

# SELECTIVE LICENSING REPRESENTATIONS 2023

## Section 1

### ISSUE RAISED (a)

#### **Reservations about Selective Licensing's ability to improve conditions**

Propertymark shares the Council's vision of improving housing conditions in the PRS. However, we have reservations that a selective licensing scheme will have the necessary impetus on improving conditions. We have further reservations that the scheme will achieve the Council's aims of improving several local socio-economic concerns in the designated areas.

Issue raised in a letter via email.

### RESPONSE (a)

#### **Reservations about Selective Licensing's ability to improve conditions**

Compliance inspections will be carried out at those properties flagged as part of the application process, where complaints had been received or where there were indications an inspection was required. The council will undertake compliance inspections at 50% of all licensed properties in each of the designated areas by the end of the designation.

During compliance inspections officers assess property conditions under the Housing Health and Safety Rating System (HHSRS) in accordance with Part 1 of the Housing Act 2004 as well as assessing compliance against licence conditions and having dialogue with the tenant to check what information their landlord had provided them with.

An evaluation of the council now ended Selective Licensing designation in Crumpsall identified that 18% of properties inspected were non-compliant (i.e., a Category 1 hazard or a high Category 2 hazard was identified using HHSRS) and the inspection resulted in immediate enforcement action. Most properties (56%) were found to be broadly compliant with a low Category 2 hazards identified. In these cases, appropriate timescales were agreed with the landlord to complete the identified remedial works on the understanding works and that failure to act would warrant further action.

In total during the designation 79 Category 1 hazards and 273 Category 2 hazards were identified by officers undertaking compliance inspections. The evidence on the level of compliance with licence conditions and hazards identified following inspections demonstrates very clearly that landlords in the Crumpsall Selective Licensing area had been letting properties with serious hazards. Without the Selective Licensing intervention, it is highly likely that these landlords would have continued to rent out properties containing these serious hazards and tenants would have continued to live in unsafe housing.

Instead, action was taken to address these standards and it is therefore the councils view that housing standards are improved by Selective Licensing. More information on the council evaluation of the Crumpsall Selective Licensing scheme can be found at;

<https://democracy.manchester.gov.uk/ieListDocuments.aspx?CIId=136&MIId=4062>

## **ISSUE RAISED (b)**

### **Fees and licensing structure**

We note that the areas selected include small parts of wards. We believe that given that the scheme is focused on such small post code areas, the scheme could be confusing to landlords operating in the area and whether they have properties that are part of the scheme. Therefore, we would recommend that there should be a reasonable grace period that the Council would allow – should the scheme go ahead- to allow landlords to understand if they have properties that are part of the scheme or not.

Although the proposed £800 licensing scheme is a charge that is in line with most local authority schemes, other Councils allow incentives for early payment such as the scheme in Liverpool. Given that Manchester City Council's scheme is heavily focused on small geographic areas, we are also surprised that the fees are in line with other local authority schemes that cover a much larger area. We are equally concerned that one of the reasons for the scheme is to improve housing conditions, so we would like to draw caution to the impact the fee will have on landlords' ability to pay towards improving standards. In this context, complaint landlords will have less money to improve conditions while rouge and criminal landlords will continue to operate under the radar.

The proposed selective licensing areas are home to many marginalised people. Landlords and letting agents who operate in the area provide affordable housing options for many against a shortage of social housing. We are concerned that some landlords could sell their stock in the area and further reduce housing options for marginalised people.

Issue raised in a letter via email.

## **RESPONSE (b)**

### **Fees and licensing structure**

All identified landlords will be notified of the council's intention to designate a licensing scheme, and confirmation of designation in their area and confirming that their property is to be affected. Follow up communications will be sent to the properties addressed to the owner as well as residents. The council will run a comms campaign and will also send communications to all known landlords as part of our current licensing regime and to those on known mailing lists to ensure that landlords are aware of a designation affecting their property.

Selective licensing legislation allows the local authority to set a fixed licence fee to accompany the application. The fee is to cover the costs of the consultation,

administration costs as well as the implementation and delivery of the scheme. It is recognised that compliant landlords will apply for a licence in a designated area and therefore the Council will be offering an early bird licence fee for applications during the 3 month designation period. Costs for the designation largely relate to consultation fees such as room hire and press adverts, which does not charge dependent on the size of the designation.

Landlords may generally buy and sell properties as a result of changes in their own personal circumstances, or of national or local issues. There has been no evidence that reputable landlords cease to operate in an area purely because Selective Licensing is in place. The fee charged for a licence is considered to be affordable and licensing will be a way that a landlord can demonstrate the quality of their rental business.

## **ISSUE RAISED (c)**

### **The purpose of licensing schemes**

The purpose of licensing schemes is to improve housing conditions. Manchester City Council views the proposed licensing scheme as a tool to reduce crime and anti-social behaviour. This is not the purpose of a selective licensing scheme. The areas identified for the proposed scheme do have higher levels of crime than experienced in other parts of Manchester. If the Council want to look to ways in which to reduce victim-based crime in these areas, then they should consider grants to tenants for home security improvements.

Some of the areas identified are quite diverse and include populations that the police are keen to improve relations with. Manchester City Council should consider working in partnership with Greater Manchester Police to improve community relations between the community and police. The council could also consider, as part of its Housing Health and Safety Rating System (HHSRS) inspection regime, in supporting landlords improve home security with secure locks and doors to keep tenants safe.

Issue raised in a letter via email

## **RESPONSE (c)**

### **The purpose of licensing schemes**

Licensing by itself will not completely get rid of ASB, however through the implementation of licence conditions that specifically requires action from landlords to manage ASB from residents in their properties and joint working with other departments to ensure the issues are effectively addressed this will support alleviating such issues.

Manchester City Council is committed to working with private landlords in order to ensure that well managed and well-maintained accommodation is available for Manchester residents. It is clear that when tenants feel safe and secure within their home, they are more likely to remain in the property. In 2021 the council secured 'Safer Streets' funding via the Home Office to provide situational interventions in private rented properties to address the levels of crime.

This work included offering free security improvements such as;

- Front Door
- Back Door
- Fencing (up to 1.8m high)
- Garden Gate (up to 1.8m high)
- Window restrictors

These **free** security works were offered and installed in qualifying properties to both improve landlords' properties and enhance the quality of tenants lives.

## **ISSUE RAISED (d)**

### **Anti-social behaviour**

Although letting agents are generally highly skilled and qualified, dealing with increased cases of anti-social behaviour (ASB) is becoming more complex. Central to many cases involving ASB is mental health or societal issues such as drug and alcohol misuse. There is no clear reference in any documents as to how the council will support landlords or their agents in dealing with ASB. With the possibility of the end of Section 21 notices as set out in the UK Government's 'A Fairer Private Rented Sector' white paper, potentially in favour of grounds-based approaches through Section 8, agents will have to provide evidence to prove anti-social behaviour. This is time consuming and intimidating work. We would be grateful if Manchester City Council could be clearer on landlord and agent support in this regard.

If a landlord or their agent has a tenant who engages in ASB, the landlord/agent would be generally obligated to serve notice to end the tenancy. That would rectify the problem in the vicinity, but it would do nothing to tackle the root of the problem. There is a chance that the prospect of losing one's home could mend the error of the tenants' ways, but the likelihood is the tenant will continue to be anti-social somewhere else. While the previous Crumpsall selective licensing scheme may have reduced anti-social behaviour in that area, the chances are the issues have 'migrated' to another part of Manchester.

Turning back to serving notice to tenants due to anti-social behaviour, we would be grateful for clarity on how the Council will support landlords who serve notice to their tenants. We would recommend that prior to the start of the scheme, that the council adopts a guidance leaflet to highlight what steps landlords should take if their tenants are anti-social and how the council would support them in removing them.

Issue raised in a letter via email

## **RESPONSE (d)**

### **Anti-social behaviour**

As part of the lessons learnt from the Councils Pilot Selective Licensing Schemes the inclusion of an engagement officer has been built into new designations to support landlords and residents in understanding and complying with licensing conditions. Engagement work will including supporting landlords, providing

newsletters, updating advice and guidance web pages as well as conducting some small focuses landlord engagement events.

In addition the Council's Anti-Social Behaviour Action Team (ASBAT) regularly work with tenants and landlords to address issues considered to be anti-social behaviour. We recognise a balanced approach is required within the legislative boundaries set out for all parties involved. It is reasonable to expect a landlord to ensure their tenants are not behaving in a way that is adversely impacting on the local community. This also applies to visitors to the property. Effective management of tenancies results in anti-social tenants being issued with warnings about their behaviour. The Council will work with partners to help landlords gather the evidence where necessary to support any evictions in Court.

## **ISSUE RAISED (e)**

### **Low demand and empty homes**

One of the reasons Manchester City Council has proposed a selective licensing scheme is to tackle low demand and empty properties in the city. According to the market context section of Manchester City Council's Private Rented Sector Strategy 2020-25 'there are no longer any areas of low demand in Manchester.' This can be supported by the statistical evidence provided that shows from the proposed selective license areas, there are only 12 long-term empty properties. To put this in context, that approximately equates to 0.4% of the total housing stock in the proposed areas being long-term empty.

Far from being areas of low demand, the proposed areas are popular places for tenants to live. However, even if the areas were low demand with high numbers of empty properties, the consultation offers no advice on how they would bring properties back into use. The strategy does offer some further insight in that the Council would consider the use of Empty Dwelling Management Orders (EDMOs), but how these will be financed is not explained in the context of the proposed scheme.

Manchester City Council has not clearly outlined its plans to tackle the very small number of empty homes. Other than EDMOs, the Council has made no reference to any loans/grants available to bring these properties back into use or case studies involving empty properties. The council should provide further information into what active steps have been taken to reduce the number of empty properties within the city to aid the high number of people waiting on the housing list for social housing.

Issue raised in a letter via email

## **RESPONSE (e)**

### **Low demand and empty homes**

Low demand and empty properties have not been an identified factor in any of the proposed Selective Licensed areas. Can I please direct you to the following reports to the City Councils Executive and Scrutiny Committee that sets out the criteria that under Selective Licensing we have outlined and intend to tackle.

