens/ASB	7
Should apply to all rental properties	6
Existing scheme not working/not being enforced	4
Legal standards change too frequently	3
Proposed Conditions not harsh/strict enough	3
Conditions open to interpretation	2
Other	12
<b>TOTAL</b>	<b>108</b>

## Deal with HMOs on a reactive basis (keep things as they are)

The consultation also provided respondents with the option for the Council to deal with HMO properties on a purely reactive basis. The same questions were asked as with the other options – to what extent respondents support this option, and what impact, if any, this will have on them. Please note that as there is only a small additional licensing scheme in place in 3 wards in Bath City, most respondents will not have either knowledge or experience of the scheme.

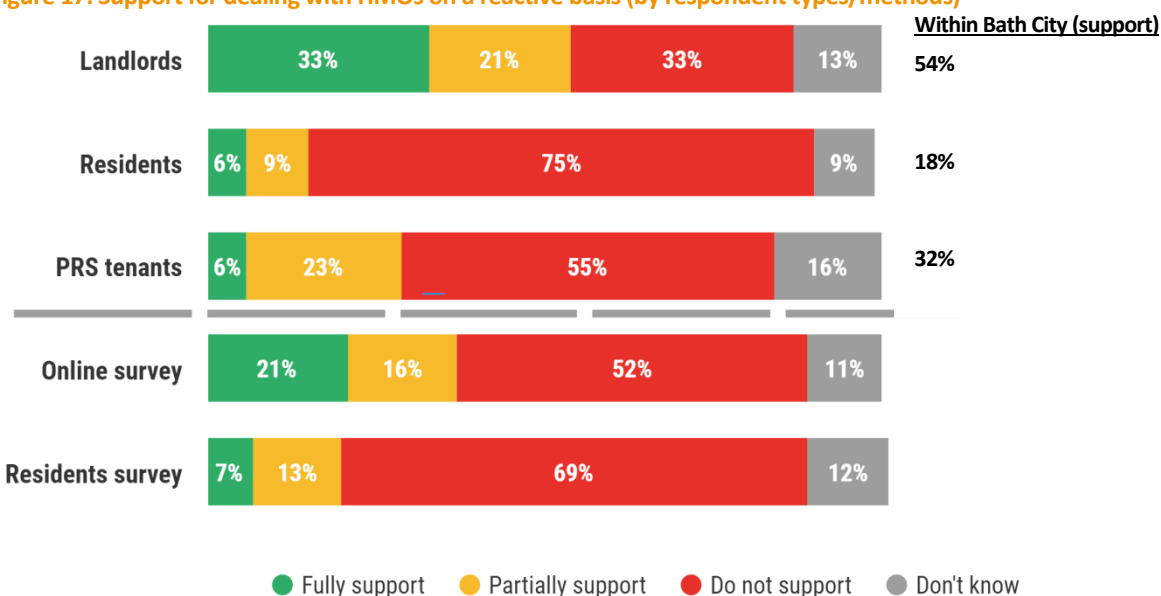
Support for dealing with HMOs on a reactive basis is not very strong, with over six out of ten (63%) saying they do not support the Council doing this. Around a quarter of all respondents (26%) are in support.

Figure 16: Support for dealing with HMOs on a reactive basis (overall)



Over half of landlords (54%) are in support of this, significantly more than other respondents, whilst a third do not support it (33%). Residents are least positive, with only 15% in support, whilst three quarters are against (75%). Just over half of private rented tenants (55%) do not support keeping things as they are. Results are similar for those living, privately renting or owning property within Bath City.

Figure 17: Support for dealing with HMOs on a reactive basis (by respondent types/methods)

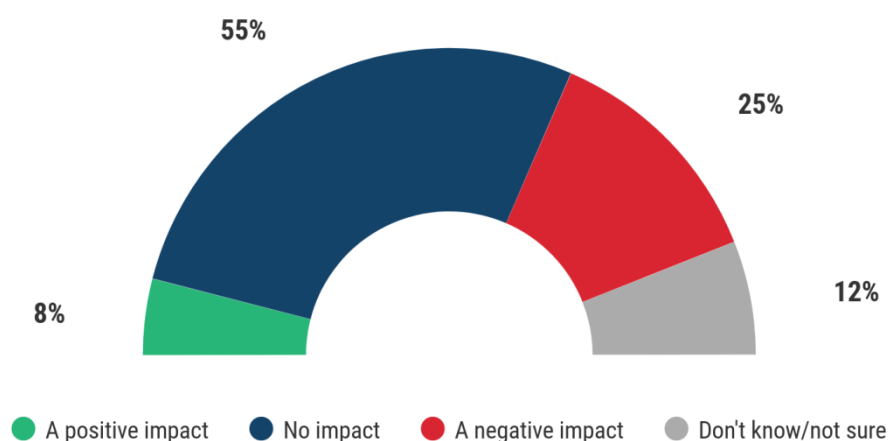


Respondents to the online survey are more supportive (38%) than those who took part in the residents survey (20%).

