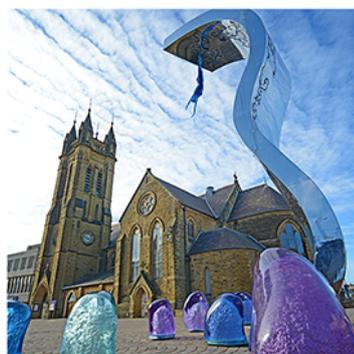
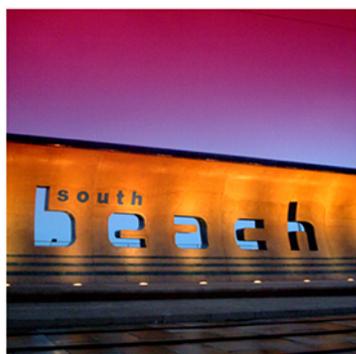


# Appendix 9b: Selective Licensing in the Central Area: Consultation Responses July 2018

Blackpool Council



# Selective Licensing in the Central Area: Consultation Responses July 2018

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# Selective Licensing in the Central Area: Consultation Responses July 2018

## 1. Introduction

Every person deserves a decent home to live in, and selective licensing has the potential to improve the management practices of some of the worst landlords. It is important to recognise that the majority of private landlords in Blackpool do provide a decent standard of accommodation, however there are those that do not, and it is these that give the private rented sector a poor reputation.

Poor standards of management can lead to the failure of a local housing market. People leave the area; house prices fall; landlords can buy property cheaply and rent it out to a very low standard, weakening community cohesion and the ability to regenerate the area. Selective licensing can improve the management practices of landlords, in turn making tenants happier in their homes, staying there for longer and investing in their local area. The Housing Act 2004 gives local authorities the power to introduce licensing of privately rented homes within a designated area. The aim is to improve conditions, management standards and tenancy practices in the private rented sector to ensure that properties have a positive impact on the area.

Under selective licensing every house, flat or room that is used as privately rented accommodation within the designated area would require a licence, unless already covered by additional licensing. We believe that such a scheme will help improve property standards and address the high levels of anti-social behaviour and crime originating from privately rented properties in the area.

## 2. Consultation

This document summarises the consultation on a proposal to introduce Selective Licensing in the Central area of Blackpool which took place between 28th March 2018 and 8th June 2018. This report summarises the responses received through the range of consultation methods employed. Blackpool Council has taken into account the responses set out in this report before bringing forward revised proposals for the scheme to be considered at the Council's Executive in July 2018, and further developing the proposal for selective licensing in the Central area.

This consultation has requested additional responses following the initial consultation on additional and selective licensing in summer 2015. The outcome of this consultation was the introduction of additional licensing only, with further work to be carried out on the need for selective licensing. Following advice from the Ministry of Housing, Communities and Local Government (MHCLG) Blackpool Council has undertaken this second consultation due to the length of time which has elapsed since the initial one. Blackpool Council now believes that this second consultation is sufficient to underpin final, revised proposals. The consultation proposals and the reasons for them were sufficiently set out in an extensive 88 page proposal to enable those consulted to consider the proposal and make an intelligent

## Selective Licensing in the Central Area: Consultation Responses July 2018

response. The Council has considered the responses to consultation and undertaken a general review of the proposals, resulting in changes being made to the proposals and a decision to proceed initially with additional licensing alone. However these changes are not such as to require further consultation before proceeding.

Interested parties were contacted through:

- Blackpool Council's website
- The Fylde Coast Landlords Forum
- Local press release
- 12,500 letters and surveys sent out to landlords, residents and business owners in the proposed area and the wider consultation area
- Hard copies of the proposal and survey made available at Council buildings
- Smart Survey link to on-line survey
- A dedicated telephone line and email address was also set up and each enquiry regarding the proposal responded to individually.

Responses to consultation were received through:

- 1340 returned survey responses and free text comments
- 80+ telephone calls from landlords
- Discussion/comments at Landlord Planning and Networking Group meetings
- Discussion/comments at Fylde Coast Landlord Forums
- Written responses from landlord representative organisations – NLA and RLA

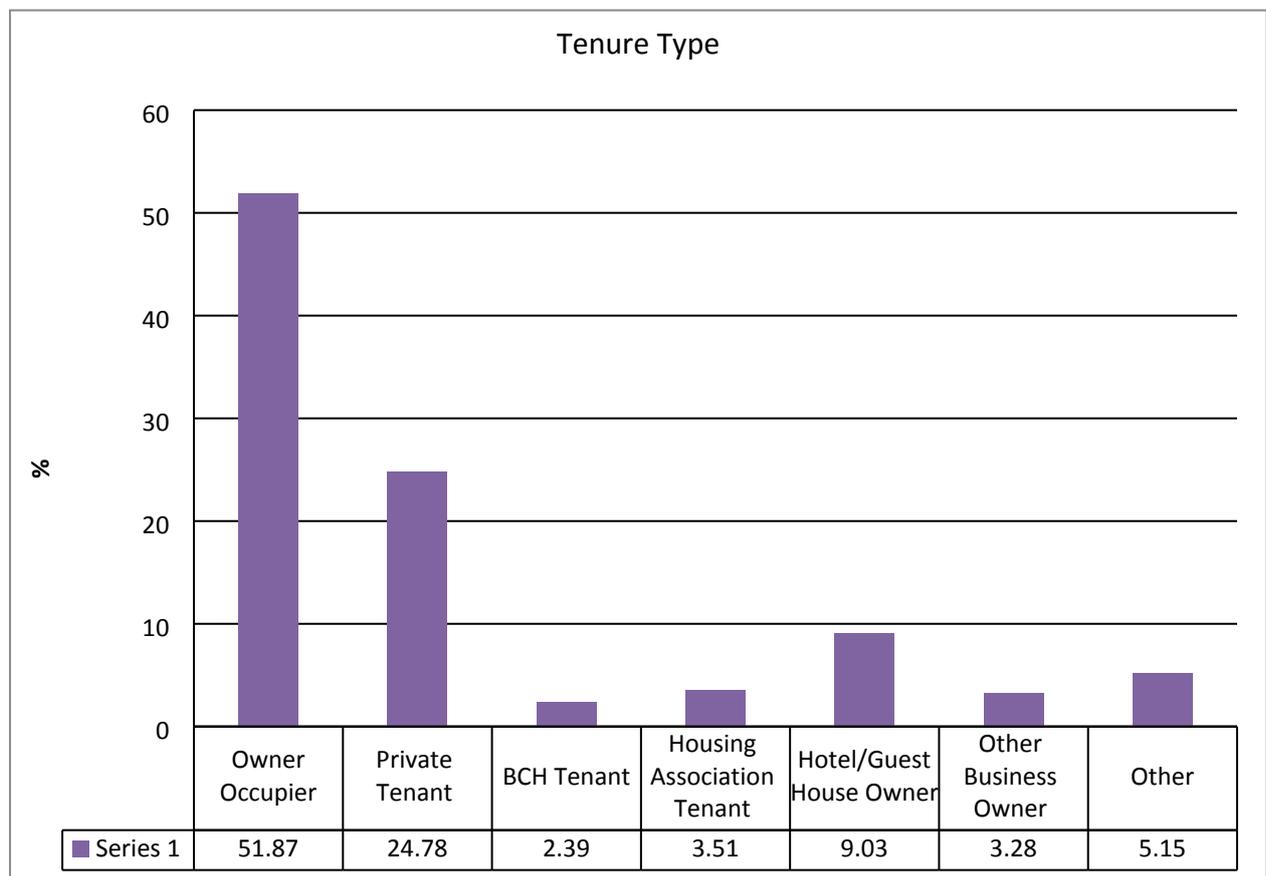
# Selective Licensing in the Central Area: Consultation Responses July 2018

## 3. Survey results

The results from the surveys that could be completed either directly on the Council’s website or by submitting a paper survey are as set out below. Please note that not all questions were mandatory and therefore results have been calculated on the response count for individual questions.

1,340 responses were received in total and the results can be found below.