<https://democracy.manchester.gov.uk/ieListDocuments.aspx?MId=3324>

<https://democracy.manchester.gov.uk/documents/s34232/Crumpsall%20Selective%20Licensing%20Area%20Final%20Evaluation.pdf>

## **CONCLUSION**

Propertymark shares and welcomes Manchester City Council's aim of improving housing conditions in the proposed selective licensing areas. However, we do not believe that this aim will be achieved through a licensing scheme.

We are concerned that compliant and good landlords will have less revenue to improve standards while rogue landlords will continue to go underground. By focusing on such a small area, some landlords may exit the market or sell their stock in these areas. This could have the unintended consequence of reducing housing supply which will impact the most marginalised.

We do not believe that the scheme will reduce crime, anti-social behaviour, poverty, or deprivation, nor do we believe selective licensing schemes are an appropriate tool to tackle these problems. However, we would be happy to have further dialogue with the council on methods in which agents can be supported to tackle anti-social behaviour.

While we have reservations about the scheme, to demonstrate transparency in decision making, we would recommend that the council publishes an annual report outlining progress on the scheme.

Finally, we would like to thank Manchester City Council for the opportunity to highlight our views on the scheme and that we would be happy to discuss this proposal or the Council's wider PRS Strategy in the future.

## **RESPONSE**

The Council have addressed points raised here in the section above. The council is committed to reporting on progress of Selective Licensing to demonstrate effectiveness and impact of the designations as it has done with previous designations.

Progress on the implementation and delivery of the scheme will be monitored, baseline data has already been collated in the form of 50% external inspections, 10% internal inspections, statistics around crime, deprivation and environmental issues to ensure the effectiveness of the scheme can be measured and demonstrated.

## **Section 2**

## **ISSUE RAISED (a)**

### **The purpose of licensing schemes**

As a landlord who owns six flats in the proposed area for selective licenses I strongly disagree with the implementation of this scheme. I am writing to submit my objections to the current Selective/Additional Licensing consultation and why I believe the introduction of licensing will not have a positive impact on the proposed area.

Licensing does not have a positive impact on landlords and tenants. Landlords, especially those with properties outside the licence area will become risk-averse in terms of the tenants they let to. Tenant problems such as anti-social behaviour are impossible for the landlord to address alone and landlords will not wish to risk a breach of licensing conditions that may affect their ability to let properties elsewhere. Some may seek to evict already challenging tenants. This could mean additional costs to other council services, as they pick up the pieces created by the disruption to the lives of already vulnerable tenants.

Issue raised via letter and email

## **RESPONSE (a)**

### **The purpose of licensing schemes**

A risk assessment of the scheme recognises the likelihood of possible anti-social behaviour tenants to other areas within Manchester or to neighbouring local authorities. The Council intends to monitor the movement of such tenants and consider alternative enforcement action as required.

The Council's Anti-Social Behaviour Action Team (ASBAT) regularly work with tenants and landlords to address issues considered to be anti-social behaviour. We recognise a balanced approach is required within the legislative boundaries set out for all parties involved. It is reasonable to expect a landlord to ensure their tenants are not behaving in a way that is adversely impacting on the local community. This also applies to visitors to the property. Effective management of tenancies results in anti-social tenants being issued with warnings about their behaviour. The Council will work with partners to help landlords gather the evidence where necessary to support any evictions in Court.

## **ISSUE RAISED (b)**

### **Reservations about Selective Licensing's ability to improve conditions**

There is little evidence that licensing schemes improve housing standards. The focus of staff becomes the processing and issue of licences, while prosecutions centre on whether a property is licensed or not, rather than improving management standards and property conditions. Additionally, the decent homes standard is a measure of the standard of housing and has no legal applicability to PRS housing. The Housing Health and Safety Rating System (HHSRS) is the relevant standard for the PRS.

Issue raised via letter and email

## **RESPONSE (b)**

### **Reservations about Selective Licensing's ability to improve conditions**

The council has a dedicated Business Support team to work on the processing of licence applications to ensure that officers can focus on inspecting properties. Compliance inspection will be carried out at those properties flagged as part of the application process, where complaints had been received or where there were indications an inspection was required. The council will undertake compliance inspections at 50% of all licensed properties in each of the designated areas by the end of the designation.

During compliance inspections officers assess property conditions under the Housing Health and Safety Rating System (HHSRS) in accordance with Part 1 of the Housing Act 2004 as well as assessing compliance against licence conditions and having dialogue with the tenant to check what information their landlord had provided them with.

An evaluation of the council now ended Selective Licensing designation in Crumpsall identified that 18% of properties inspected were non-compliant (i.e., a Category 1 hazard or a high Category 2 hazard was identified using HHSRS) and the inspection resulted in immediate enforcement action. Most properties (56%) were found to be broadly compliant with a low Category 2 hazards identified. In these cases, appropriate timescales were agreed with the landlord to complete the identified remedial works on the understanding works and that failure to act would warrant further action.

In total during the designation 79 Category 1 hazards and 273 Category 2 hazards were identified by officers undertaking compliance inspections. The evidence on the level of compliance with licence conditions and hazards identified following inspections demonstrates very clearly that landlords in the Crumpsall Selective Licensing area had been letting properties with serious hazards. Without the Selective Licensing intervention, it is highly likely that these landlords would have continued to rent out properties containing these serious hazards and tenants would have continued to live in unsafe housing.

Instead, action was taken to address these standards and it is therefore the councils view that housing standards are improved by Selective Licensing. More information on the council evaluation of the Crumpsall Selective Licensing scheme can be found at;

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## **ISSUE RAISED (c)**

### **Use of the Council's resources**

The Council already has the necessary tools to tackle poor housing management and conditions in the PRS. Rather than introduce a bureaucratic licensing scheme that will see scarce resources wasted processing applications, it should continue to



direct these limited resources at identifying private rented properties and taking effective enforcement action, where necessary.

Issue raised via letter and email

## **RESPONSE (c)**

### **Use of the Council's resources**

Manchester is a rapidly growing city and it is transforming quickly. The private rented sector has seen huge growth over the last few years and is set to overtake the social housing sector and owner occupation levels in the city over the new few years.

Growing populations can mean additional challenges such as anti-social behaviour and reported crime, and in the areas identified within Rusholme, Moss Side, Longsight, Levenshulme there are also properties which are poorly managed and in poor condition with high levels of transiency. As a result, issues such as fly tipping and waste management, noise related anti-social behaviour and poor housing conditions are having a detrimental impact on the neighbourhood and pose a health and safety risk to occupants in private rented properties.

In order to help reduce these problems, the council has consulted on the selective licensing of private landlords within these specific areas of Rusholme, Moss Side, Longsight, Levenshulme. The council has considered other remedies, but considers Selective Licensing provides a systematic and resourced way of improving the management and condition of properties in the private rented sector, which will in turn reduce the issues stated.

Issue raised via letter and email

## **ISSUE RAISED (d)**

### **Penalisation of good landlords**

Good landlords will apply for licences and, likely, pass the cost on to tenants in the form of increased rents, doing nothing to address affordability, while the worst landlords — the criminal operators — will simply ignore the scheme, as they do many other regulations.

In the past 18 months, I have spent in the region of £35k on improvements and maintenance to [address redacted] so our tenants have a beautiful and safe home to live in. I use an ARLA approved property management company to vet all our tenants to ensure their suitability.

Issue raised via letter and email

## **RESPONSE (d)**

### **Penalisation of good landlords**

Selective licensing legislation allows the local authority to set a fixed licence fee to accompany the application. The fee of the licence in Manchester will be £736 under

the introductory offer and thereafter will be £936. It is recognised compliant landlords will apply for a licence in a designated area and therefore the Council will be offering an introductory licence fee for early applications. This approach has been taken by other local authorities and resulted in a significant number of applications being made within the first three months of the scheme, and enabled resources to target a smaller number of non-compliant landlords and also deal with breaches. Some landlords may decide to increase rents to recover the costs of the licence but this will be a business decision for them to make as they may do on an annual basis already.

## **Section 3**

### **ISSUE RAISED (a)**

**Address of privately rented accommodation: [ADDRESS REDACTED]**

I have listed some of issues experienced, responses and possible remedies in the table below which may help with your consultation.

#### **Issues experienced**

Littering by tenants from the three attic rooms and room over their kitchen into our back garden and sometimes into our front garden. The littering has been consistent since the new owner/landlord renovated the property and moved in tenants which was previously a two family friendly rental flats with the previous owner/landlord living on the ground floor. The littering has been experienced, witnessed and photographed by family members. The littering also has been continuous and includes a large ceramic based lamp (which could of fatally wounded someone or seriously injured them if they had been hit by this item), large cat toys and other items landing onto our adjoining wall and back garden alleyway (where we walk regularly to access our garage). The littering also includes all types of food (such as m&m peanut sweets rolling off our roof and into our back garden), food picks, countless lit cigarettes, used tissues and baby wipes, used cotton buds, used chewing gum and even human spit (from tenant smokers) being thrown from mainly the attic room windows.

This was happening even during Covid 19 pandemic time. They have thrown things onto our roof as our property is on a lower level and only two storey and the privately rented property is three storey excluding the basement (see google maps). There is a small distance between our properties where the attic rooms are located which means any litter dropped from those rooms will likely land in our back garden alleyway near our garage and back door. We are concerned especially about the lit cigarettes as our garage and stray cat shelters are made of wood in that area and there are lots of trees and wildlife in our close neighbouring gardens as well as any dry leaves/their littering that may of accumulated on our property's roof and guttering.

There has also in the past been a very strong smell of weed coming from their property.

The property's back garden was recently cleared and a barbecue area with a fire pit created where the tenants frequently over the summer played music extremely loud (we could not even hear our TV programme in our living room) on their five foot woofer speaker during the day and have had drinking parties, arguments at night which have

lasted until 2 am in the morning. Some of the tenants are usually drunk and smoke cigarettes constantly outside which drifts into our back garden and property) and one of tenants usually howls like a dog at times (which is a bit disturbing). They even broken their ground floor bathroom window in the night due their drunken behaviour.

One tenant last year was throwing many lit fireworks from his attic room at the back of their property into their garden which exploded near their tree. I had to ask the tenant to immediately stop due to the dangerous nature of his actions (as there was a serious possibility of him missing the small top window gap and the firework bouncing back and exploding inside the room (causing a fire).