### Likely impact on respondents

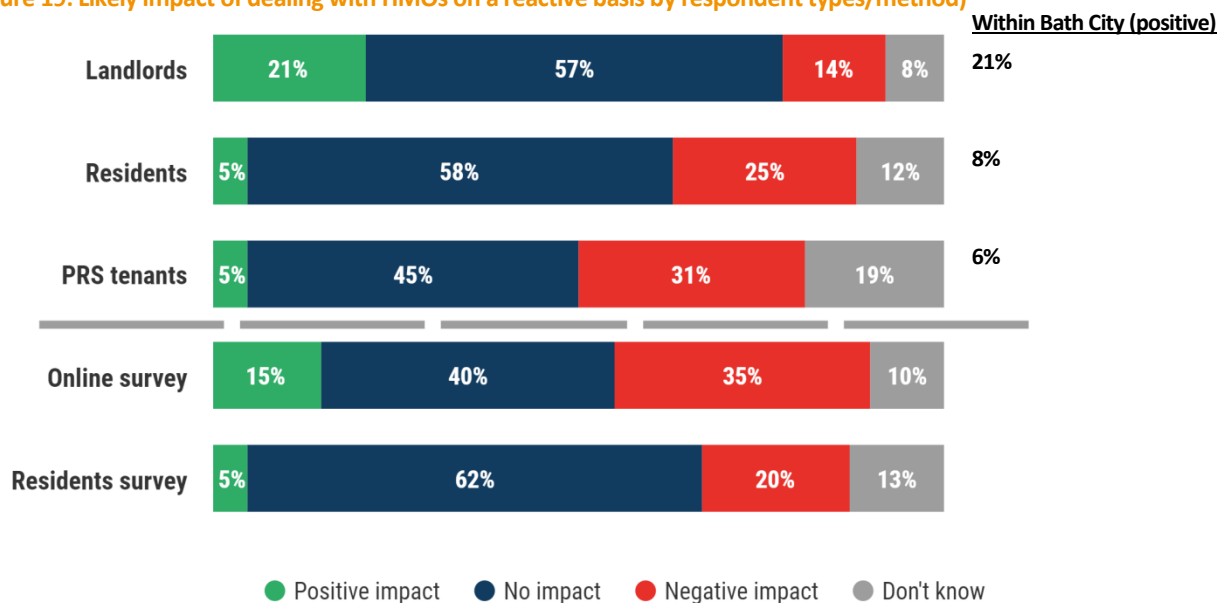
Over half of respondents (55%) feel that there will be no impact on them if the Council deals with HMOs on a reactive basis. A quarter of respondents (25%) feel that this will have a negative impact on them, whilst 8% feel it will have a positive impact.

Figure 18: Likely impact of keeping things as they are on respondents (overall)



Landlords are slightly more positive than other respondent groups about the Council dealing with HMOs on a reactive basis, with around one in five (21%) saying it would have a positive impact. However, only 14% feel it will have a negative impact on them. The most popular response from landlords is that it will have no impact on them (57%). Private rented tenants are slightly more negative, with a third (31%) saying that it will have a negative impact on them, but more feel it will have no impact (45%). Results are similar for those within Bath City.

Figure 19: Likely impact of dealing with HMOs on a reactive basis by respondent types/method



## Other ideas/comments

Respondents were invited to add any comments or ideas they may have about how the Council could improve HMO properties in the private rented sector. These have been analysed and common themes identified. In total around 168 individual comments have been identified. The most common suggestion is for the Council to **investigate and target non-complaint landlords only** (22 comments) rather than adopt a licensing scheme. This is followed closely by comments around a need for **better/tough enforcement of problems** (19 comments) and the issues around **rubbish and recycling needing to be tackled** (17 comments). There were a large range of different suggestions or comments which had fewer than 5 comments, which are included under 'other'.