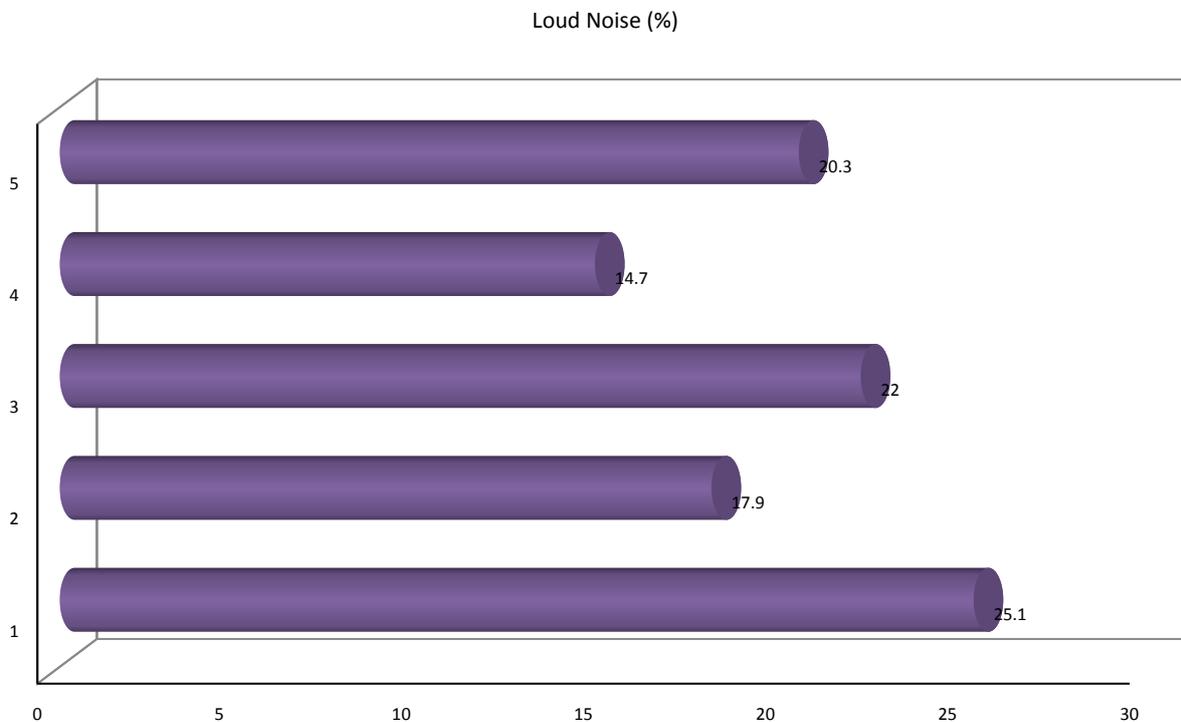
### Question 1: Tenure Type



## Selective Licensing in the Central Area: Consultation Responses July 2018

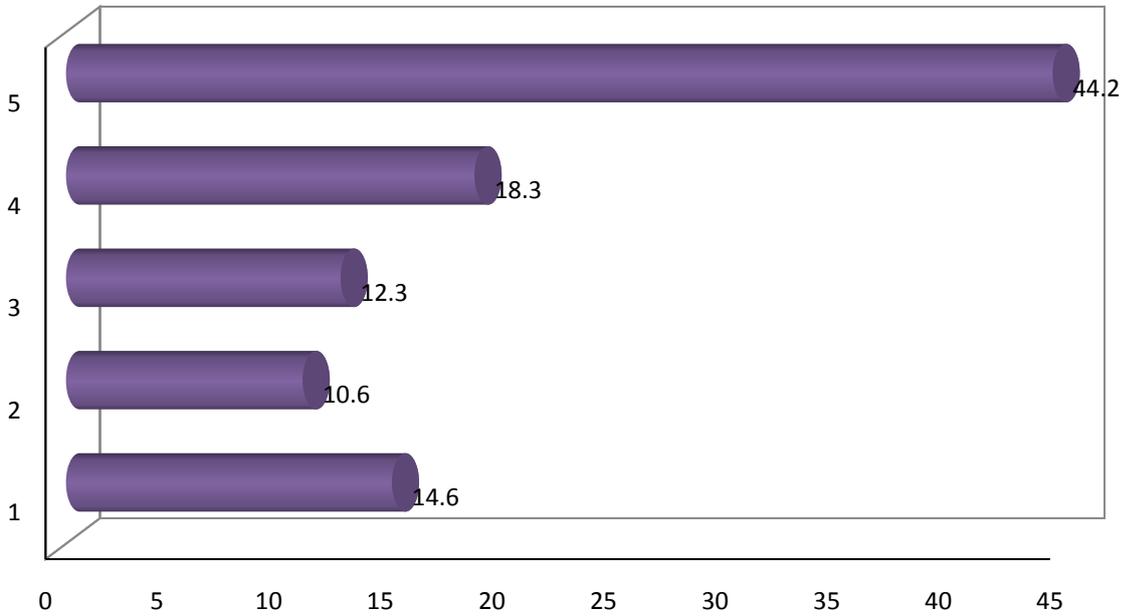
**Question 2: Thinking about the Central area as outlined within the green line on the map how much of a problem are the following on a scale of 1-5 with 1 being the lowest problem and 5 being the highest.**

To summarise, on a scale of 1 to 5 (1 being the lowest and 5 being the highest) 45.5% of respondents gave the highest score of 5 for use of/dealing drugs; 44.2% for neglected/run down properties; 33.7% scored 5 for general street scene; 28.7% for nuisance neighbours and 20.3% gave the highest rating for loud noise.