A few number of the tenants in the past have blocked our access to the road (our car is parked on our driveway) by parking their vehicle in front of our gate even though there is a sign on our gate not to park there and there is plenty of parking space on the road for them to use. This caused our family members to be late for work, a lot of inconvenience and additional costs of having to call a taxi at the last minute as no tenant answered the door to move their cars from in front of our gate. There seems to be a large number of men who rent these single rooms mainly smokers and sometimes they all congregated outside near their front door standing there with their alcoholic drinks and cigarettes or in the back garden (which can be a bit unnerving for neighbours/women and passer bys sometimes). We do not feel very comfortable going into/sitting in our back garden as the tenant's are strangers to us and their windows of their rooms directly overlook our back garden. In the past we had only families living at the property and so new windows/rooms were created on the side of their property facing us to accommodate them.

A member of our family was walking in back garden and a cigarette landed right in front of her and when she looked up she saw a tenant staring out of his attic window, drinking and putting his beer bottle onto the guttering close to the edge of the building (which was dangerous and could have fallen below on one of his fellow tenants or on our family member with one gust of wind). They have also witnessed tenants spitting out of their windows and another emptying rubbish out of his bag from the attic bathroom window (causing the contents to fly all over the place due to the wind).

The turnover of tenants is generally high which means we do not get to know our neighbours unlike the previous family friendly rental flats and on-site landlord. Both sides of this privately rented property have families only living there.

They changed their front garden not in keeping with the neighbouring property at 46 Bignor Street, weakening their wall (we heard them complain about it) and opened up the area to be easily accessed by strangers/thieves having no gate/wall at the front of their property.

Their metal gate to their back garden rattles fiercely and constantly in the night especially when it is windy making it difficult for us to sleep and sometimes it is unlocked. We have been told by the landlord recently that that has been attempted break in however we did not hear anything apart from their tenants opening their back

door at night to smoke. The gate has now been fixed with extra security after two years.

One of the first floor rooms facing our back garden and door does not have a curtain which does not help with our privacy or the tenants. On some occasions, we have seen tenants stare constantly at our family members in our garden which made them feel so uncomfortable that they were unable to do their chores/gardening.

In the past a few of the tenants in the attic rooms have shouted and sworn out of their windows to passing traffic and birds squawking (which were perched on the roof/trees). We currently cannot understand what the majority of the tenants say as they speak another European language (we think) amongst themselves so fortunately we cannot hear them swearing when they argue.

Recently we had to speak to 'Amber' to tell one of the tenants who has a drone with a camera not to fly it over our property/gardens or close to our windows as we feel this was an invasion of our privacy so far they have obliged.

### **Any resolutions offered by Landlord/ Managing Agent**

We have had to write to the landlord at the property's address via letters because we did not know who the owners of the property were as they had not introduce themselves to us and their managing agent had resigned soon after the littering incident of the ceramic base lamp. Eventually we had to ring the resigned managing agent who told us that a new person had been assigned to the role. However she did not answer the phone and we had to leave phone messages regarding the issues of further littering by the new tenants.

We then began writing letters again and posting at the property to inform her of the littering issues we were experiencing once more. We did receive a reply from the managing agent who told us that the tenants who were littering had been evicted. However the littering issues began again with different tenants. Eventually we caught sight of a person who we believed to be the 'managing agent' and we spoke to her about the constant littering by the new tenants. She was kind enough to give her personal phone number and asked for us to photograph any litter dropped into our garden. However she refused to move the current attic tenant (who was currently smoking in his attic room and throwing used lit cigarettes out his window) to another room away from our property and closer to the ground floor. Instead she said she would 'talk' to him however he continued to antagonise us by littering until he left the property.

We were not happy about this response however we were glad he had left a few weeks later. We have photographed the littering over the past two years and sent it to who we thought was the managing agent called 'Amber'. 'Amber' did mention that the rooms do not have bins especially the attic rooms. However, when we reported the tenant throwing fireworks out of his small window opening she then told us she was only a 'helper' and not the managing agent. Furthermore, she has recently informed us that she manages the tenants which makes us think she was unclear about her role and responsibilities. Hence, the tenant we managed to speak to about parking in front of our gate seemed unconcerned when we told him we would speak

to 'Amber' (as probably she is not taken as seriously as a landlord/managing agent would be).

Unfortunately, the littering and noise pollution problems with the tenants occurred again this year however 'Amber' has been slow to respond as she has been ill/in hospital which has not helped with resolving things. Therefore a number of times we have had to speak to the tenants about their behaviour which makes us uncomfortable and annoyed that the landlord was not being responsible for his tenants and that we are doing his job. Later on she informed us that she would be resigning from the role as she was too ill to deal with tenants but has provided only now the telephone number of the landlord called 'Andrew'. Recently the landlord has told us the property had an attempted break in and so he has put up security measures, fix their metal gate and is refurbishing some of the rooms. The landlord therefore has been visiting the property recently with his builders/handyman and has told us that he was ill and not happy about how the property has been managed. However, this has come too late for us and our trust in them has been lost.

### **Our opinions/possible resolutions**

In general, ensure that landlords of privately rented properties give their full contact details for themselves and managing agents and/or speak to adjoining neighbours if they don't live on site (perhaps a business card/note posted through their neighbour's letter boxes. This will help if any tenants are behaving in an antisocial manner to be dealt with quickly (making the landlord more accountable for who they put into their properties and manage them better) and reduces anonymity if tenants turnover is high (as after all any stability and cohesion affects our community). This maybe achieved via licenses and better management/monitoring.

For our neighbour's privately rented property, ensure that the landlord/helper/managing agent do not rent out the attic rooms and the room above the kitchen near our property to smokers (we believe smoking is an addiction and most smoking tenants do not want to walk down three flights of stairs all the time especially when it is cold and dark outside to get their fix. We would really prefer this property to given to non smokers only due to the issues (like concentration of smoke wading into our property etc) we have had with a number of tenants over the years however we do not know if this is possible as we have suggested this to Amber with no response. Hence, better vetting of the potential tenants to see if they are suitable for the property i.e non smokers and mature people for some rooms on the upper floors etc. Ensure all new tenants are aware of the rules/laws/consequences of littering, noise pollution and smoking in their rooms on moving-in day as many of the tenants for our neighbours property tend to be foreign and may not know the laws of this country. Perhaps the landlord could also speak to the tenants about suitable parking areas for car owners on our road and being neighbourly.

The landlord/managing agent to visit the property more frequently to check up especially on any issues or problems caused by tenants as this would reassure the neighbours as we have not seen them very often until recently (not including the builders/handyman). More frequent visits by the landlord to high turnover properties would also help and maybe a deterrent for antisocial behaviour especially on the day of moving in/leaving with list of do's and don't s and consequences if not followed.

Evict trouble tenants quickly and/or move them to a more suitable area in the property if possible (which Amber refused to do for a few of the tenants causing more aggravation to us as they antagonised us by littering more).

Have bins and curtains/blinds as prerequisite for privately renting out rooms as tenants cannot always afford to buy the right sized curtains especially if they move constantly. Bins not being given in the rooms could be one of the factors why littering occurs regularly by different tenants from the attic rooms (again the large flights of stairs as a barrier/laziness to carrying rubbish downstairs could be another factor).

In hindsight we believe the landlord should have consulted us and the other neighbours if the property was to be converted into single rooms from the originally family sized flats as this would affect their neighbours due to high number of tenants, high turnover, antisocial behaviour etc. Perhaps rules could be introduced for planning permission for such conversions after consultation with the neighbours of the property to be changed. We have never had any issues prior with the tenants in the two family sized flats as the landlord lived on the ground floor and the tenants were all families, long term and neighbourly. The current owners/landlord does not live on site so it is left to us to complain and tackle issues caused by his tenants (which has been continuous over the past two years). We would still prefer vetted families to move into this property as done by the previous owner, however we do understand it may not be possible now.

Perhaps a living/common room (s) on the ground floor/basement with sofas to be available for large number of tenants in single room properties which might help stop tenants all congregating in the back garden and front area causing noise pollution and other such issues (as we are not aware there is one - only two kitchens/dining area which if true we feel is unsuitable/uncomfortable for the large number of tenants who do not know each other). We also feel if the landlord or manager lived at the property (like in the past) then this might help with managing the large number of tenants living at the property. Only recently the landlord has been visiting the property to paint and refurbish the property.

Issue raised via letter

## **ISSUE RAISED (b)**

**Address of privately rented accommodation: [ADDRESS REDACTED]**

### **Issues experienced**

This was a quiet privately owned hotel and then a peaceful bed and breakfast property in the past (for decades) before it was recently converted to what we believe is now a hostel/bedsit with single/double rooms for either the homeless or people who may have been evicted from their rented property etc. (considering the general type of tenants/guests we have seen). When this property was opened for business we had a large number of people congregated in their back garden which is fully parallel to our garden (see google maps), smoking weed and normal cigarettes, being drunk, playing music loud, shouting, singing, swearing and arguing during the day and night. This was quite disturbing and upsetting for us.

We also had young teenagers jumping over our elderly neighbour's garden wall, trespassing into her garden as well as ours with them eventually rummaging through our garage (looking for something of value we believe to steal). We then heard later these teenagers having meetings with their social worker in their back garden where the owners had put some tables and chairs. We did speak to the manager at the front desk about these incidents however the number of tenants smoking at night and talking very loudly in the back garden continued to disturb us from our sleep. A number of tenants also set off the fire alarm a number of times/caused serious incidents where the fire brigade, police and ambulances had to be called to the property a number of times. There was also a lot of shouting and swearing etc causing a disturbance to the neighbourhood which did not happen before the new owners took over. We have written a few letters to inform them of our issues with their management of their property and tenants. They did not reply. We have also spoke to the young man at the front desk who said he would look into it but nothing much has changed and he did not get back to us.