**Table 9: Other suggestions and comments (literal responses)**

Themes	No of individual comments
Investigate and target non -compliant landlords	22
Better enforcement of problems	19
Rubbish and litter to be tackled	17
All HMO tenants should pay council tax	12
Accreditation/star based system for properties	9
Better utilisation of current regulations and resources	9
More inspections	8
Other	72
<b>TOTAL</b>	<b>168</b>

A final question asked respondents for all other comments they may have about the scheme or the consultation. These have been provided to the Council, along with all literal responses to the survey in a separate file.

## Feedback from public meetings & other written responses

M·E·L Research facilitated two public consultation meetings during the consultation period, one in Bath and one in Weston. There were also a small number of written responses to the consultation. Below is a summary of the views from both the written responses and the feedback from the public meetings. It should be noted that the Council addressed most queries directly at the public meetings; however, comments made by the Council are not included below.

### Overall support for/against licensing

- All landlords/agents in the first public meeting said that they do not support licensing. However, views were more mixed in the second public meeting, with one against, whilst all others had mixed views. Most recognised the need for standards, but were cautious about extension, looking for clarifications and what value there is for landlords.

### Business case for licensing

- Some felt that licensing should not just be focused on HMOs, or just those where people are sharing. A property that is occupied by a family would be exempt from the scheme, whilst it would need to be licensed if people are not related. Likewise, if a house were converted into self-contained flats, they would not need a licence but may be at further risk.
- Most felt that the licensing really only solves issues with standards. It does not address/aid landlords around anti-social behaviour, rubbish etc.
- The NLA and Association of Local Landlords (Wessex) query the business case claim that the current licensing scheme has been a success, but that there is little quantitative evidence of this, and also that if it was a success why is it still needed in those three wards.
- One suggested that there is a conflict of interest between Council and landlords. The Council would tell problem tenants to remain in the property, as they would have to re-house. Landlords face lengthy time frames and costs to evict tenants. Landlords need reassurance that the Council will not be working against a landlord's interests. Licensing would not help address this issue.
- Many feel that the business case requires further detail or strengthening. The original scheme was based on issues related to student areas. The proposed extension is to areas that do not have such problems and therefore is the scheme needed e.g. Larkhill, Weston.
- One suggestion is that the scheme may have unexpected consequences. If there is a drop in demand, properties may be left empty rather than return to residential status. This would reduce the available rented housing stock.
- The NLA also suggested that rising house prices and rent for tenants will price more and more people out of the private rented market (particularly those renting via local housing allowance) and if there is no social housing available, they may become homeless. This would also have implications for not only tenants/residents, but for the Council to foot the costs.
- One landlord asked that the Council proves the value of the existing scheme and that the business case does not go far enough to evidence this.
- Landlords Associations and a number of landlords questioned the evidence in the business case and felt it was lacking. One questioned the use of statistics and why these have changed since the previous scheme was introduced (suggesting that the number of properties with hazards has increased) and a figure of 31%

quoted about failures identified with HMOs – they wanted clarification about whether these were major or minor failings e.g. one piece of paper not being provided at the time, a fire blanket being in the wrong place, or were they a major safety/fire issue? They felt that the figures presented in the business case are misleading if it is not the latter.

- It was suggested that the Council should be setting targets about what it wants to achieve from the scheme.

### Licensing conditions

- Some landlords are worried that the conditions of the licence are going to make landlords scapegoats for things that are outside of their control and that the Council will over-police this.
- The main concern mentioned was around rubbish:
  - HMOs are generating too much rubbish for the capacity of bins due to the new two weekly collection scheme.
  - One landlord said that he is physically taking rubbish himself to the HWRC as there isn't enough space/storage for his tenants to throw rubbish/recycling away. He doesn't think it's fair that landlords should be held accountable for this
  - Thinks that there should be bigger bins as a minimum for HMOs.
- However, the NLA also suggested the landlords cannot manage tenants' behaviour and therefore this cannot be a condition of the licence. They asked for guidance to be produced by the Council on how they will help landlords deal with/remove anti-social tenants. Likewise, ALL Wessex calls for a set of legally compliant guidelines about how landlords deal with ASB.
- ALL Wessex suggested that landlords should not be responsible for dealing with pest infestations, as they tend to arise from tenants actions.
- A few landlords commented on fire safety conditions and whether they should be needed – one landlord felt that there were things being asked of landlords that aren't in the interests of either tenants or the Council.
- One written response queried the need for carbon monoxide detectors in every bedroom and agreed that there has to be a detector in every rented property where a gas appliance exists, but questioned why every bedroom would need one unless there is a gas emitting device.