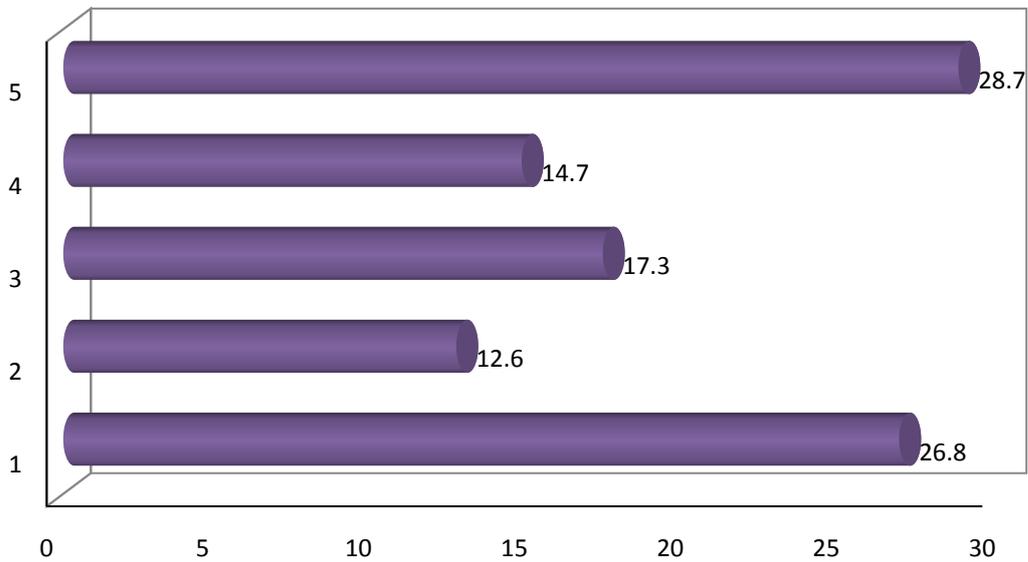


# Selective Licensing in the Central Area: Consultation Responses July 2018

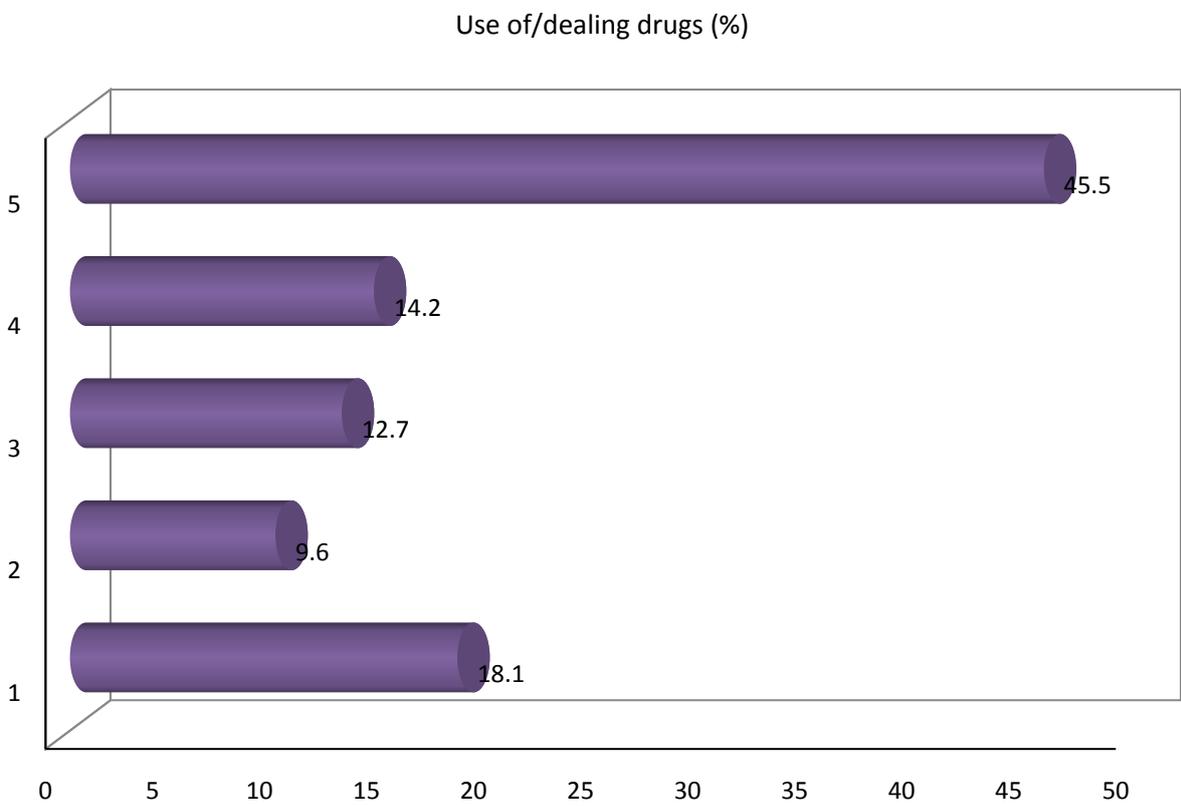
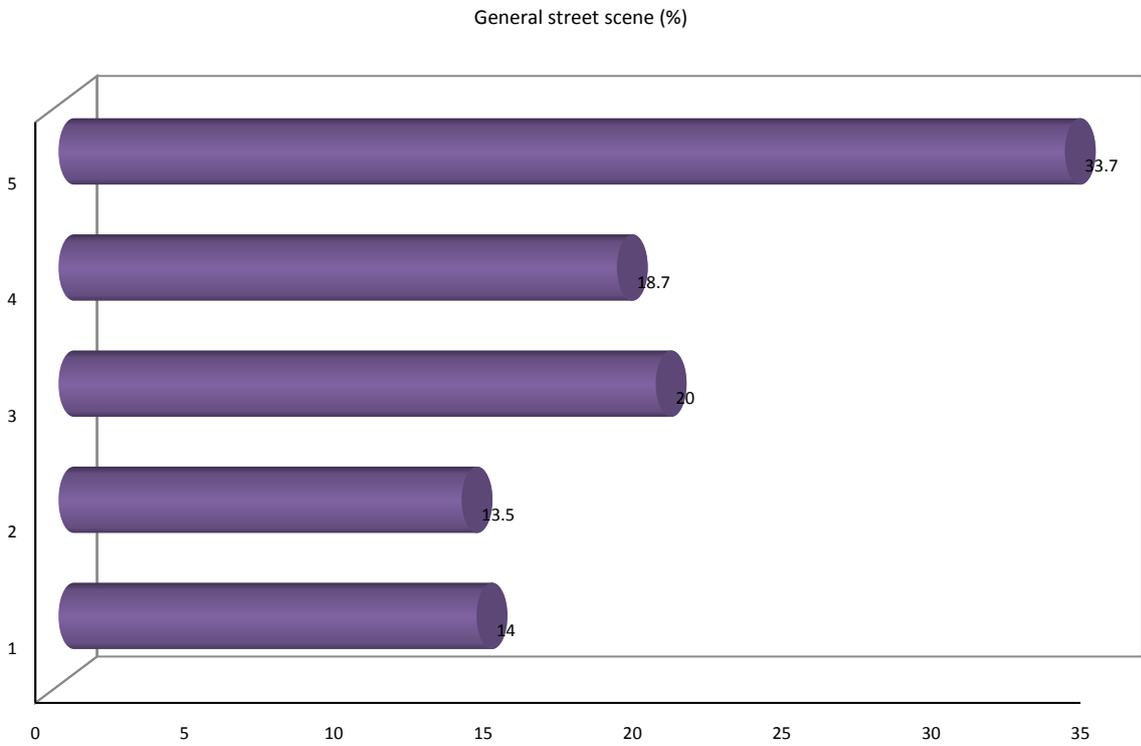
Neglected/run down properties (%)



Nuisance neighbours (%)



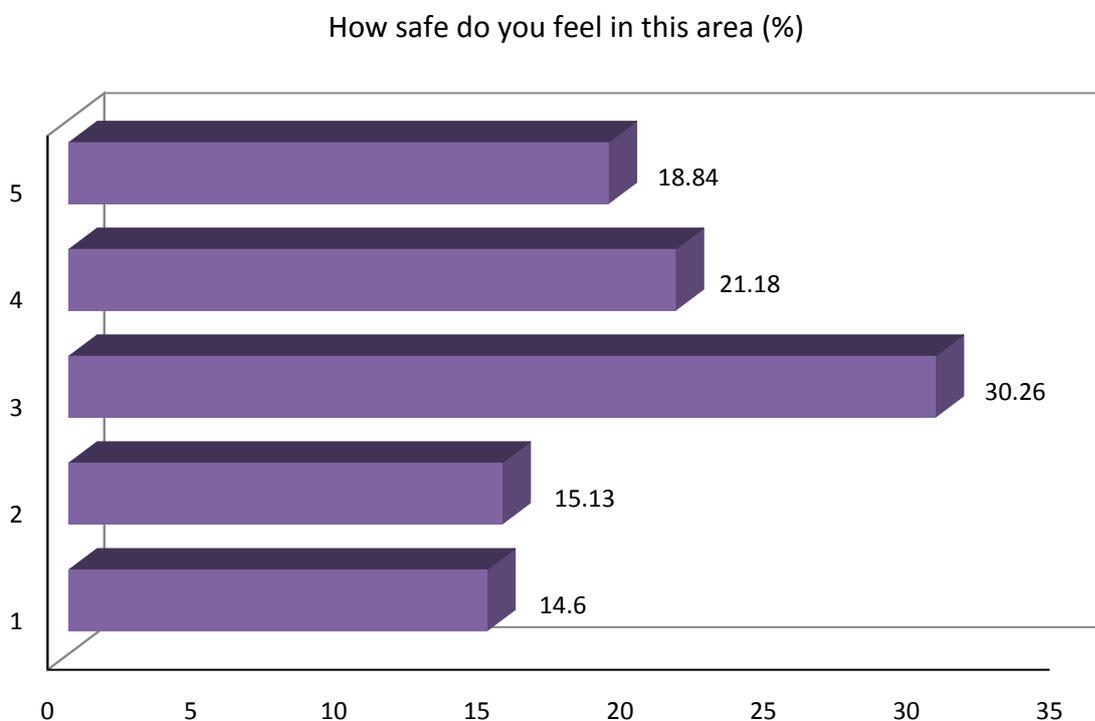
# Selective Licensing in the Central Area: Consultation Responses July 2018



## Selective Licensing in the Central Area: Consultation Responses July 2018

**Question 3: Do you feel safe in this area, either in your own home/business, or the property you rent out, and the area around it? Please rate on a scale of 1-5 with 1 being very safe to 5 being very unsafe.**

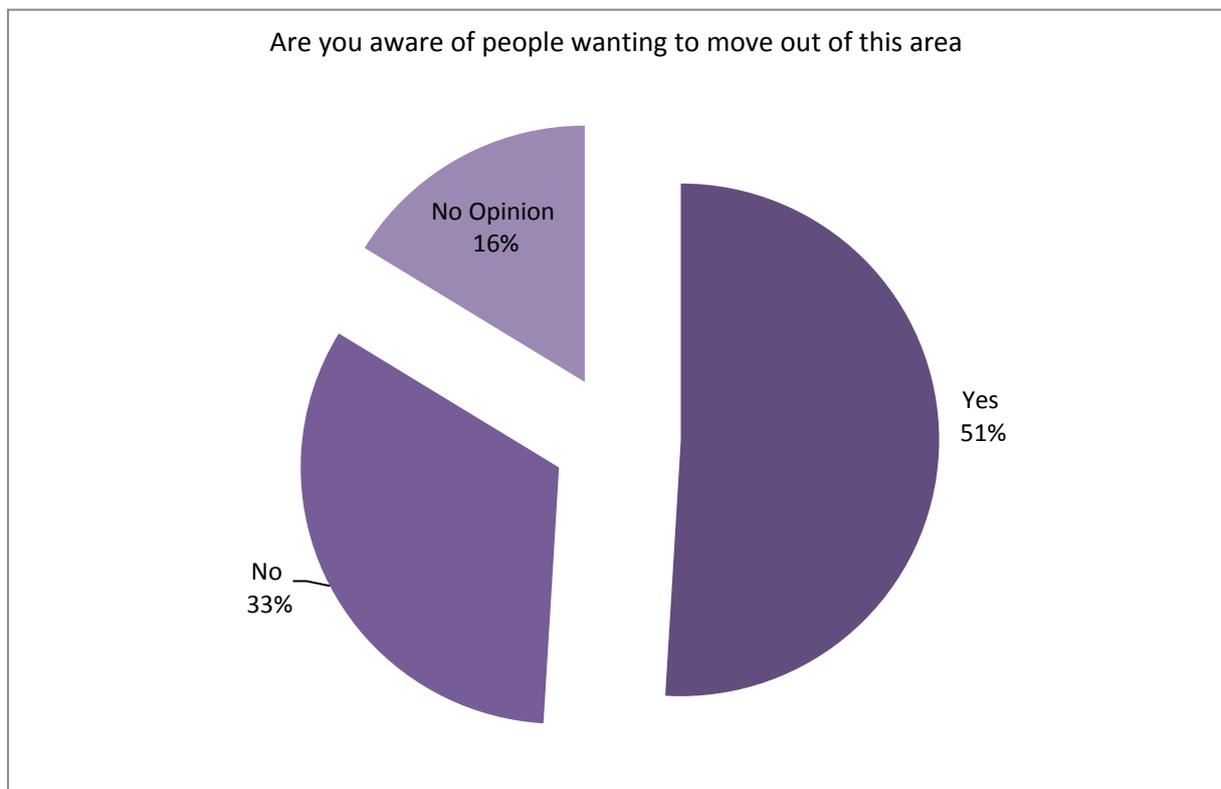
Only 14.6% of respondents reported that they felt 'very safe' in this area, with 18.84% reporting that they felt 'very unsafe'.