We have continued to experience tenants shouting, swearing, smoking weed and cigarettes in their back garden at different times day and night especially in spring/summer. We asked the owners not to allow their tenants (can be a large number) via letters to go into the back garden to smoke but only at front of their property. This is due to their tenants being are very loud and their smoke becoming concentrated and wading more directly into our garden and into our property. We do have a family member who is allergic to weed and smoke from cigarettes. This makes the large part of our garden unusable to relax as we do not want to breathe in second hand smoke (which can cause cancer in the long term) especially if it is being concentrated by the number of tenants on both sides of our property constantly. We also do not want to hear their tenant's antisocial language/swearing/ talking and noise constantly. However, even when the some of the tenants are at the front of the property they stand for hours around sometimes drinking, smoking and being generally antisocial with littering occurring around this area. We much prefer them to sit on the benches in the dog park across the road (which is fine) or even the normal park further up Heywood street.

We do get periods of less issues only due to the fall in tenants at this property. A few times we have seen some tenants throw things out of their first floor windows onto their flat roof - so littering again but it lands on their property if its not windy. Recently there have been a few families with children whom we do not mind playing in the garden however they were playing even after 11pm at night which we felt was a bit late and disturbed us from our sleep. We have never seen the desk manager come out to speak to the tenants about their behaviour in the garden and we are concerned that there is not a manager at the property at night as the police and ambulances have been called frequently to this property early on in the past (which has never happened before the current owners took over).

#### **Any resolutions offered by landlord/ Managing Agent**

The landlords/owners/manager have not responded to our letters or even talked to us about our concerns. The man at the front desk (possible manager) has only said he

would look at security footage when we pointed out issues with their tenants but never heard anything back. We are unsure whether they tried to implement our request of not allowing the tenants to smoke at night especially in the back garden as they are always noisy (or whether the tenants are doing so themselves regardless). We did request they alarmed what we believe to be the fire exit door access to the garden and pul cameras. We do not know if there is a manager at night to manage the property as sometimes the tenants are arguing loudly out in the front of their property which also has prevent us from sleeping.

### **Our opinions/possible resolutions**

In general, ensure that landlords of privately rented properties give their full contact details for themselves and managing agents/managers and/or speak to adjoining neighbours if they don't live on site (perhaps a business card/note posted through their neighbour's letter boxes. We would like more thorough vetting and family friendly tenants at the back of the property (first floor rooms) for our privacy as their windows directly overlook our garden mainly. In the past, these rooms were bathrooms with opaque glass or partly boarded up and a tree (which was cut down some time ago) was placed between our gardens to obscure their view and give us privacy.

We again would like no smokers at any time being allowed to congregate in their back garden (perhaps for families with children only) as it is enclosed by ours and other neighbour garden who have young children usually playing there. Also the area where the tables and chairs are placed for the tenants use for smoking ,are near many large trees, bushes and where wildlife live (many wild birds nests there) — this could cause fires with dry leaves and wood. Their back garden was only used by the two previous owners and their families so this is a real change for us having strangers/tenants in the back garden which we are not comfortable with.

We would like manager/landlord to live at the property if possible due to the number of tenants who live there and the really high turnover of tenants/guests so issues are addressed immediately for example smokers going into the back garden and talking very loudly for hours, playing loud music, having loud phone conversations at night etc. Have a common room along with a dining room for tenants/guests to sit in with sofas which might help them socialise better if they are there for the long term.

There has to be more accountability/monitoring of managers/owners for allowing troubled tenants/guests to continue to behave badly and live there and somewhere we can register our complaint if no response is given by the owners/landlords etc.

Issue raised via letter



## **ISSUE RAISED (c)**

**Address of privately rented accommodation: [ADDRESS REDACTED]**

### **Issues experienced**

More recently, the property opposite us on the first floor flat, we have seen a lone middle aged man stand and stare out his fully opened big window naked from the top up for a long time (maybe half hour or more). He smiles and stares out the window at passer bys and our family members who might be in our front garden. He has done this quite frequently since he moved in this year — we do not know who he is or why as these flats seem to have a high turnover of tenants. We find this quite uncomfortable, unusual behaviour and not neighbourly.

### **Any resolutions offered by landlord/ Managing Agent**

We do not know who owns the property/flat and so have not been able to contact anyone regarding this issue. The properties in this court were owned by a housing association in the past however we are unsure if they are still (maybe they could give us their name of contact/warden details to report any incidents).

### **Our opinions/possible resolutions**

In general, ensure that landlords of privately rented properties give their full contact details for themselves and managing agents and/or speak to adjoining neighbours if they don't live on site (perhaps a business card/note posted through their neighbour's letter boxes or have a placard on the building).

Ensure curtains/blinds are prerequisites for privately rented out rooms as tenants generally cannot always afford to buy the right sized curtains especially if they move constantly. This will ensure privacy of the tenant and any neighbours and passer-bys.

The concentration of smoke from cigarettes and weed, littering and noise pollution in our back garden is a great concerned to me and my family due to the mess that has to be cleared, health implications and fire hazard from the sheer number of tenants at any one time and their frequency to smoke. This is due to the back gardens of [ADDRESS REDACTED] and [ADDRESS REDACTED] enclosing all of our back garden entirely as well as other neighbouring properties (with families/children).

Hence if possible, we would like both back gardens of the privately rented properties not to be used in this manner by tenants — if they must only front area for smoking. We have asked many times for tenants not to be allowed into the back garden to smoke and better supervision of tenants and appropriate action taken asap (as unfortunately some of them cannot be left to their own devices as one would expect especially if complaints have been made about their conduct).

Consequently, I hope the information provided in this letter will be useful and considered in your consultation for licenses/better management especially for the two privately rented properties at [address redacted].

Issue raised via letter

## **RESPONSE (a,b,c)**

Selective Licensing looks to support residents, landlords and tenants to bring forward a well-managed Private Rented Sector. There will be a range of conditions that apply to each licence, they will include mandatory conditions such as gas safety, electrical safety and smoke alarms, etc. There will be conditions relating to the management of the property, including ensuring the tenant has a written tenancy agreement, deposits placed in a deposit protection scheme. The Council also have the discretion to attach a range of local conditions to assist with the improvement of the specific issues affecting individual areas For more information on the council licence conditions please visit;

[https://www.manchester.gov.uk/downloads/download/6720/selective\\_licensing\\_conditions](https://www.manchester.gov.uk/downloads/download/6720/selective_licensing_conditions)

## **Section 4**

### **ISSUE RAISED (a)**

#### **Objection to the designation of Selective Licensing Area 2 – Cheetham Hill Road**

We the residents/businesses/landlords of (Selective Licensing Area 2 – Cheetham Hill Road) strongly disagree/object to the Selective Licensing Proposals for the above mentioned area. We attended both consultation meetings at Guidance Hub on 26th October and 16th November 2022. At the first meeting we had the opportunity to raise our concerns with Emma Broadbent and Tanya Sammonds from Manchester City Council and local Councillors Shaukat Ali and Shazia Butt. It was very clear from the meeting that everyone was against these new proposals. During the second meeting we had a very detailed discussion with Rob Brown and his colleague who assured us that our concerns were genuine and they would be put forward to the relevant Committee/Department before any decision was made. Councillor Naeem was also present and we were told to email the relevant Councillors and the Housing Officers from Manchester City Council.

We strongly disagree with proposals on the following grounds;

#### **The area selected is incorrect.**

We strongly believe that the area selected is incorrect.

Issue raised via a duplicated letter sent via email by each person

### **RESPONSE (a)**

#### **The area selected is incorrect.**

For a Selective Licensing designation to be considered within an area, it must first have a high proportion of properties in the private rented sector. The area must also

be experiencing issues that may be affecting the local neighbourhood including one or more of the following conditions:

- Low housing demand (or is likely to become such an area) and the outcome of the scheme will contribute to the improvement of the social or economic condition of that particular area.
- A significant and persistent problem caused by anti-social behaviour<sup>1</sup>. The outcome of the scheme should be a reduction in, or elimination, of antisocial behaviour (caused by tenants in the private sector) in the designated area.
- High levels of migration. The outcome of the designation should be to preserve or improve the economic or social conditions of the area during the lifetime of the designation and ensure that a proper standard of management of privately rented property is maintained and that properties do not become overcrowded.
- Poor property conditions. The outcome of the designation should be a general improvement in property conditions in the designated area within the lifetime of the designation. • High level of deprivation. The outcome of the designation should be (together with other measures) a reduction of the problems with housing in the private rented sector contributing to the high level of deprivation.
- High levels of crime. The outcome of the designation (together with the other measures) should lead to a reduction in crime in the area.
- The areas put forward for the introduction of Selective Licensing were identified via a “hotspot” mapping exercise looking at levels of deprivation, anti-social behaviour, crime and service requests relating to housing and environmental issues. This data was overlaid to identify areas with high levels of PRS homes, where these challenges were most concentrated. Views were then sought from local Neighbourhood & Enforcement Teams on boundaries for potential selective licensing areas within these ‘hotspot’ areas based on their local knowledge of the issues within each area. Views from Members on the proposed areas / boundaries were then sought via a series of panel sessions.

## **ISSUE RAISED (b)**

**Cheetham Hill Road is a commercial area with shop parades consisting of anything from 7-11 shops, and therefore it should not be classed/regarded as the “Private Rented Sector” policy.**

## **RESPONSE (b)**

**Cheetham Hill Road is a commercial area with shop parades consisting of anything from 7-11 shops, and therefore it should not be classed/regarded as the “Private Rented Sector” policy.**

Commercial properties are exempt from Selective Licensing. Only properties that are being rented out would be required to have a licence. For more information on licensing exemptions please see the councils web site:

[Exemptions | What is selective licensing? | Manchester City Council](#)

## **ISSUE RAISED (c)**

**We do not believe that Selective Licensing schemes are an effective way of promoting higher quality accommodation in the private rented sector.**

## **RESPONSE (c)**

**We do not believe that Selective Licensing schemes are an effective way of promoting higher quality accommodation in the private rented sector.**

Compliance inspections will be carried out at those properties flagged as part of the application process, where complaints had been received or where there were indications an inspection was required. The council will undertake compliance inspections at 50% of all licensed properties in each of the designated areas by the end of the designation.

During compliance inspections officers assess property conditions under the Housing Health and Safety Rating System (HHSRS) in accordance with Part 1 of the Housing Act 2004 as well as assessing compliance against licence conditions and having dialogue with the tenant to check what information their landlord had provided them with.