### Licence fees

- Most landlords were generally accepting of the fee as they couldn't do much about it. However, several landlords questioned why the cost of a license has increased from the current additional licensing scheme (suggested that it was £500 and has now increased to £800) when there should be more economies of scale with a larger number of licence fee payers, even if the number of staff needs to increase.
- Landlords said that they were paying an awful lot for only receiving one inspection over the 5 years.
- Several landlords said that they will pass the costs onto tenants, but one said that if tenants feel it is worth the additional rent then that is fine.
- There was a question around providing a more detailed breakdown on what the fee will be spent on, e.g. the number of Council staff recruited.

- Suggestions on discounts were around:
  - Membership of an accredited landlord scheme, such as the RLA/NLA, as they already have to attend training/courses etc.... and so are far more up to speed with requirements placed on landlords;
  - Lower fee for renewals;
  - An option for monthly direct debit payment, rather than lump sum to help with cash flow;
  - A discount for those with larger portfolios, e.g. 6 – 10, 10+ properties;
  - A discount for early/on time payments.

### Licensing scheme management

- There was concern about how the scheme will be staffed and how the Council is going to prepare to deal with the amount of admin and number of inspections. One landlord felt that the Council will not have time to recruit a team of inspectors ready to start in January 2019 and said that they will need to inspect 1,000 properties.
- One suggestion was that landlords would benefit from an accessible, single point of contact at the Council, who has background knowledge and understanding of the issues and wider context.
- A suggestion was made that the Housing team keeps its current approach to licensing which allows inspectors to exercise discretion and common sense. There are concerns that this will disappear if the scheme is extended.
- One resident suggested that the Council needs to be careful about how the scheme is publicised and promoted to the public/tenants, as the licensing team may be overrun with complaints that should go to other Council teams, such as rubbish issues, parking problems, planning queries etc. They suggested that the Council should be clear in their publicity about what the licensing team does and doesn't do and where to go for other issues.
- There was a query about what type of floor plan needs to be submitted – does it have to be a detailed architectural drawing or just a rough sketch and queried why this was needed.

### Scheme inspection regime inadequate

- One resident was concerned that there should be a wider investigation into properties – they felt that potentially only one visit in five years is not enough. Property standards and conditions can deteriorate rapidly in that time, particularly if they are visited at the beginning of a scheme.
- The same resident also suggested that the Council should inspect properties when they are void (or when there is a turnover of tenants) to see whether standards are being met, as they could insist on changes being made whilst the property is vacant rather than whilst there are tenants there. This will also make sure properties aren't inspected only once over the life of the scheme.

### Legislative changes for landlords

- There was general criticism about the way landlords are being treated and unfairly penalised, on both a national scale and now also a local scale.
- There were concerns over constant changes in regulations that landlords are expected to keep up with and often have to spend a lot of money on putting into place.

- Landlords said that they want to be kept informed about changes in legislation, safety etc. before they are inspected – a number felt they were doing what was needed but had subsequently been told a year later by an inspector that they no longer need to do it (which had cost them money to do what they were advised to do previously, such as door closers or fire extinguishers), or that they needed to now do something because legislation had changed e.g. safety, fire blankets, rubbish changes etc.... They felt that the Council should be feeding back to them any changes that are required so that they can do them.
- Landlords asked that the Council feedback their concerns to government e.g. around constant changes in what is required of landlords which are then changed back or changed to something else one year later, which has resulted in costs by landlords.

### Dealing with rogue landlords

- Many felt that the proposal will not deal with rogue landlords and questioned how the Council will go about finding out where unlicensed properties are.
- Many felt that the Council should not go down the route of licensing but should focus its efforts on the worst landlords, e.g. Those who are sub-letting, Airbnb, and the more criminal elements.