## Selective Licensing in the Central Area: Consultation Responses July 2018

**Question 4: Are you aware of people wanting to move out of this area as a result of the problems outlined in this questionnaire?**

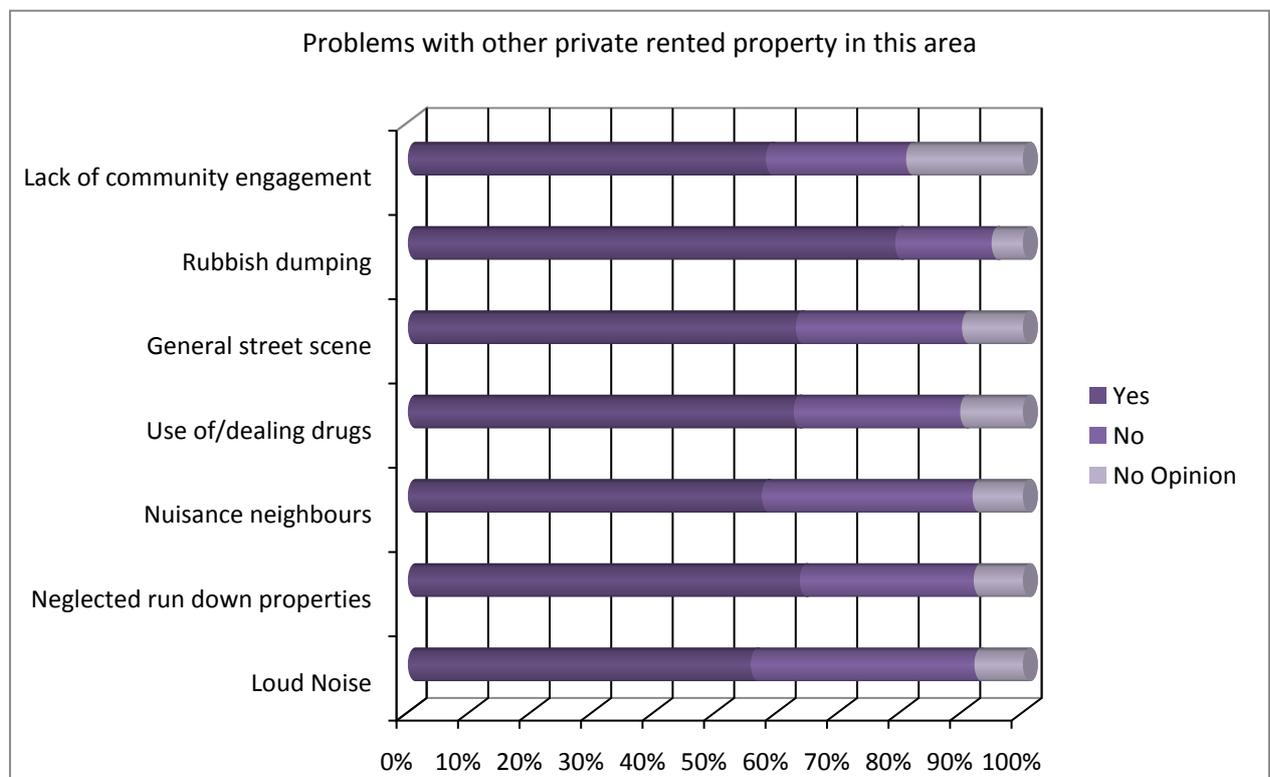
51% of respondents reported that they were aware of people wanting to move out of the area as a result of problems outlined in the questionnaire. 32.97% stated they did not, and 16.33% had no opinion.



## Selective Licensing in the Central Area: Consultation Responses July 2018

### Question 5: Have you had any problems with any other privately rented property in this area?

The majority of respondents reported problems with other privately rented properties in the following categories: 55.8% had experienced problems with loud noise, 57.6% with nuisance neighbours, 58.2% with lack of community engagement, 62.7% with drug dealing/use of drugs, 63% reported problems with the general street scene, 63.7% with neglected/run down properties, and 79.2% with rubbish dumping.

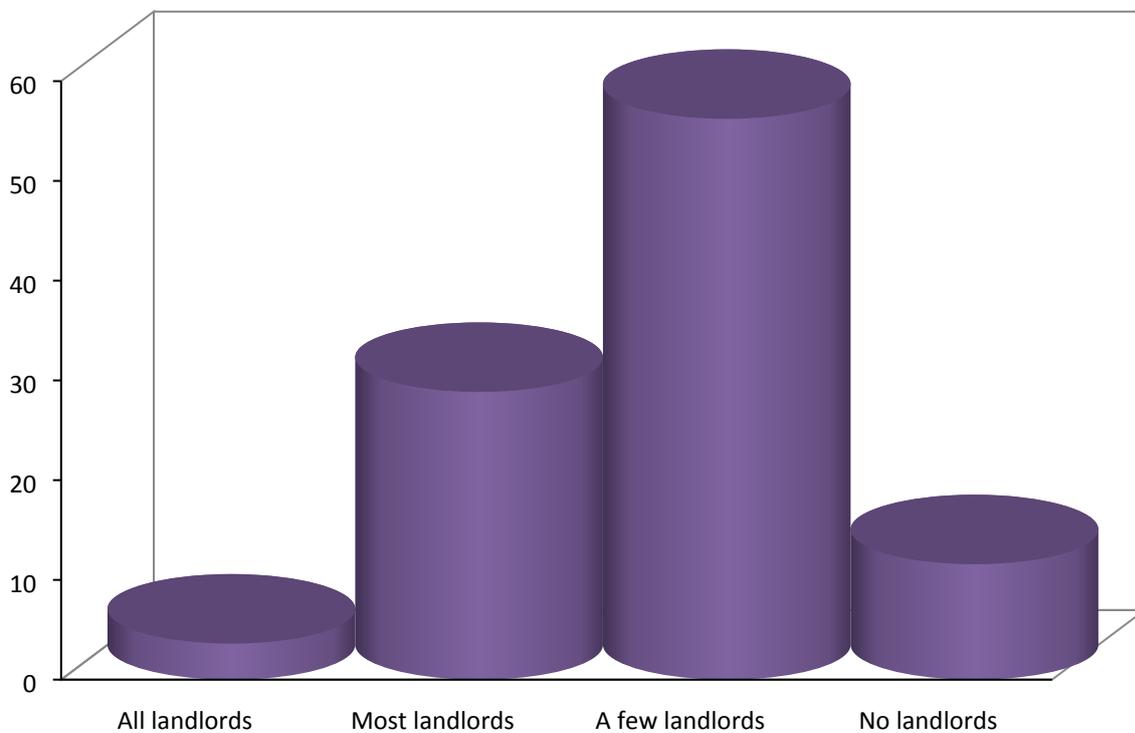


## Selective Licensing in the Central Area: Consultation Responses July 2018

### Question 6: How many landlords in the area would you say are good, responsible landlords?

3.61% of respondents to this question said that they thought all landlords were good, responsible landlords. 28.84% thought most landlords were good and responsible, with 56.22% stating that only a few were good and responsible, and 11.57% said no landlords were good and responsible.

How many landlords in the area would you say are good responsible landlords? (%)

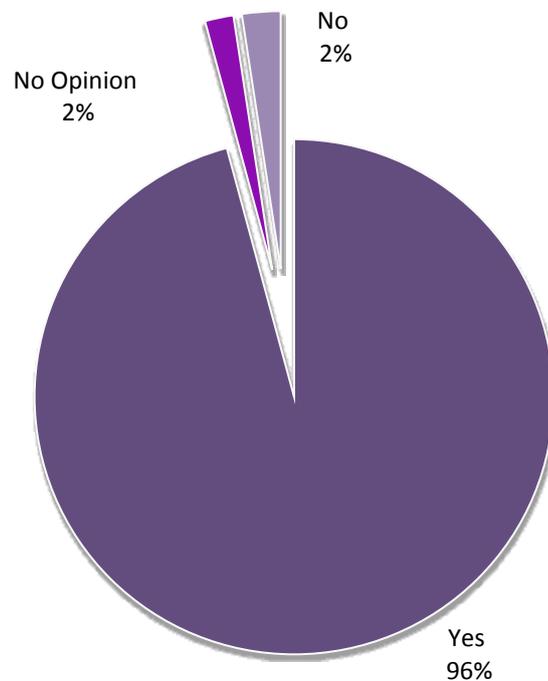


## Selective Licensing in the Central Area: Consultation Responses July 2018

### 7. Should private rented sector landlords be held responsible for making sure that their properties are in a good condition and well maintained?

95.90% of respondents felt that private rented sector landlords should be held responsible for making sure that their properties are in good condition and well maintained, with 1.78% reporting no they should not be held responsible, and 2.40% having no opinion.

Should private rented sector landlords be held responsible for making sure that their properties are in good condition and well maintained?