An evaluation of the council now ended Selective Licensing designation in Crumpsall identified that 18% of properties inspected were non-compliant (i.e., a Category 1 hazard or a high Category 2 hazard was identified using HHSRS) and the inspection resulted in immediate enforcement action. Most properties (56%) were found to be broadly compliant with a low Category 2 hazards identified. In these cases, appropriate timescales were agreed with the landlord to complete the identified remedial works on the understanding works and that failure to act would warrant further action.

In total during the designation 79 Category 1 hazards and 273 Category 2 hazards were identified by officers undertaking compliance inspections. The evidence on the level of compliance with licence conditions and hazards identified following inspections demonstrates very clearly that landlords in the Crumpsall Selective Licensing area had been letting properties with serious hazards. Without the Selective Licensing intervention, it is highly likely that these landlords would have continued to rent out properties containing these serious hazards and tenants would have continued to live in unsafe housing.

Instead, action was taken to address these standards and it is therefore the councils view that housing standards are improved by Selective Licensing. More information on the council evaluation of the Crumpsall Selective Licensing scheme can be found at;

<https://democracy.manchester.gov.uk/ieListDocuments.aspx?CIId=136&MIId=4062>

### **ISSUE RAISED (d)**

**The scheme is an extra burden and becomes an administrative exercise that penalises compliant landlords and allows rogue landlords to continue functioning.**

### **RESPONSE (d)**

**The scheme is an extra burden and becomes an administrative exercise that penalises compliant landlords and allows rogue landlords to continue functioning.**

Compliant landlords should already have the necessary certificate and paperwork in place to not put an extra burden on apply for a licence. The same would be expected of an inspection, where landlords are maintaining good property standards it is not anticipated that there would be additional burden

### **ISSUE RAISED (e)**

**The scheme does little to improve the minority of substandard properties in the private rented sector, which licensing schemes aim to target.**

### **RESPONSE (e)**

**The scheme does little to improve the minority of substandard properties in the private rented sector, which licensing schemes aim to target.**

This point has been addressed in the previous answer.

### **ISSUE RAISED (f)**

**The Housing and Planning Act 2016 gave local authorities powers to issue Civil Penalties as an alternative to prosecution for certain offences under the Housing Act. Fines can be up to £30,000.**

### **ISSUE RAISED (g)**

**Therefore, the Council already has wide ranging powers to inspect properties and issue improvement notices and then fines for non-compliance.**

## **RESPONSE (f,g)**

**(f) The Housing and Planning Act 2016 gave local authorities powers to issue Civil Penalties as an alternative to prosecution for certain offences under the Housing Act. Fines can be up to £30,000.**

**(g) Therefore, the Council already has wide ranging powers to inspect properties and issue improvement notices and then fines for non-compliance.**

Unfortunately, whilst Housing Enforcement work has also been targeted into all of the proposed areas over recent years, it has become clear that these proactive resources are limited and would not be able to replicate the scale of interventions that Selective Licensing is be able to achieve.

Furthermore, Selective Licensing would not only offer the resource to enable inspections of such properties, but also provides the legislative framework to require landlords to provide access to properties for inspection (which has been a significant challenge up to this point) as well as the licensing requirements which are designed to bring forward improved management practices.

Selective licensing can enable a targeted and systematic approach to addressing the issues of poor and inconsistent property management standards as well as the other issues identified in each area. Selective licensing ensures that; The proposed licence holder is fit and proper to manage their properties. The licence holder complies with the conditions of the licence, leading to improvements in property management and reductions in anti-social behaviour.

Property inspections can be targeted. Requiring certification to be provided. Unlicensed landlords can face an unlimited fine if prosecuted through the courts, or up to £30,000 if issued by the council. We believe that selective licensing will raise standards in the management of privately rented properties and improve the quality of houses. In turn this will: make more people want to live in the area make people want to stay in the area for longer cut the length of time houses are empty — increasing the rental income for landlords increase property values as the area improves reduce crime and antisocial behaviour.

## **ISSUE RAISED (h)**

**Landlords have little influence over their tenants in order to manage anti-social behaviour. This is a law enforcement issue and landlords must be provided with support in combatting this problem.**

## **ISSUE RAISED (i)**

**Difficult to understand how waste management and anti-social behaviour management can be the sole responsibility of the landlord. How can a landlord check or manage waste refuse?**

## **ISSUE RAISED (j)**

**Landlords provide tenancy agreements that clearly state all the terms and conditions to prevent Anti-Social Behaviour. However, some tenants still do not comply and damage the property, leaving landlords with not just rent arrears but also a massive bill for building repairs.**

## **RESPONSE (h, I, j)**

**(h) Landlords have little influence over their tenants in order to manage anti-social behaviour. This is a law enforcement issue and landlords must be provided with support in combatting this problem.**

**(i) Difficult to understand how waste management and anti-social behaviour management can be the sole responsibility of the landlord. How can a landlord check or manage waste refuse?**

**(j) Landlords provide tenancy agreements that clearly state all the terms and conditions to prevent Anti-Social Behaviour. However, some tenants still do not comply and damage the property, leaving landlords with not just rent arrears but also a massive bill for building repairs.**

Licensing by itself will not completely get rid of ASB, however through the implementation of licence conditions that specifically requires action from landlords to manage ASB from residents in their properties and joint working with other departments to ensure the issues are effectively addressed this will support alleviating such issues.

The Council's Anti-Social Behaviour Action Team (ASBAT) regularly work with tenants and landlords to address issues considered to be anti-social behaviour. We recognise a balanced approach is required within the legislative boundaries set out for all parties involved. It is reasonable to expect a landlord to ensure their tenants are not behaving in a way that is adversely impacting on the local community. This also applies to visitors to the property. Effective management of tenancies results in anti-social tenants being issued with warnings about their behaviour. The Council will work with partners to help landlords gather the evidence where necessary to support any evictions in Court.

## **ISSUE RAISED (k)**

**Cheetham Hill Road is a commercial area with shopping parades and therefore we fail to understand how and why it comes under the Private Rented Sector (PRS).**

## **RESPONSE (k)**

**Cheetham Hill Road is a commercial area with shopping parades and therefore we fail to understand how and why it comes under the Private Rented Sector (PRS).**

This point has been answered in an earlier point.

## **ISSUE RAISED (l)**

**As you are more than aware, the Business community is already struggling to survive in the current economic crisis.**

## **RESPONSE (l)**

**As you are more than aware, the Business community is already struggling to survive in the current economic crisis.**

The Selective Licensing scheme is a non-profit scheme. All money received from licensing fees will be used to cover the cost of implementing and running the scheme.

## **ISSUE RAISED (m)**

**Adding extra conditions and licensing fees will make it difficult for already struggling landlords.**

## **ISSUE RAISED (n)**

**Landlords are already concerned in relation to huge increases in the interest rates and finding it difficult to pay their mortgages.**

## **RESPONSE (m, n)**

**(m) Adding extra conditions and licensing fees will make it difficult for already struggling landlords.**

**(n) Landlords are already concerned in relation to huge increases in the interest rates and finding it difficult to pay their mortgages.**

The scheme does not impose additional costs in terms of compliance with housing standards as the standards apply under existing legislation already. The licensing scheme provides a more effective regulatory framework and brings much of the compliance requirements into one place and aims to prevent rogue landlords undermining good landlords.

It is recognised that compliant landlords will apply for a licence in a designated area and therefore the Council will be offering an early bird licence fee for applications during the 3-month designation period.



### **ISSUE RAISED (o)**

**Tenants are refusing to increase their rent and argue that the cost of living and energy prices have forced them to do extra jobs to pay their existing bills.**

### **RESPONSE (o)**

**Tenants are refusing to increase their rent and argue that the cost of living and energy prices have forced them to do extra jobs to pay their existing bills.**

Some landlords may decide to increase rents to recover the costs of the licence, but this will be a business decision for them to make as they may do on an annual basis already

### **ISSUE RAISED (p)**

**Business community has had no help whatsoever from the police in relation to recent burglaries and robberies in the area.**

### **ISSUE RAISED (q)**

**These types of criminal offences have nothing to do with housing.**

### **RESPONSE (p,q)**

**(p) Business community has had no help whatsoever from the police in relation to recent burglaries and robberies in the area.**

**(q) These types of criminal offences have nothing to do with housing.**

The Council, Police and the enforcement officers work in partnership to tackle crime. Any landlord who asks for help and advice will receive it. The Council recognises that as well as rogue landlords, there are rogue tenants who the Council and its partners will look to deal with.

In addition, the Council's Anti-Social Behaviour Action Team (ASBAT) regularly work with tenants and landlords to address issues considered to be anti-social behaviour. We recognise a balanced approach is required within the legislative boundaries set out for all parties involved. It is reasonable to expect a landlord to ensure their tenants are not behaving in a way that is adversely impacting on the local community. This also applies to visitors to the property. Effective management of tenancies results in anti-social tenants being issued with warnings about their behaviour. The Council will work with partners to help landlords gather the evidence where necessary to support any evictions in Court

### **ISSUE RAISED (r)**

**Phrasing/wording of the Selective Licensing Conditions are not clear and is subject to interpretation, which will allow enforcement officers to interpret as non-compliance.**

## **RESPONSE (r)**

**Phrasing/wording of the Selective Licensing Conditions are not clear and is subject to interpretation, which will allow enforcement officers to interpret as non-compliance.**

The council does not consider that licence conditions are unclear, however where there are any concerns about requirements for compliance these can be raised with the Council Housing Compliance and Enforcement Team. As part of the lessons learnt from the Councils Pilot Selective Licensing Schemes the inclusion of an engagement officer has been built into new designations to support landlords and residents in understanding and complying with licensing conditions. Engagement work will include supporting landlords, providing newsletters, updating advice and guidance web pages as well as conducting some small focuses landlord engagement events.

## **ISSUE RAISED (s)**

**There have been a further 2 burglaries since the first meeting took place on 26th October.**

## **ISSUE RAISED (t)**

**The business community again raised their concerns regarding burglaries at the recent meeting on Tuesday 6th December. Sgt Chris, Manager Sue from Manchester City Council and local Councillors were also present.**

## **RESPONSE (s,t)**

**(s) There have been a further 2 burglaries since the first meeting took place on 26th October.**

**(t) The business community again raised their concerns regarding burglaries at the recent meeting on Tuesday 6th December. Sgt Chris, Manager Sue from Manchester City Council and local Councillors were also present.**

The council will continue to work with GMP on issues such as these. The Council is committed to working with private landlords in order to ensure that well managed and well-maintained accommodation is available for Manchester residents. It is clear that when tenants feel safe and secure within their home, they are more likely to remain in the property. In 2021 the council secured 'Safer Streets' funding via the Home Office to provide situational interventions in private rented properties to address the levels of crime.