### Planning

- There were a number of comments around having planning restrictions for HMOs, particularly around the number of student properties in Bath. A written response highlighted that the Council has let the number of students increased dramatically over the years, with little regard for the impact on the property market. They suggested the university population needs to be capped.
- There was a query around the change of use from HMO to residential, e.g. it could be every 6 months as the market changes. Will landlords need planning consent and re-licencing every time this happens? Further clarification is needed around planning, particularly around switching between residential (C4) and a HMO.
- The NLA suggested that housing prices are significantly higher for shared usage housing than identical housing rented out to families therefore the Council should allow them to keep shared usage if they change the use to families, otherwise landlords would more than likely allow them to sit empty until they can be filled with sharers.

### University role

- A number of attendees felt that the Council should push universities to help with issues around student occupancy, as more often than not it is the students and therefore the universities that generate the problem and therefore they should contribute to the solution. One landlord requested data on student occupancy vs others in private rented property.

### Support/added value for landlords

- Many questioned the degree to which landlords have been supported under the existing additional licensing scheme. Although email addresses have been captured, there has been little information provided to landlords and they have been asked to keep up to date with any changes via the Council's

webpage. Therefore, more support and communication on matters that affect landlords should be more direct from the Council to landlords.

- One suggestion was that the fee should include a number of free visits to the tip to address the rubbish issue.
- Another suggestion was around parking permits/exemption for landlords/agents e.g. In resident parking areas.
- One suggestion was that there should be some form of quality award: some sort of star rating scheme, to recognise landlords/property that is beyond standard requirements.

### Other

- One resident felt that the Council should look closer to home at the state of some of the social housing owned by the Council (clarified that the Council does not have its own housing stock, it is housing association owned).
- One respondent suggested having a star rating for all Buy to Let investment properties from 1-5. Good landlords who maintain their properties, look after their client's needs should get 4/5 stars. Any property with a one or two star rating should not be able to let the property until work is carried to bring the property up to scratch.
- Suggestions are that HMOs that require more Council input to achieve the licensing standard are charged more than those who don't.

## Stakeholder views on proposal

This section draws together the headline findings from the Stakeholder interviews. In total, 11 Stakeholders responded to the consultation invitation, either via telephone interviews or via a written response. Some of the key themes from the semi-structured stakeholder interviews are shown below with anonymised quotes.

### Support for licensing

Generally speaking, stakeholders agree that there is a need for all properties that are rented to be safe places for people to live in, and that this may not be the case at present. Landlords and agents are generally in support of something being done by the Council, although to varying degrees. Landlords Associations are generally not supportive of licensing, as they feel that existing powers are already there for Councils to use to deal with irresponsible landlords and compliant landlords are being penalised for the sake of a small minority of landlords.

Most feel that licensing would help to improve conditions and safety and therefore would be supportive:

*“Anything that raises the standards of housing stock, can only be a good thing”.*

*“It will have a positive impact. will make landlords have to make improvements to make those particular properties better standard and better quality for people who live in them... whether its fire regulations or general wear and tear”.*

A number of stakeholders feel that there are different standards/rules within Bath at the moment and therefore having a city-wide scheme will help to remove confusion and level the playing field so that all HMO landlords will have to abide by the same set of rules for Additional Licensing properties.

*“What I’d like is a level playing field...we’re all letting the same type of properties”.*

### Many landlords are ignorant

A number of stakeholders feel that the biggest challenge with schemes like this is that many landlords are not easily reachable and therefore are generally quite ignorant, particularly landlords with one property who may be incidental landlords, or those who live abroad or outside of BANES.

*“I think there are an element of rogue landlords but I think there are far more landlords managing their own properties or what they think is managing that isn’t compliant with legislation. So things like right to rent, ensuring all the compliances are up to date, smoke alarms are in the property and properties are hard wired etc... I think there are a lot of landlords that are ignorant of what they need to do, as there’s no one monitoring”.*

### Existing scheme has seen some improvements

A number of stakeholders are aware of the existing Additional Licensing scheme (within the 3 wards in Bath). Some feel that it has had a positive impact. However, others question how far some of the conditions have been enforced and therefore something that any scheme needs to consider.

*"I think it has improved things for the residents of the HMOs... It has perhaps helped in the management of housing a little bit. I would like to see the Council pinned down about the front and back gardens, which is the thing that affects people not living in the house".*

### Drive up rents

Most stakeholders feel that the licensing scheme will result in rents being increased and passed onto tenants.