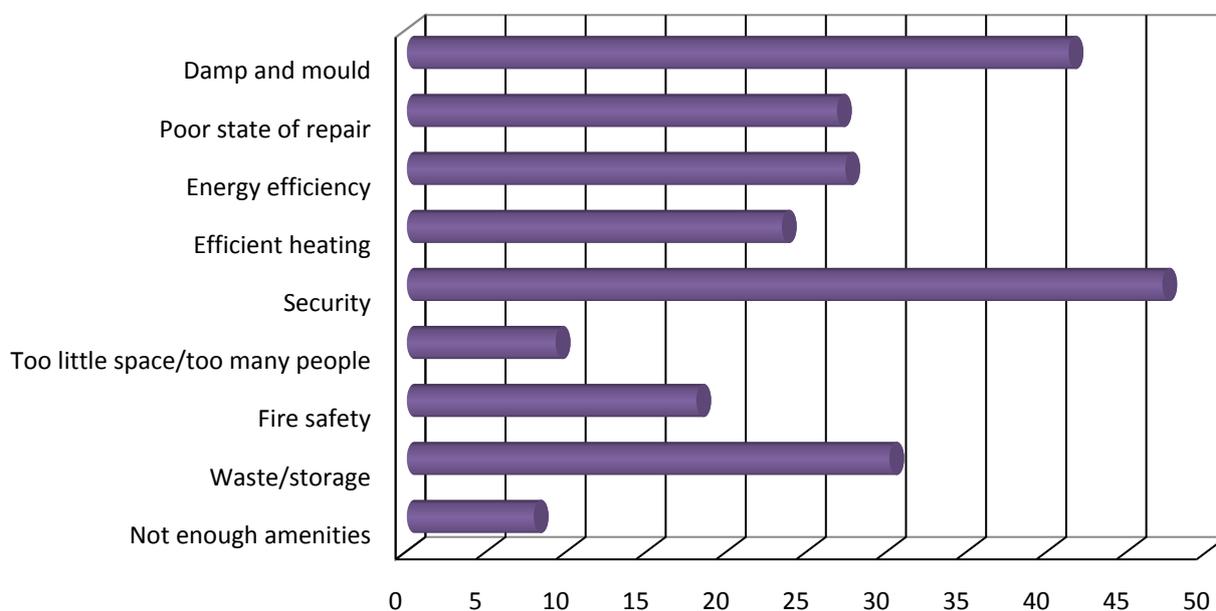


### 8. Are you concerned about any of the following in relation to your home/rented property?

## Selective Licensing in the Central Area: Consultation Responses July 2018

When asked what they were mostly concerned about in their homes, 47.16% of respondents reported security as a concern, followed closely by damp and mould at 41.31%. 30.12% felt waste and storage was a concern, 27.37% energy efficiency, and 23.41% efficient heating system, with 26.85% concerned about their property being in a poor state of repair. 18.07% of respondents were concerned about fire safety, 9.29% too little space/too many people, and 7.92% not enough amenities.

Are you concerned about any of the following in relation to your home/rented property?  
(%)

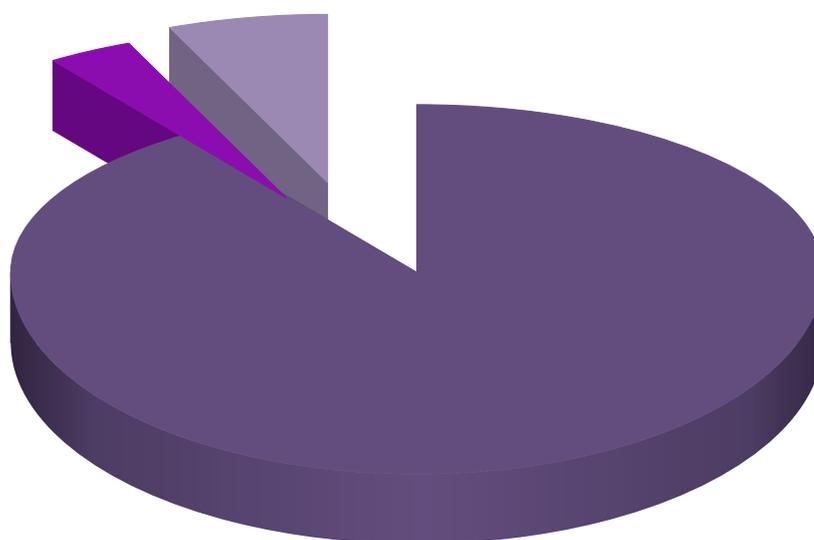


**9. Do you think that all private rented sector landlords should ask for references from prospective tenants?**

## Selective Licensing in the Central Area: Consultation Responses July 2018

89.06% of respondents to this question felt that all private rented sector landlords should ask for references from prospective tenants, with 3.70% answering no, and 7.47% having no opinion.

Do you think all private rented sector landlords should ask for references from prospective tenants?



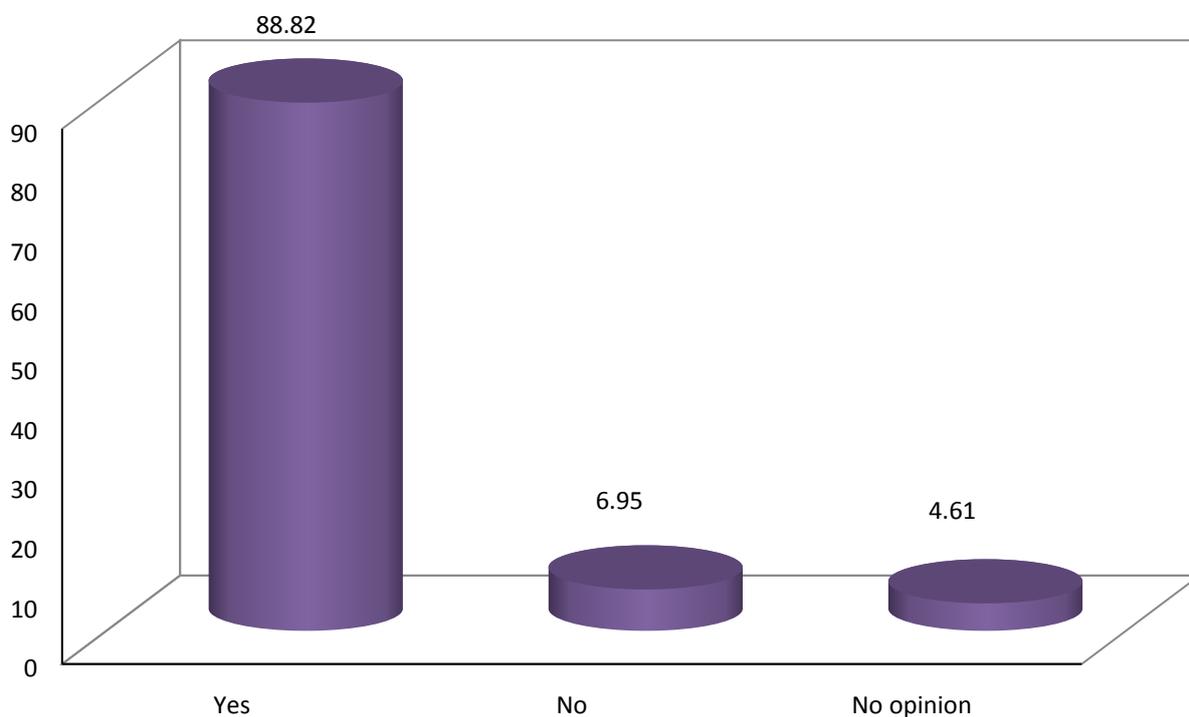
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**10. Should private rented sector landlords be responsible for dealing with their nuisance tenants and anti-social behaviour caused by their tenants?**

## Selective Licensing in the Central Area: Consultation Responses July 2018

88.82% of respondents stated that private rented sector landlords should be responsible for dealing with their nuisance tenants and anti-social behaviour caused by their tenants, with 6.95% stating no, and 4.61% having no opinion.

Should private rented sector landlords be responsible for dealing with their nuisance tenants and anti-social behaviour caused by their tenants? (%)

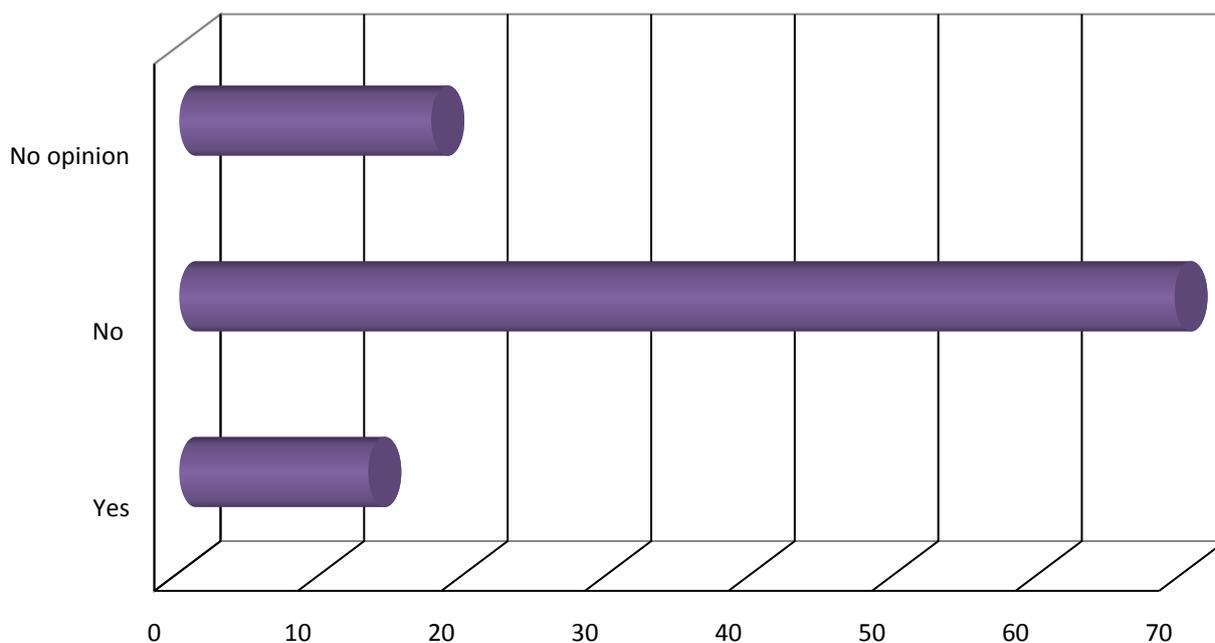


### 11. Do you think that private landlords are effective in dealing with anti-social behaviour?

13.17% of respondents felt that private landlords were effective in dealing with anti-social behaviour, with 69.34% stating that private landlords are not effective in dealing with anti-social behaviour. 17.56% had no opinion.