This work included offering free security improvements such as.

- Front Door
- Back Door
- Fencing (up to 1.8m high)
- Garden Gate (up to 1.8m high)

- Window restrictors

These **free** security works were offered and installed in qualifying properties to both improve landlords' properties and enhance the quality of tenant's lives.

## **Section 5**

### **ISSUE RAISED (a)**

**Objection to the designation of streets in Area 3 – Heywood St / Cheetham Hill Road**

**Petition for Holts Avenue, Heywood Street & Balmfield Street/ Galsworthy Avenue & Wordsworth Avenue / Faraday Avenue & Lytton Avenue & Huxley Avenue Cheetham Hill M8**

Appeal for the proposal to have licences for private-rented homes in your area plan to be scrapped.

Manchester city council is thinking of introducing Selective Licensing scheme in Manchester and they are planning to trail these first in Cheetham Hill, Manchester. If this is approved by the council and government, It will soon be used everywhere in England.

Why this is being considered in our area?

The law states that where one or more of the following criteria are met, selective licensing can be introduced:

1. A significant and persistent problem is caused by antisocial behaviour
2. Poor property conditions
3. High levels of migration (people often moving in and out of the area)
4. High levels of deprivation
5. High levels of crime

I am writing this petition to appose the plan to introduce licencing do to the following;

### **ISSUE RAISED (b)**

**A significant and persistent problem is caused by antisocial behaviour**

- The privately rented houses have no issue with antisocial behaviour as to common knowledge. The trouble with antisocial behaviour is from the youth living at horrje with their parents.
- Most antisocial behaviour is caused by young adults that are living in deprived areas with less opportunities to succeed in work or training.

## **RESPONSE (b)**

### **A significant and persistent problem is caused by antisocial behaviour**

Hot spot mapping of the proposed areas identified that there are significant issues with anti-social behaviour. Selective Licensing aims to improve management practices of private rented accommodation to help reduce anti-social behaviour by ensuring that tenants are provided with adequate tenancy agreements and understand what expected in terms of behaviour.

## **ISSUE RAISED (c)**

### **Poor property conditions**

- Why not check the quality of the properties without applying extra licencing fees to an already deprived area?
- Most of the private rented housing sector in Cheetham Hill is in moderate/Good standard of living.
- The private sector housing in Cheetham Hill is not that expensive compared to sounding areas within 3 miles.
- Landlords in Cheetham Hill are trying to keep the rent down for their tenants.
- The council and housing sector properties are in worsen condition then most of the private houses in Cheetham Hill

## **RESPONSE (c)**

### **Poor property conditions**

Delivering a large-scale proactive inspection programme in the absence of property licensing powers and income would be very challenging. Licensing provides a legal framework in which the Council can work in partnership with landlords to drive up property standards and reduce ASB. Licensing income will support the recruitment and retention of skilled staff to undertake the work over the life of the scheme.

Sample inspections of properties in the proposed areas in advance of the designations was reported in a report to the council's scrutiny committee which sets out that of those sample properties inspected. Significant property disrepair and unsafe houses were identified. Which would support the need for licensing. More information on this can be found in the councils report please visit;

<https://democracy.manchester.gov.uk/ieListDocuments.aspx?CIId=136&MIId=4070&Ver=4>

## **ISSUE RAISED (d)**

### **High levels of migration (people often moving in and out of the area)**

- Cheetham Hill is the most diverse community in Manchester and most of England. It is also a known fact that most foreign worker initially move in to Cheetham hill before they are more established to move elsewhere.

- High levels of migration bring more revenue and income to the local area but this also means the cost to the landlord increases each time they have old tenant's moving out.

## **RESPONSE (d)**

### **High levels of migration (people often moving in and out of the area)**

High levels of migration and deprivation are two of the criteria for introducing Selective Licensing. The council is considering this as well as the other highlighted criteria when considering areas for licensing.

## **ISSUE RAISED (e)**

### **High levels of deprivation**

- If this licensing scheme was to be approved the rent would go up with the fee of the license which more than likely would be passed on to someone already living in deprivation.
- When there's high levels of deprivation already, how is it fair to increase the expenses when people are already struggling with the current cost of living crisis.

## **ISSUE RAISED (f)**

### **High levels of crime**

- Crime is likely to increase if more fees are imposed on the community as it's the working class people who will have to cover the increased cost.
- The crime is mainly caused by people living in council and housing properties and by the youth living in their family owned homes not commonly from private sector homes.

Ps. There is a big problem with rats, mice and cockroach due to the on going bin/wastage issue that the council has been aware of for years. Why has nothing been done about this?

SIGNED 81 times.

Issues raised via letter

## **RESPONSE (f)**

### **High levels of crime**

Selective Licensing alone will not reduce all crime. It is intended as one tool to help reduce crime in the areas. Manchester City Council is committed to working with private landlords in order to ensure that well managed and well- maintained accommodation is available for Manchester residents. It is clear that when tenants feel safe and secure within their home, they are more likely to remain in the property. In 2021 the council secured 'Safer Streets' funding via the Home Office to provide situational interventions in private rented properties to address the levels of crime.

This work included offering free security improvements such as;

- Front Door
- Back Door
- Fencing (up to 1.8m high)
- Garden Gate (up to 1.8m high)
- Window restrictors

These **free** security works were offered and installed in qualifying properties to both improve landlords' properties and enhance the quality of tenants lives

Thank you for reporting this, a focus on tackling pests in this area will be undertaken by the Council.

## **Section 6**

### **ISSUE RAISED**

**Petition against selective licensing scheme on Kelvin Grove Cheetham Hill**

Signed 21 times.

Issue raised via letter

### **RESPONSE**

Signed petition only. No points to answer

## **Section 7**

### **ISSUE RAISED**

**Transient residents and HMOs**

The residents group were positive about Selective Licensing (SL) and MCC taking a more interventionist approach in terms of how private landlords look after their properties and tenants.

They agreed that the location in Moss Side / Whalley Range proposed as one of the 8 areas in the 2022 SL consultation was a sensible area to introduce licensing. In particular, they were enthusiastic about the potential for SL to improve the area, property conditions & waste management as well as addressing rogue landlords and ASB.

However, they highlighted what they believe to be a growing issue with transient residents in parts of Moss Side (including areas such as Haydn Avenue & Ruskin Avenue which are already subject to SL). Their concern is that this issue is getting worse despite SL (which aims to reduce high levels of migration in and out of areas). They highlighted the fact that a high percentage of the homes coming onto the

market in Moss Side are ending up as HMOs, Airbnb and student lets. Whilst only a relatively small number were fulfilling a role as long-term family housing.

They attribute the growth in these tenure types to creating the transiency observed in the area. They queried why the Article 4 direction had not controlled the number of HMOs in Moss Side more effectively and highlighted incidences where HMOs had been licensed, whilst subject to planning enforcement.

Linked to this they raised a number of challenges for MCC: Planning and Licensing need to be more joined up – particularly when it comes to identifying and enforcing against unauthorised / unlicensed HMOs Properties falling outside of Selective Licensing as they have a Mandatory HMO licence but do not have planning consent should be challenged. First Tier Tribunal Case AB/LON/00BH/HML/2020/0005 Malik V Waltham Forest was shared with the council for comment.

In addition to that they raised a range of other concerns for MCC to consider when implementing / evaluating SL including:

- The risk that SL may incentivise a change in lettings model / tenure towards HMOs or short-term lets (which are not subject to SL)
- The potential impact of SL on the affordability of rents in the area if costs are passed on to tenants The need for support for those who may be made homeless following internal inspections (if properties are found to be unfit to live in)
- The limited impact on the physical appearance of properties which had been observed in areas where SL is currently operating (e.g., gates falling down / gate posts etc.) - specifically whether there are opportunities to link this back to licensing conditions (accepting that this would be tricky)

Issue raised via meeting notes and email

## **RESPONSE**

### **Transient residents and HMOs**

We recognise the issues with transiency within the areas identified in Moss Side, and it is felt the introduction of selective licensing will assist in creating more stable tenures by improving property conditions, so occupants choose to remain in the property for longer, and by also improving property management arrangements so occupants are given tenancy agreements.

Progress on the implementation and delivery of the scheme will be monitored and baseline data has already been collated in the form of 50% external inspections, 10% internal inspections, statistics around crime, deprivation and environmental issues to ensure the effectiveness of the scheme can be measured and demonstrated. The council will continue to monitor the housing market to track trends.

Work is ongoing to review how planning and licensing can further align processes to deliver a joined-up approach on housing intervention.

The fee charged for a licence is considered to be affordable and licensing will be a way that a landlord can demonstrate the quality of their rental business. Some landlords may decide to increase rents to recover the costs of the licence but this will be a business decision for them to make as they may do on an annual basis already.

The councils licensing team work closely with homelessness services where residents are displaced due to prohibition of properties due to poor condition.

Licensing aims to have an overall impact on property conditions which in turn would include appearance of properties, however this isn't something that licensing can directly impact.

## **Section 8**

### **ISSUE RAISED**

#### **Objection to the proposed licensing scheme**

While we appreciate the points raised in the consultation document, and though we understand the council's issues and their effect on tenants, landlords, and the housing market in the areas proposed, the NRLA is opposed to the proposed licensing scheme.

#### **Main Objections**

Licence conditions - Licence condition ten states, "When necessary, the licence holder must provide suitable alternative accommodation for occupiers when carrying out major works to the licensed premises for the period during which the works are being undertaken". This condition goes beyond the scope of powers granted to local authorities under Part 3 of the Housing Act regarding property licensing. Although a noble condition, the council could not enforce such a licence condition under selective licensing; therefore, it should reconsider its implementation.

Licence condition 15 states, "The licence holder must make appropriate arrangements for the disposal of any waste at the end of a tenancy and produce waste transfer notes for inspection on request".