*"The more regulation you put on, the higher the rent and the rent is now very, very high".*

### Price tenants out on local housing allowance

Two stakeholders are concerned about the impact rising rents will have on tenants who are on the Local Housing Allowance, as there are currently an extremely limited number of properties that they can look at in Bath and present without licensing being in place.

*"My main reservation is that it's an increased cost for landlords and the lack or shortage of accommodation at the Local Housing Allowance rate, I can't see it helping that. ..I really struggle to see it fitting in with the Local Housing Allowance..."*

### Displacement of landlords to other areas

A number of stakeholders are concerned about the impact licensing will have on landlords. One consequence of introducing the additional licensing scheme was for some landlords (particularly those the scheme is trying to identify) to sell up and move to other areas in Bath where licensing was not in place.

*"Within the first 2 years [of the existing licensing scheme], landlords, and those landlords that the Council are probably interested in, started migrating to other areas of Bath".*

### Drive out landlords

One landlord said that he is considering whether to continue in the profession because of the continued pressure on landlords operating costs and requirements, with licensing just adding to them.

*“If you cut the supply off too much and make it too difficult for landlords, you won’t have any. They’ll put their money in something else”.*

### Rogue landlords will find ways around scheme – downsize/outside of areas

A few stakeholders feel that licensing is unlikely to tackle rogue landlords, as most will either look to buy smaller properties to rent or move to areas where licensing isn’t in place:

*“A lot of the rogue landlords are avoiding a lot of these details – mandatory, additional, HMO, so they are going into smaller units where they are completely under the radar”.*

### Scheme design

Stakeholders were asked their views on the design of the scheme, which includes the proposed area of Bath City as the focus for the scheme and smaller HMO properties.

### Geographical focus

Most stakeholders feel that Bath City is the right place for the scheme to focus, as it is where there are the majority of HMO properties. Some feel that the existing scheme was a test of whether a licensing could work and now it needs to be rolled out to the wider Bath area.

*“I think the rationale originally for putting in the 3 wards was good 5 years ago when we did it, rather than the whole city. The evidence shows that it’s the right thing to do across the whole city”.*

However, a number feel that it makes sense to roll it out further afield, even across the whole of BANES, with some saying that it should be the whole of the private rented sector rather than just HMO properties.

*“I agree that it’s the whole of the city now, but I think that the trick is going to be missed now...It doesn’t take 5 years but it should be rolled out across BANES . I think it should be all of the commuter belt”.*

*“If they are going to do it, I think they should do it across the BANES area. I think there would be a degree of fairness to do it across the entire area that are covered by the BANES area”.*

### Queried why lives of tenants who don’t know each other more important than others?

One stakeholder queries why the focus is on HMO properties rather than similar sized family properties, or other sized properties if improving health and safety and conditions is a driver.

*"It should not be HMOs. What is the difference between an HMO and a one bedroom flat. The people in the one bedroom flat, should there health and safety be any less than 3 people sharing just because they don't know each other?"*

## Licence fees and incentives

Stakeholders were asked to give their feedback on the proposed fees and incentive. Many feel that they are reasonable in terms of the actual costs to landlords when the fee is broken down on what it means on a weekly or monthly basis.

*"In the grand scheme, in terms of the amount of yield those properties bring in, I think its peanuts in the grand scheme of things..."*

However, a small number query why the proposed fee is higher than the fee for the existing scheme, when economies of scale should be reducing the fees.

*"You would like to think the numbers of doing more would bring the cost down".*

## Fees passed onto tenants

There was a general consensus that the fees would more than likely be passed onto tenants, although the majority feel it would have only a very minor impact.

*"Even if it's passed onto the residents, if you're talking about £150 a year divided by 5 people to have some assurance of quality, I don't think that's an excessive amount of money on top of what is already rather a lot of money".*

However, stakeholders working with more vulnerable tenants, particularly those on the local housing allowance are concerned that they would be impacted more significantly, not just because the fees may be passed on, but because landlords may have to do work for their properties to meet standards they are not currently meeting and therefore rents would have to increase.

*"My main reservation is that it's an increased cost for landlords and the lack or shortage of accommodation at the Local Housing Allowance rate, I can't see it helping that. ...I really struggle to see it fitting in with the Local Housing Allowance..."*

*"I think the risk is that they won't just put it up by that but will use this as an excuse for I need a new boiler, I need a new smoke alarm and before you know it the whole package will be expensive..."*

## Enhanced incentives

In terms of incentives, many feel that an incentive is needed for those who are compliant and don't need much support/intervention from the Council. However, some feel that the incentives should be much more significant for those who already comply or have properties that meet the standards and therefore only may need one inspection for the Council to verify this.