## Selective Licensing in the Central Area: Consultation Responses July 2018

Do you think private landlords are effective in dealing with anti-social behaviour? (%)

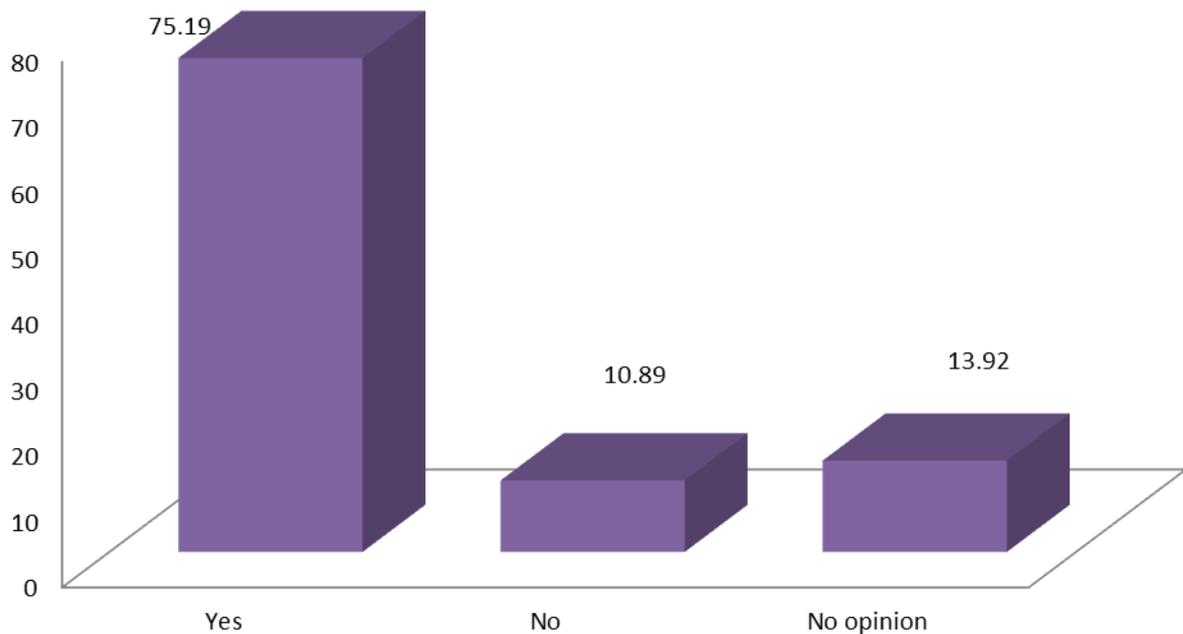


### 12. Would you like to see selective licensing of private rented properties in your area?

75.19% of respondents wanted to see selective licensing of private rented properties in this area, with 10.89% stating no they did not want to see selective licensing, and 14.07% having no opinion.

## Selective Licensing in the Central Area: Consultation Responses July 2018

Would you like to see selective licensing of private rented properties in your area? (%)



### Summary of landlord/agent survey responses

Of the survey responses received from landlords, 3.7% of landlords felt that all landlords in the area are good and responsible, with 66.67% saying most landlords, 29.63% saying a few landlords.

90% of landlords responding to the survey thought that private rented sector landlords should be held responsible for making sure that their properties are in a good condition and well maintained, with 3.13% answering no, and 6.25% stating they had no opinion.

The main concerns landlords and agents had regarding their properties were not having enough amenities, closely followed by fire safety, poor state of repair and security.

77.14% of landlords and agents felt that private rented sector landlords should ask for references from prospective tenants, and 52.94% thought landlords should be responsible

## Selective Licensing in the Central Area: Consultation Responses July 2018

for dealing with their nuisance tenants and ASB caused by their tenants. 35.29% felt that landlords should not be responsible for this, and 11.77% had no opinion.

31.25% felt that private landlords were effective in dealing with ASB, 37.5% said no, they were not, and 31.35% had no opinion.

32.26% of landlords/agents who responded said they would like to see the introduction of selective licensing of private rented properties in the area, with 58.06% replying that no, they did not want to see selective licensing being introduced,. And 9.68% stated they had no opinion.

#### 4. Summary of free text comments on survey responses

- Lettings agents are worse than landlords, they don't care
- There are too many absentee landlords that don't live anywhere near their properties so how can they be responsible landlords?

## Selective Licensing in the Central Area: Consultation Responses July 2018

- There are lots of problems with drug taking and alcohol abuse in this area, and people do not feel safe going out after dark
- Respondents reported men on bikes and cars dealing drugs in the Central Drive area
- Most B & B owners on Palatine Road have left, or want to, and have seen an increase in properties being let as student accommodation but are reportedly not be used as such
- References are too easily falsified and it is too easy to 'get a mate' to give a reference
- There is a big problem with people buying properties that don't live anywhere near Blackpool and don't care
- The area around Central Drive is described as 'Beirut' and is described by respondents as, 'disgusting' and 'dangerous'
- The propose scheme should include a wider area than currently proposed and include all of the Raikes Parade area at the very least, with other streets outside this also included as a minimum
- All landlords in the UK should be licenced and monitored with prosecutions for bad landlords
- Children from rented accommodation causing damage to property, not being supervised properly and smashing coping stones and fencing
- There has been an increase in fly-tipping, appearing quicker than the Council can remove it
- All business premises owners as well as landlords should be held responsible for making sure that their properties are in good condition and well maintained. And all landlords from out of the area should be held accountable for the state of their properties and their tenants
- Landlords should be held responsible for dealing with the nuisance tenants and ASB but it should be easier for landlords to get rid of nuisance tenants and have the back up from the Council and Police
- There is a big issue with people fly-tipping in alleyways, many alleyways are in a disgusting state
- The area should be extended from Waterloo Road to include Chapel Street and the Promenade as there are lots of derelict looking properties in this area
- It is awful to have to live in fear. Drug dealers deal right outside our house and we have people renting all around us that don't care about the appearance of their property, they dump their rubbish on the streets – they are aggressive and abusive. The drug dealing goes on all through the night. Quite a few people have moved out

## Selective Licensing in the Central Area: Consultation Responses July 2018

due to the trouble we have with people renting – a lot of the people who own houses feel trapped – we have lovely spacious homes but they are worth nothing due to the awful reputation of this area and the dirty neglected properties. It is not fair how landlords get away with not keeping their properties in good condition, they should check on their tenants to make sure the property is being kept to a decent standard

- We have had so many properties in this area trashed by irresponsible tenants. We own and fear that the security of our home is at risk due to constant drug dealers, scrap merchants who bring disrespectful people into our area, you feel intimidated by them
- A true background check should be carried out on tenants by the Council/Police/credit checks
- If private landlords allow bad tenants into their properties they should be responsible for them. We have a lot of tenants in our area and their landlords live in London, they go through a letting agency that often don't care as long as the property is being let. We would love selective licensing to come to our area
- I would like to see selective licensing for the whole of Blackpool
- I would not walk round here at night. Landlords don't live here so they don't have to put up with the ASB. Landlords should be responsible for ASB but should have the backing of the Police. Landlords get paid rent so should act responsibly
- Totally appalled, I have lived here for over 40 years, Palatine Road used to be a beautiful road, now in 2018 it's a disgrace in parts. Landlords just not interested in keeping their properties up to a standard and their tenants not vetted, needs a big clean up
- This area has been bad for a few years but it is getting a lot worse, this makes me spend a lot of time out of my home. I do not feel safe in this area or in my house; this street (Cambridge Road) has a lot of fights, weapons, drugs and dealers. I get anxious. I have two young children who don't like living on this street, they don't even play in the front or back garden. The language which is shouted every day is horrible
- I wish that the licensing scheme was in this area, especially around Heald Street and Chester Road. The houses near me are a disgrace and we have drug dealing, we will never get decent tenants in any of these houses due to the state of them
- Rubbish in the Coop Street area is a massive problem, bin bags thrown out onto back alleys and streets and ripped open by seagulls
- Loud noise is a problem but it's the rubbish that's put out onto the street that causes a problem. Private landlords just don't care about the way their tenants do what

## Selective Licensing in the Central Area: Consultation Responses July 2018

they want in their property. If you have a look at some of the properties around here you will see that they are not looked after by the landlord or the tenants. Landlords should check on their tenants every six months and take note of complaints about them instead of just taking their money. Licensing in this area is badly needed

- Lord Street has constant problems. Police, Ambulance all the time for druggies – one nice girl moved in December 2017, she moved out three months later. Burgled three times in three months, so sad. The others in there are dirty, the agents don't care, it's an eyesore for our paying guests
- Too many landlords simply don't care, very happy to collect tax payers' money, spending next to nothing on their houses. Act on these landlords, Blackpool is fast becoming an area where landlords can get away with anything
- I think the area is run down. It is forcing good people out of the area, we live next door to people growing cannabis, we own a shop and we are targeted for theft and abuse regularly. I don't think asking for references would change the problem
- As long as private landlords get money they do nothing to help residents with tenants, we have tried in the past. Many of the properties in my area have multiple occupants and we often see beds being moved in and out of houses and 10 or more in a three bed house
- All landlords should be made to paint their houses but nothing will be done
- Landlords would attract a better tenant with proper maintenance of rented properties, rather than this area being, 'The Bronx' of Blackpool
- I tried contacting next doors landlord to report ASB but they weren't interested.