Often when tenants are nearing the end of their contract/tenancy and are moving out, they will dispose of excess household waste by various methods. These include but are not limited to putting waste out on the street for the council to collect. This was hoping to get their deposit back and worsened when the council did not allow landlords access to municipal waste collection points. Local authorities with many privately rented properties need to consider a strategy for collecting excess waste at the end of a tenancy in place of selective licensing.

Suppose a scheme still needs to be put in place. Would the council consider a free/low-cost service for private landlords to remove numerous bunk items when tenants vacate the property and not dispose of such waste beforehand?



## **Conclusions**

The NRLA believes local authorities need a healthy private rented sector to complement the other housing in an area. This provides a variety of housing types that can meet the needs of residents and landlords in the area. The sector is regulated, and enforcement is essential for keeping criminals who exploit landlords and tenants. An active enforcement policy that supports good landlords is crucial as it will remove those who exploit others and create a level playing field. It is essential to understand how the sector operates as landlords can often be victims of criminal activity and antisocial behaviour with their properties being taken advantage of.

The NRLA advocates using council tax records to identify tenures used by the private rented sector and those landlords in charge of those properties. Unlike discretionary licensing, landlords do not require self-identification, making it harder for criminal landlords to operate under the radar and continue providing a low housing standard.

Furthermore, the council should consider if the scheme is approved, providing an annual summary of outcomes to demonstrate to tenants and landlords improvements in behaviour and the impact of licensing on the designated area over the scheme's lifetime. This would improve transparency overall.

The NRLA has a shared interest with Manchester City Council in ensuring a high-quality private rented sector but disagrees that further introducing selective licensing is the most effective approach to achieve this aim both in the short term and long term.

Issue raised via letter via email

## **RESPONSE**

### **Objection to the proposed licensing scheme**

While the Housing Act 2004 provides the opportunity for the Local Housing Authority to include such conditions as it considers are appropriate for regulating the management, use or occupation of the licensed premises. We have considered this feedback and have amended the wording of this condition to:

" Except in an emergency any major works that may have a significant impact on the tenant's quiet enjoyment of the property shall not be undertaken until suitable alternative accommodation has been found for the tenant (whether by the tenant, the licence holder or otherwise) for the duration of such works, unless the tenant agrees otherwise in writing."

Steps will be taken to vary existing licences in other designations that include this condition.

Unlike some other LA's Manchester City Council does not manage the GM Household Waste Recycling Centres (HWRC) - these are managed by the Greater Manchester Combined Authority (GMCA). The GM HWRC are free for all residents

living in the conurbation to dispose of their bulky waste. There are 3 HWRCs sites in Manchester open 8am-6pm every day of the year except Christmas Day and New Year's Day. Further details can be found at:

<https://recycleforgreatermanchester.com/>

There are a number of charities in Manchester who provide collection services for bulky items which can be re-used. Further details here:

[https://www.manchester.gov.uk/info/200084/bins\\_rubbish\\_and\\_recycling/6026/see\\_which\\_recycling\\_bin\\_to\\_use/6](https://www.manchester.gov.uk/info/200084/bins_rubbish_and_recycling/6026/see_which_recycling_bin_to_use/6)

The Council also offers all households one free bulky collection per year (up to 3 items), subsequent collections are paid for (£27 for up to 3 items). During the student leaving period extra arrangements are put in place to collect reusable items via charity arrangements - delivered in partnership with the universities.

The Council uses a number of complementary data and evidence sources to build a comprehensive and accurate a picture of private rentals. This includes.

- Local Land and Property Gazetteer
- Council Tax and Housing Benefit Records
- Tenancy Deposit Data
- Land Registry Property Ownership data

The council is committed to reporting on progress of Selective Licensing to demonstrate effectiveness and impact of the designations.

## **Section 9**

### **ISSUE RAISED (a)**

#### **Safeagent and licensing**

safeagent is supportive of initiatives such as Selective Licensing, providing they are implemented in a way that takes account of the Private Rented Sector (PRS)'s own efforts to promote high standards.

safeagent believes that positive engagement with voluntary schemes and the representative bodies of landlords and agents (such as safeagent) is essential to the success of initiatives such as Selective Licensing. We are mindful that the operational problems associated with lack of such engagement have been highlighted in House of Commons Standard Note SN/SP 4634.

The same note sets out how important it is for licensing schemes to avoid being burdensome. We believe that promoting voluntary schemes and offering discounted licence fees to accredited landlords and agents, can help to achieve this. Voluntary schemes often require members to observe standards that are at least compatible with (and are often over and above) those of licensing schemes. We believe, therefore, that if Manchester City Council were to allow discounts based on membership of safeagent (as well as other similar bodies) implementing and policing

the licensing scheme would ultimately be less costly and more effective, allowing resources to be concentrated in the areas where they are most needed.

This is a commonly accepted approach by many English Local Authorities. We would further point out that, in Wales, the Welsh Government has recently recognised the importance of membership of specified bodies such as safeagent and is offering discounted fees to members as a consequence <https://www.rentsmart.gov.wales/en/>

Issue raised via letter via email

## **RESPONSE (a)**

### **Safeagent and licensing**

The council recognises landlords and agents who belong to professional bodies and provide safe & decent accommodation. To better target our enforcement resources, we encouraged landlords to apply early (in previous schemes) to take advantage of our discounted licence fee, which allowed us to focus on those landlords who had failed to apply. We will be doing the same with these schemes. Landlords will also be encouraged to sign the Manchester Rental Pledge as part of the licensing scheme, the pledge requests landlords consider joining a professional body as well as other commitments. Please see the following link for more information

[Sign the pledge | The Manchester renting pledge | Manchester City Council.](#)

## **ISSUE RAISED (b)**

### **Promoting professionalism in the PRS - the role of agents**

safeagent's engagement around the country, with various local authorities, suggests that lettings and management agents have a key role to play in making licensing, accreditation and other, voluntary regulatory schemes work effectively. Agents tend to handle relatively large portfolios of properties, certainly when compared to small landlords. They tend, therefore, to be in a position to gain an understanding of licensing based on wider experience. They become expert in trouble shooting and ensuring that the balance of responsibilities between the agent and the landlord is clearly understood. This, amongst other things, can help to prevent non-compliance due to misunderstandings about local licensing arrangements.

Furthermore, safeagent ensures its members maintain certain operational standards, have Client Money Protection arrangements in place, keep separate client accounts and comply with their legal obligation to be a member of a redress scheme. We also provide training. All this can be of assistance to councils who are trying to drive up standards in the PRS.

Although agents are now required to belong to a government approved redress scheme, display their fees and publish their client money protection status, our experience to date suggests local authorities face challenges in enforcing these standards. Membership of bodies such as safeagent can reduce the need for the local authority to use its formal, legal powers in these areas.

## **ISSUE RAISED (c)**

### **Manchester City Council's proposals - specific issues**

#### **Proposed Licensing Areas**

We welcome the targeted nature of the new licensing proposals.

#### **Licensing Period and Changes in License Holder**

We welcome the fact that a licence would normally be valid for five years. However, we would be concerned if any licence application made part way through the designated period was to incur the full fee. This is unfair and makes licenses granted later in the designated period poor value for money. In these cases, we believe the fee should be charged "pro-rata".

Charging of full fees for part periods is also anti-competitive, as it can add cost to the process of engaging or changing a license holding managing agent. Specifically, we often see cases where a reputable agent has to take on management of a property and the license, when there has been a history of management and/or compliance problems. We would suggest that, in cases where an agent steps in as licence holder/manager, the licensing fee should again be charged "pro rata".

Alternatively, it should be made clear that licenses taken out part way through the period last for a full 5 years - and remain valid when the designation is renewed or comes to an end.

#### **Selective Licensing Fee**

A headline fee of £798/£694 seems unreasonably high, even in light of the early bird discounted rate of £591. This is exacerbated by the fact there are no specific discounts available to accredited landlords and agents. We would request that Manchester City Council offer a fee discount (say of £100 over and above any early bird discount) to members of nationally recognised accrediting bodies such as safeagent. We would ask the council to specifically list safeagent as a recognised professional accrediting body, and offer the fee discount to:

Agents who are members of safeagent (where the agent is the licence holder)  
Landlords who engage agents that are members of safeagent (where the landlord is the licence holder)

We would suggest that this is justified because safeagent members and the landlords who engage them are less likely to be non-compliant and that, as a result, there would be reduced costs to the council. We would also suggest that safeagent membership mitigates the need for compliance visits to be carried out by the council. For example, the timing and content of visits could be increasingly risk based (as proposed) recognising that the risk of non-compliance is much lower in the case of properties managed by safeagent agents.

In our detailed comments below, we point out some of the areas where compliance with key standards is an inherent part of the safeagent scheme. These are the areas

where we think promotion of safeagent membership through license fee discounts could ultimately save the Council money, as well as increase the take up of voluntary accreditation.

### **Fee Waiver – Tackling Homelessness**

We would suggest that, in cases where a private landlord is assisting the Council by offering permanent accommodation to meet homelessness duties, license applications should be accepted without any fee being payable.

Furthermore, this approach could become more structured if the council were to enter into partnership arrangements whereby lettings agents source properties for council referrals of homeless people or those at risk of homelessness. safeagent is currently working on a model whereby a “Social Lettings Agency” is created through links to one or more established local agents. This is an alternative to the traditional approach whereby entirely new voluntary sector entities need to be set up. We would be happy to discuss this model with the council at any time.

## **RESPONSE (c)**

### **Manchester city council’s proposals - specific issues**

Selective licensing legislation allows the local authority to set a fixed licence fee to accompany the application. The fee is designed to cover the administration costs of the implementation and delivery of the scheme. The funds from the licence fee are legally not permitted to be used to make a profit or fund services. The fee of the licence in Manchester will be £736 under the introductory offer and thereafter will be £936. It is recognised compliant landlords will apply for a licence in a designated area and therefore the Council will be offering an introductory licence fee for early applications. This approach was taken previously and resulted in a significant number of applications being made within the first three months of the scheme, and enabled resources to target a smaller number of non-compliant landlords and also deal with breaches.

Properties that are used by the City Council as part of its homeless duties as temporary accommodation within the Councils framework are already exempt from licensing. Where landlords are working with the Council by taking referrals of families in temporary accommodation into permanent PRS properties, this working relationship already offers a significant incentive for working with this cohort. Licensing fees are set to cover the costs of administration and management of the scheme and therefore we could not agree to this suggestion.