*"It's quite a lot of money for what a normal landlord wouldn't see any return for I don't think it's a big enough number".*

One landlord suggests that fees should be proportionate to the amount of time/resources that the Council needs to spend in dealing with them, so those who meet the standards would need to pay less than those who need more time spent on inspections etc...

*"Really it should be done on a time basis or a no problem basis. It's quite unfair that no one says 'well done'. Landlords that try hard and don't cause hassle should be rewarded in some way. If you have an inspection for instance, you shouldn't have to pay £700 if all goes well".*

One stakeholder suggests that there should be a much greater incentive or even an exemption for those who rent to LHA tenants or via letting agencies such as Home Turf Lettings who focus on properties just let at the LHA rate, otherwise properties will more than likely disappear.

*"... ideally a waiver for people letting at LHA rate, not just because of the potential impact on Home Turf Lettings and people that we are already working with, but it might be an incentive for landlords to consider letting their property at the local housing allowance rate... they would still need to be licensed so the standards will hopefully improve overall, but I don't think we could support it unless landlords at local housing allowance rate were exempt from it".*

## Licensing conditions

Stakeholders were asked to comment on the conditions of the licence and also about any conditions they think should be included for dealing with rubbish and garden issues. Many feel that the licence conditions are okay, but that enforcement is needed to ensure compliance:

*"It all looks very sensible... those are things that I would already expect to be standard when we have anyone renting out property to anyone*

## Tenants should be responsible for certain things, not landlords

The majority of stakeholders feel that tenants need to be accountable, with some saying that landlords should not be held accountable at all for tenant behaviour, particularly around things like gardening and rubbish/recycling collections.

*“They have a place in some other Council officiousness.. If they have a problem with the garden or rubbish, they should tell the tenant. They are living there, not the landlord. The landlord has no stick to beat them with...the Council does. Any other homeowner...what is it about landlords... Health and safety fine, but gardens and rubbish, no”.*

*“I think its tenant responsibility...they generate the waste and sit in the garden...I wouldn't want landlords to become mum and dad”.*

## Rubbish and litter issues

Rubbish and litter issues are cited as being big problems by a number of stakeholders and not something that landlords should be accountable for or able to resolve, or even tenant. Many mentioned that rubbish is an ongoing issue in the city and that with recent changes to collection schemes with reduced collections, which have made the problems worse.

*“Rubbish is a really tricky business. On one hand, you've got the Council cutting back on collecting rubbish. So, what are people expected to do with it? It's in their own hands. If you collect the rubbish more often you have less rubbish lying around. They are the people responsible for collecting rubbish... Why don't they collect from HMOs more often. If someone causes trouble they have to have mandatory collections every day and they have to pay for it”.*

A number of stakeholders suggested the Council needs to do more to help with rubbish/litter issues, with things like more frequent collections for HMOs or bigger bins suggested.

*“I think the waste issue is a real problem here...we talked about in high density HMO areas, having like in continental areas, having a larger bin on wheels where you lift up the lid like in Spain or France...Kids today, yes they are recycling, but you might have 8 people in a house, 8 20 year olds in a house. The amount of stuff they generate is unbelievable. Yes I think something ought to be done on a collective basis for waste disposal rather than the fortnightly basis for black bins...”*

## Room size changes

One landlord/agent is concerned about the room size allowances which have been fine for years for certain sizes of bedrooms where additional space was provided for storage elsewhere, which are now not going to be allowed under the list of conditions. This could result in landlords losing a lot of money and having to spend a lot of money to recoup that (where it is possible for loft conversions for example).

*“...that leaves me with an awful lot of properties which I’ve got to do something with. These bedrooms are worth about £100,000 per bedroom...”*

### Landlords won’t license if the work will cost them too much

A small number of stakeholders feel that the conditions may make some landlords try to evade licensing if it’s going to cost them too much to bring things up to scratch.

*“They will just go under the radar and not license them I would imagine and hope they don’t get caught out...It doesn’t sound very healthy for the vulnerable people that we’re talking about, particularly the people at the bottom of the housing ladder.”*

### Enforcement concerns

Several stakeholders mention the need for enforcement to take place, not just licensing of properties, otherwise nothing will change. However, a couple of stakeholders are concerned about enforcement and the feasibility of enforcing against groups of tenants like students who may have left a property by the time the Council can actually try to take action against them.