### 5. Conversations with landlords and letting agents

During the consultation period consultation has taken place with landlords and letting agents on the proposal for selective licensing in Central through various methods including:

- Two quarterly Fylde Coast Landlords Forum meetings
- Two PRS Planning and Networking Group meetings

## Selective Licensing in the Central Area: Consultation Responses July 2018

- Individual conversations with landlords and letting agents operating in the area
- Emails received and responded to by landlords and letting agents operating in the area

In summary comments received from landlords during the consultation period were:

- Licensing can offer good results however those landlords who feel that they do already offer good standards of accommodation and management in their properties do not feel they should have to pay the licence fee.

Blackpool Council response: *we understand the viewpoint of good landlords who feel they should not have to pay the licence fee. The introduction of a Blackpool Standard will offer a significant discount off the licence fee for those landlords who can demonstrate that they do offer a good standard of accommodation.*

- Licence fee payments should be made payable by monthly direct debit to spread the cost of the fee over the five years. Some suggested that if this was not possible then an annual fee be made payable as an alternative.

Blackpool Council response: *we recognise the benefit to landlords of paying in instalments, but unfortunately the Council does not possess the resources to offer payment by instalments for everyone. However if a landlord can demonstrate financial hardship then a payment plan can be arranged on a case by case basis.*

- The introduction of a 'Blackpool Standard' to recognise good landlords is a positive idea, but it has to be different to accreditation which previously did not work.

Blackpool Council response: *we recognise that the accreditation scheme trialled back in 2015 did not get the uptake from landlords that the Council expected and we have learnt from that. The Blackpool Standard is different from an accreditation scheme and rewards those landlords who do offer a good standard of accommodation.*

- Selective licensing does not offer good landlords anything; it is a 'tax', with most landlords already feeling the impact of recent legislative changes for example section 24 implications and the banning of letting agent fees.

Blackpool Council response: *the way Blackpool Council operates licensing schemes is different to many other local authorities. The comprehensive multi-agency inspection programme undertaken at the beginning of a scheme enables us to get behind the front doors of the most vulnerable residents and support them in sustaining their tenancies. We work with landlords to support them in improving property condition and how they manage their properties. We also offer support to landlords in tackling anti-social tenants, through the Anti-Social Behaviour Officers who are funded through the scheme.*

## Selective Licensing in the Central Area: Consultation Responses July 2018

- The proposed fee structure is not fair, penalising those who rent out houses, when it should be the smaller units – HMO's and flats that are charged more.

Blackpool Council response: *The fee structure has been reviewed based on information collated during the first year of additional licensing. The inability to access all units in one building at the same time has proved particularly problematic, seeing significant increases in staff time. Therefore we have slightly changed the fee structure to reflect this.*

- There is not enough support for landlords when dealing with anti-social tenants, with most landlords stating it should be the responsibility of the Council and the Police instead. It is too dangerous for landlords to be responsible for dealing with their nuisance tenants, the only option is eviction.

Blackpool Council response: *the scheme pays for Anti-Social Behaviour Officers who can support landlords in dealing with anti-social tenants. It is important that landlords take a responsible approach to letting their properties and a proactive approach to housing management, encouraging their residents to behave responsibly, being available if there are any issues, and taking appropriate action where tenants are in breach of their tenancy conditions.*

- The government need to introduce better guidelines around abandonment, this would help landlords greatly as at the moment the law is too ambiguous.

Blackpool Council response: *This is something that we will raise with the Ministry of Housing, Communities and Local Government as an issue to landlords in Blackpool and wider.*

- As resident and also landlords/property owners in the area we would comment as follows: although the scheme involves additional costs which are difficult to recover, especially for a small operator like us, we approve of any scheme which increase the level of rented accommodation within the area, which the current (Claremont) scheme does seem to be doing

- Give us something back for imposing this fee on good landlords, whilst we recognise there are bad landlords out there Council resources should be targeted on those bad landlords that are bringing down our reputation.

Blackpool Council response: *We are confident that the introduction of a Blackpool Standard will seek to highlight the practice of good landlords therefore allowing enforcement activity to be focused on the bad. Without licencing schemes the Council would probably never get behind the front doors of some of the properties with the poorest of property condition and management.*

- There should be a blanket standard in place for ALL properties. Selective licensing most likely would result in the fees being passed onto tenants resulting in deeper poverty.

## Selective Licensing in the Central Area: Consultation Responses July 2018

Blackpool Council response: *Blackpool Council agrees that there should be a blanket standard in place for all properties which is set at a level which reflects the standard a tenant should expect when renting in the PRS. We feel that the current standard, the Housing and Health Safety Rating System, which is purely a risk assessment tool, is not fit for purpose and a much higher standard is required.*

- All business premises owners as well as landlords should be held responsible for making sure their properties are in a good condition and well maintained. And all landlords from out of the area should be held accountable for the state of their properties and their tenants.
- Details of who and where to contact non-resident landlords should be available to all by some means so that they can be contacted in cases of difficulties.

Blackpool Council response: *Blackpool Council whole heartedly agrees with this and subsequently this has been added as a licence condition.*

- Not sure this is the solution. Council engagement with landlords and tenants is the way forward. Most landlords do not know the tenants are an issue.

Blackpool Council response: *Landlords are responsible for ensuring that they do know whether or not their tenant is causing a problem, and licensing is one tool among many to be used as part of a holistic approach to improving the sector as a whole.*

- Tenants are worried that if licensing was introduced it would lead to their rents increasing and more people becoming reliant on claiming HB.

Blackpool Council response: *The cost of licence fees over a 5 year period, relative to rental income received is very small. All landlords operate within a wider market, which for most landlords and tenants in the Central area is also influenced by Local Housing Allowance rates. Landlords may wish to pass on costs to tenants through rents but in reality rents are set by the “market” and not by landlords’ costs. For example, there is no direct effect on rents of changes in mortgage interest rates or tax obligations which are also costs for landlords. In the same way, it is not expected that the cost of licensing fees will be passed on to tenants through rents.*

- The survey is skewed towards making landlords look bad. Owner occupiers can be just as bad why are they not included?

Blackpool Council response: *Part 3 of the Housing Act 2004 allows the local authority to introduce a selective licensing scheme provided a range of conditions are demonstrated, and defined processes are followed. This legislation is only applicable to the private rented sector.*

# Selective Licensing in the Central Area: Consultation Responses July 2018

## 6. Formal responses from the RLA and NLA

Formal responses to the consultation were received from both the Residential Landlords Association (RLA) and the National Landlords Association (NLA), both of which are available to read in full on their respective websites.

### Residential Landlords Association

In summary the Residential Landlords Association included comments on how licensing schemes do little but to alienate lawful landlords by burdening them with additional costs, while criminal operators continue to ignore regulations and avoid these additional costs. It states there is little evidence that licensing schemes improve housing standards, and it feels the Council already has the necessary tools to tackle poor management and conditions in the private rented sector.

Blackpool Council response: *The Housing Act 2004, Part 1, gives Local Housing Authorities powers to deal with property conditions and disrepair categorised under the Housing Health and Safety Rating System (HHSRS). These powers alone are not sufficient in dealing with other issues arising from privately rented properties within the proposed area. Selective Licensing will give additional enforcement powers by requiring all landlords to sign up to management conditions that help ensure that they adopt a responsible approach to management of their properties. These management conditions go beyond the normal statutory requirements under the HHSRS, for example, by requiring landlords to undertake tenant referencing and to act responsibly if Anti-Social Behaviour (ASB) complaints are raised against their tenants.*

*Additionally the introduction of Selective Licensing will provide clear standards to be met within the private rented sector enabling tenants to have a clear benchmark and for landlords to clearly know their responsibilities. It will identify landlords whose management arrangements are inadequate and ensure improvements are carried out. The scheme will promote a more comprehensive approach than has previously been possible in tackling a wide range of issues, and for action to be taken against landlords who do not offer a reasonable standard of accommodation to their tenants.*

The RLA feels that it should not be a requirement for a landlord to submit an annual ASB plan, as it suggests landlords will already have their own ASB procedures on dealing with anti-social behaviour for tenants and visitors to the property, which they will cooperate with Police and the Council accordingly on.