*the reality is that if someone is only going to be somewhere for a year, they haven’t got that investment ..and if any action was going to be taken against them then they’d have probably left by the time that finished anyway, so I’m not sure it’d be that effective in those cases.*

### Other considerations/ideas

During the interviews, a number of consideration or ideas were mentioned by stakeholders. These are detailed below.

#### Target only bad landlords

A small number of stakeholders feel that the Council should focus their efforts/resources on dealing with bad landlords and finding those properties, rather than trying to take a broad approach via licensing, as this will have the biggest impact on the sector.

*“If I was in charge of the Council... I would basically do a door to door search for every property that was let, then you find out who they are”.*

Another suggested that the Council needs the help of the local community to identify those landlords who are evading licensing, by building better relationships with them and encouraging whistleblowing.

*“We are going to have to build a better relationship with people in our communities, who will trust us enough to tell us if their neighbour or someone in their road has got an interesting set of people coming in and out – we’re going to have to rely on that and then go for enforcement. Which is also good because it means we will also get roguish landlords who are making properties good or getting in the system altogether. But there is a risk”.*

### Limit growth of universities/make them more accountable for where students live

A number of stakeholders mention the significant uncapped growth of the student population as a major area for concern, that licensing is partly trying to address. Some suggested that the Universities need to take more accountability in terms of the student living accommodation and that the Council needs to work with them to try to manage this more effectively.

*“There’s less properties in this area and we’ve had a huge influx and increase in both universities, so its now made it quite difficult for anyone to find accommodation...its hugely put up the rents in those areas...its eye watering in those areas and it’s not going to get any better...I do feel the universities need to have more plans in place”.*

### Promotion of any future scheme

One agent is concerned that the Council needs to do a significant promotional work with the local community to get the message spread about licensing, otherwise there will be a huge amount of ignorance about what will be required of landlords and agents.

*“It’s going to be a nightmare for the Council to implement it. My concern is that there are a number of landlords, agents, individuals, owners that really haven’t got a clue about this additional licensing now, no matter if its phased out. They don’t understand the change of use and its getting that information out there would be my concern, you’ve got a lot of the city not knowing. I met a landlord at a property the other day asked if this is a registered HMO and she said ‘well no why should it be, it’s not more than 5’ and that’s 5 years on...”*

### Number of inspections

A small number of stakeholders are concerned about the number of inspections that are proposed (minimum of 1) over the 5 year period and think it should be more.

*“One thing reading through it was the length of time that places would be inspected just once, but I suspect it could be a slow process if some aren’t going to be inspected until towards the end of the 5 year period... it’s a slight concern”.*

## Consistency of inspectors

One landlord/agent said they are concerned about ensuring inspectors take a consistent approach to the inspections, or that the same inspector is used to reinspect a property where improvements need to be made, as they have experienced a number of issues around one inspector telling them they need something done, and another saying something else.

***“Consistency of the person doing the visit – if you just had one person doing a visit then why are you getting someone else turn up.... They’ve all been trained, they’ve all had the same training, but they’ve all got different views on things... You can’t really do anything about that, but it’s not joined up”.***

The same landlord gave example of an HMO property that was licensed 3 months previously, and they made a decision to purchase based on the fact that it has been licensed. When it was relicensed on purchase, they were told that it needed £3,000 worth of work which hadn’t been flagged previously.

## Use licensing alongside enforcement tools

A number of stakeholders suggest that the Council needs to use enforcement and other tools alongside licensing, rather than just licence properties. One asks that the Council publish a plan of what powers/tools it intends to use to improve standards, alongside licensing.

***“There are a number of enforcement tools already available to the Council, so to complement any licensing plans, it would be good to see a clear plan set out to see how existing powers would be deployed alongside HMO licensing to improve standards... HMO licensing is part of the bigger picture”.***

# Appendices

**Appendix 1: Map of proposed Additional (HMO) Licensing area**

**Appendix 2: Consultation document**

**Appendix 3: Survey**

**Appendix 4: Email and written responses to consultation**

**Appendix 5: National Landlords Association response**

**Appendix 6: ALL Wessex response**

**Appendix 7: Neighbouring local authority responses to survey  
(marked up questionnaire)**



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