Blackpool Council response: *As requested by the Residential Landlords Association where a licence condition stipulated landlords to provide a “written action plan to the Council outlining procedures for dealing with anti-social behaviour at the time of application” – this has now been amended to read, “a written action plan or copies of their own ASB procedures already in place” so as now to duplicate or add any further work for the landlord to complete on licence application.*

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The RLA states that with regard to inspections, it is unreasonable to ask the landlord to “make regular (at least monthly) inspections of the property to ensure that the property is in a decent state of repair and that the occupiers are not in breach of tenancy terms and conditions” and claims this is unlawful and is a potential breach of Quiet Enjoyment under the Protection from Eviction Act 1977 which promises that the tenant will be able to possess the premises in peace.

In addition to this, the RLA also claims that requesting that, “the licence holder must allow the Council to undertake compliance checks. Council Officers will give the licence holder 24 hours’ notice of these checks and produce valid authorisation at the time of visit” is also unlawful, as the statutory notice for landlords to notify tenants of visits to a property is 24 hours.

Blackpool Council response: *In response to this comment from the RLA, the length of time stipulated for the licence holder to allow the Council to undertake compliance checks has been extended from 24 to 48 hours to ensure a lawful amount of time for the visit to be instigated and completed. This will ensure that the licence holder can give their tenant(s) the statutory 24 hour notice period required for access.*

In conclusion the RLA state that rather than expanding what they refer to as an ineffective licensing scheme, the Council should use cross departmental and multi-agency working and effective use of existing housing legislation to support tenants and landlords in maintaining tenancies, housing condition and management standards.

Blackpool Council response: *Blackpool Council implements a comprehensive multi-agency inspection programme and works across departments and with a variety of external partners on all aspects of enforcement work. We have demonstrated within the proposal how the Council utilises the number of different tools and legislative powers available, and Blackpool Council believes licensing is just one tool that adds to the overall strategic approach to effective enforcement against landlords who do not offer the standard of management and condition that Blackpool Council expects across its private rented sector.*

### National Landlords Association

Following their own evaluation of the circumstances faced by the residents of Blackpool, the NLA provided an executive summary of their position. It states that landlords have very limited authority when dealing with matters related to anti-social behaviour (ASB), especially if it happens outside the curtilage of the property. It states that the Council has failed to provide evidence of a direct link between recorded housing crime and the private rented sector, and highlighting that a previous scheme saw an increase in recorded crime.

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Blackpool Council response: *On page 38 of the consultation proposal Lancashire Constabulary provided details of crime in the area, which included both crime across the area and crime attributed directly to privately rented properties in the area.*

*In the South Beach evaluation report, which is the previous scheme referred to, there was an increase in crime and this was attributed to a number of different reasons which were documented within the report. These included an increase in crime nationally, partially due to changes in how the Police record categories of crime.*

The NLA also states that selective licensing will have the effect of stigmatising the designated area, leading to further displacement of problems tenants in Blackpool. It states that the proposal fails to indicate that sufficient funding will be available to support the introduction of licensing, asking the question whether the Council can guarantee that every house will be inspected as outlined in the proposal.

Blackpool Council response: *The proposal is not required to provide a breakdown of how the scheme will be funded, however the licence fees are used to fund the administration of the scheme. Blackpool Council is confident that all properties in this area will be inspected, and can support this through the comprehensive multi-agency approach taken in other current licensing schemes in place.*

It goes on to comment that the Council has not explained how it will prevent malicious claims of anti-social behaviour which could result in tenants losing their tenancies and asks whether this could be provided.

Blackpool Council response: *All claims of anti-social behaviour are investigated and substantiated before any action is taken against a tenant. The ASB Officers who are funded through the licence fee work with landlords to ensure they feel supported when dealing with anti-social tenants. Blackpool Council's Housing Options Service will support affected tenants in finding suitable alternative accommodation or working with their landlord to ensure the tenancy is sustained.*

Final comments include the NLA stating that the Council has not published its strategy for dealing with chaotic and anti-social tenants, which they feel should run in conjunction with the current proposal. It also states that the Council has failed to say how the proposal will tackle rent-to-rent and subletting, or even Airbnb.

Blackpool Council response: *Blackpool Council works with a wide range of partners to support chaotic and anti-social tenants to enable them to sustain a tenancy wherever possible. The proposal references the Councils Blackpool Community Safety Plan 2016-2019 (ASB) which builds upon the Blackpool Community Safety Partnership 2012 Strategic Assessment and sets out the analysis of crime, disorder and substance misuse. It identifies the priorities that are the greatest threat to local people and where successful interventions will improve the quality of life in Blackpool. These priorities are Domestic Abuse, Violent Crime, Substance Misuse, Drugs, Substance Misuse, Alcohol and Anti-Social Behaviour.*

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*The Homelessness Prevention Strategy 2018-2021 also recognises the expanding use of the private rented sector in Blackpool as important in preventing and relieving homelessness. It sets out how those with chaotic lifestyles facing homelessness can be supported by Blackpool Council and the various ways in which this can happen.*

*Blackpool Council operates a comprehensive proactive multi-agency inspection programme which inspects every property in the area. This will pick up any issues with 'rent-to-rent' and properties rented out through organisations such as Airbnb. Blackpool Council will also continue to respond to reactive complaints from properties rented out in this way.*

The NLA feels that the 'flaws' in the process and proposals, as outlined above, must be rectified before this application is progressed.

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### 7. Changes to the proposal as a result of the consultation responses

Taking into account all responses from this consultation, including residents, business owners, hoteliers, landlords and organisational bodies, Blackpool Council has committed to making the following changes as a direct result of suggestions and requests from respondents:

1. Simplify the Blackpool Standard and further consult on it between now and the implementation of the scheme. The Blackpool Standard is a standard which good landlords should be able to meet, but this standard is optional and not a requirement of being granted a licence.

2. A change to the fee structure as requested through the Fylde Coast Landlords Forum to offer a fairer approach to the way landlords are charged:

<b>Licence Fees – Landlords who meet The Blackpool Standard</b>	
Each property occupied by one household	£542 (30% discount)
Multiple occupancy up to 2 units	£763 (30% discount)
Cost per additional unit over 2 units	£47
Change of ownership to an existing licence	£140

<b>Standard Licence Fees</b>	
Each property occupied by one household	£775
Multiple occupancy up to 2 units	£1090
Cost per additional unit over 2 units	£68
Change of ownership to an existing licence	£140

<b>Early Bird Discount (available to all applicants whether applying for the Blackpool Standard or not)</b>	
Applications made during the first three months of the scheme for each property	£100

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3. As requested by the Residential Landlords Association where a licence condition stipulated landlords to provide a “written action plan to the Council outlining procedures for dealing with anti-social behaviour at the time of application” – this has now been amended to read, “a written action plan or copies of their own ASB procedures already in place” so as not to duplicate or add any further work for the landlord to complete on licence application.

4. As also mentioned by the Residential Landlords Association, part 18, pp.81 of the proposal stated that, *“the licence holder must allow the Council to undertake compliance checks. Council officers will give the licence holder 24 hours’ notice of these checks and produce valid authorisation at the time of visit.”* This has now been amended to 48 hours in order to allow the licence holder to give their tenant(s) the statutory 24 hour notice period for access.

5. One further comment received from the Residential Landlords Association was that the licence condition stating that the licence holder must *“make regular (at least monthly) inspections of the property to ensure that the property is in a decent state of repair and that the occupiers are not in breach of tenancy terms and conditions”* is a potential breach of Quiet Enjoyment under the Protection from Eviction Act 1977. Whilst the Council opposes this view and expects the licence holder to undertake regular checks of the property, this has been amended to read, “at least quarterly” and the Council will expect to see details of these checks upon request.

6. Some respondents commented that details of who and where to contact non-resident landlords should be available to all by some means so that they can be contacted in cases of difficulties. This has now been added as a licence condition and reads, *“Provide the occupants of adjoining properties with direct contact details in case of an emergency, or to enable them to inform the licence holder of problems affecting their properties”*.

7. A number of the respondents from the survey had commented that the area covered by the proposed designation does not in fact cover some of the worst areas and that it should be extended. Blackpool Council will consider these requests and investigate the evidence base for a future selective licensing scheme in a wider area.

In summary Blackpool Council attempts to inspect every property within a designation, wherever possible, and takes appropriate action against those who do not comply. Licensing is used alongside a range of other powers which are available to local authorities and the proposal for selective licensing in Central highlights the number of hazards identified within properties inspected so far through the comprehensive multi-agency inspection programme which is undertaken. Feedback from other agencies involved on the inspections are included

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within the proposal, and one of the most positive outcomes for Blackpool Council is the ability to get behind as many front doors within the designation as possible, identifying the most vulnerable of our residents who otherwise may never have been offered the help and support which they were able to from these inspection visits. Landlords are offered advice and support to rectify issues around management and condition, and the ASB Officer provides support to landlords in dealing with anti-social tenants. Lancashire Fire and Rescue Service have provided very positive examples of how the fire safety advice they were able to offer on inspections has very likely saved people's lives.

Blackpool Council thanks each and every respondent for taking the time to respond to this consultation.