## **ISSUE RAISED (d)**

### **Licence Conditions**

#### **Tenant Referencing**

We are supportive of any requirement to obtain references for prospective tenants. safeagent is actively involved in promoting good practice in tenant referencing. We would be happy to discuss our work in this area with the Council.

## **Tenancy Management**

safeagent agents are expected provide and fill in a tenancy agreement on behalf of the landlord. they will always make sure the terms of the tenancy are fair and help the tenant to understand the agreement.

They will always provide clear information to the tenant about any pre-tenancy payments and what these cover. They will explain any requirement for a guarantor and what the guarantor role entails.

At the end of a tenancy, they will always serve the tenant with the correct period of notice as set out in the tenancy agreement.

Under safeagent's service standards, agents are required to take a deposit to protect against possible damage. They are required to explain the basis on which the deposit is being held and the purpose for which it is required, as well as to confirm the deposit protection arrangements. When joining safeagent, agents are asked to provide details of the number and value of the deposits they have registered with the scheme.

Agents are asked to authorise safeagent to contact the scheme to verify this information.

During the course of a tenancy, safeagent agents will check the condition of the property and draw up a schedule to outline any deductions to be made from the tenant's deposit. They will return the deposit in line with timescales and processes required by the statutory tenancy deposit schemes.

safeagent agents are also required to:

- Have a designated client account with the bank
- Operate to strictly defined Accounting Standards
- Be part of a mandatory Client Money Protection Scheme.

These requirements provide selective security for client monies held, over and above the requirements of the Manchester City licensing scheme. Again, this is an area where increased safeagent membership would be of benefit to the Council and local tenants.

## **Licence Conditions Relating to the Property**

We welcome Manchester City Council's drive to improve property standards. We believe that safeagent's standards go a long way to ensuring compliance with license conditions.

Under safeagent's service standards, safeagent agents are expected to visit any property to be let with the landlord and advise on any action needed before letting the property. This includes any repairs and refurbishments needed to put it into a fit state for letting. They will also go with possible new tenants to view unoccupied property. Tenants can, therefore, be confident that safeagent agents have provided

advice to the landlord concerning any repairs or refurbishments which are necessary.

safeagent agents are expected to explain both the landlord's and the tenant's the rights and responsibilities. To guard against misunderstandings, they will arrange for the preparation of a schedule of the condition of the property.

safeagent agents are required to ensure that tenants are provided with copies of safety certificates on gas and electrical appliances before they commit to the tenancy. They will provide details of the condition of the property, plus a list of its contents. The property will have undergone all required safety checks on furnishings, and gas and electrical services.

Thereafter, safeagent's standards require agents to carry out property inspections periodically, as agreed with the landlord, in line with normal good practice. safeagent and our firms would anticipate inspections to be carried out every 6 months as a minimum, to identify any problems relating to the condition and management of the property. In line with common practice, records of such inspections would contain a log of who carried out the inspection, the date and time of inspection and issues found and action(s) taken. Under a licensing scheme, this information could be shared with the council in an appropriate format.

### **Training**

We would welcome any proposal that agents who are license holders should undergo training.

Membership of safeagent means that agents already have access to an extensive training package, engagement with which should reduce the need for the local authority to intervene. Although not a condition of safeagent membership, safeagent offers accreditation through an online foundation course as well as qualifications such as BTEC Level 3 in Lettings and Management practice.

safeagent offers training to those who have been involved in lettings and management for some time as well as those who are just starting out. Training is available for principals of firms as well as employees. Thus, safeagent's Virtual Learning Environment (VLE) is designed to cater for a wide range of professional development needs. Training is easily accessible and can be undertaken when it suits the trainee. Any candidate completing the safeagent Foundation Lettings Course successfully also has the opportunity to use the designation 'safeagent qualified'. safeagent Foundation Lettings Course (Wales) is also approved training recognised by Rent Smart Wales, the Welsh Government's regulatory body as meeting the requirements for agents to have complying with their licensing requirement.

We would further suggest that discounted fees for safeagent agents would provide an incentive to positive engagement with training that is fully compatible with the requirements of the licensing scheme.

## **Anti-Social Behaviour**

For our members, dealing with actual and perceived anti-social behaviour in the PRS is a day to day activity. However, in general, we have concerns about the assumed link between the amount of PRS accommodation in the neighbourhood and the incidence of ASB.

There may be some correlation between incidences of ASB and the prevalence of PRS accommodation on the area. However, correlation does not imply causation. The causes of ASB are many and varied. It is not, in our view, reasonable to expect agents and landlords to play a disproportionately large part in tackling them.

Furthermore, we would strongly advise against any proposals which imply a parity of approach between the PRS and the social rented sector. Social landlords are publicly funded (and regulated) to develop and manage housing on a large scale. Their social purpose brings with it wider responsibilities for the communities in which they work. As private businesses, PRS landlords and their agents, whilst having clear responsibilities to manage their properties professionally cannot reasonably be expected to tackle wider social problems.

## **Suitability of Licence Holder**

We support any requirement that the proposed licence holder should be a 'fit and proper' person and that there are suitable management arrangements in place. We believe that this requirement highlights the importance of lettings and management agents belonging to recognised accrediting bodies like safeagent, who themselves apply a fit and proper person test.

We believe this certification is broadly in line with Manchester City council's licensing conditions and is another example of where promotion of safeagent membership through discounts could help to ensure compliance.

## **Complaints**

All safeagent firms are required to have a written customer complaints procedure, available on request. Our guidance sets out how the first step for complainants is to ask the firm they are dealing with for a copy, which will outline the method by which they can seek to resolve any issues.

In line with statutory requirements, all safeagent members must also be members of a recognised redress scheme. Firms are required, at the request of the complainant, to refer the complaint to a redress scheme once their in-house procedure has been exhausted. They are also required to comply with any award determined by the redress scheme, within the timescale prescribed.

Under co-regulation schemes elsewhere in the UK, safeagent has undertaken to review any complaints that have been adjudicated upon by any of the redress schemes. Under such an arrangement, safeagent can report to the Council on the number of complaints reaching this stage and on the adjudications made. Non-compliance with a redress scheme's adjudication would eventually lead to



disqualification of the agent from safeagent. We would be happy to come to a similar arrangement with Manchester City.

## **RESPONSE (d)**

### **Licence Conditions**

We recognise a balanced approach is required within the legislative boundaries set out for all parties involved. It is reasonable to expect a landlord to ensure their tenants are not behaving in a way that is adversely impacting on the local community. This also applies to visitors to the property. Effective management of tenancies results in anti-social tenants being issued with warnings about their behaviour. The Council will work with partners to help landlords gather the evidence where necessary to support any evictions in Court.

As part of the lessons learnt from the Councils Pilot Selective Licensing Schemes the inclusion of an engagement officer has been built into new designations to support landlords and residents in understanding and complying with licensing conditions. Engagement work including supporting landlords, providing newsletters, updating advice and guidance web pages as well as conducting some small focuses landlord engagement events.

In addition, the Council's Anti-Social Behaviour Action Team (ASBAT) regularly work with tenants and landlords to address issues considered to be anti-social behaviour

Selective licensing is not a standalone tool and works in conjunction with the Council's existing enforcement regimes and proactive work.

The Housing Act 2004 sets out what must be considered when considering if a person is suitable to hold a licence. The Councils licence application system requests signed declarations as part of its licence application process by all those named in the management of a property to confirm they do not have any convictions as set out in the fit and proper test in S89 of the Housing Act 2004 as amended by s125 Housing and Planning Act 2016.

## **ISSUE RAISED (e)**

### **Measuring the success of the scheme**

We believe that regular information on implementation of the scheme should be made available in a clear and consistent format. Reports to local landlord and agent forums, representative bodies and other stakeholders should include at minimum:

- The estimated number of private rented properties that require licensing under the Selective licensing scheme
- The number of applications received in respect of these properties
- Progress in processing (granting, querying or refusing) the licence applications received
- Analysis of the reasons for any queries or refusals and the extent to which remedial action is identified and taken as a result

- Analysis of the outcomes of ongoing inspections and the extent to which remedial action is identified and taken as a result
- Progress reports across the whole 5 year period covered by the scheme.
- This should help to enable the Council to work in partnership with landlords, agents, representative bodies and other stakeholders to ensure the success of the scheme.

## **Conclusion**

It seems to us that many of the licencing requirements in the Manchester scheme highlight how important it is for landlords to work with reputable agents such as safeagent members. Offering a discount to licence holders who work with a safeagent accredited agent would help to promote this.

safeagent would welcome a collaborative approach with Manchester City Council, based on shared objectives. We believe that agents who are members of a recognised body are more likely to embrace Selective Licensing and less likely to generate complaints or breaches of their licence. Discounted fees for safeagent members would be a significant incentive to positive engagement by agents. In return, the Council would experience reduced administration and compliance costs.

## **RESPONSE (e)**

### **Measuring the success of the scheme**

The council is committed to reporting on progress of Selective Licensing to demonstrate effectiveness and impact of the designations as it has done with previous designations. Progress on the implementation and delivery of the scheme will be monitored, baseline data has already been collated in the form of 50% external inspections, 10% internal inspections, statistics around crime, deprivation and environmental issues to ensure the effectiveness of the scheme can be measured and demonstrated.

## **Section 10**

### **ISSUE RAISED**

#### **Support for the Selective Licensing scheme**

I have proudly owned and expertly managed several HMO and non-HMO houses for the past 22 years. I've been accredited & licenced with Salford Council, the NRLA and MSH. I wholeheartedly support Manchester Council's effort to introduce selective licencing [SL], because I can attest to the palpable and enduring benefits the scheme brings to private rented sector [PRS] tenants, to their neighbourhoods and to the wider community. Including PRS landlords. I respond in my capacity as an interested party, and as an experienced, capable, competent HMO and a family 'letting-professional' landlord.

I reliably comment on:

- 1) The positive difference experienced when SL was first introduced in Salford M6 in the 'Pathfinder' experiment - compared to what chaos had reigned there beforehand. Colloquially, it seemed as though the 'resistant to change' M6 rogue landlords had been driven from M6's Dodge City. Certainly, lots of decrepit houses were sold by dodgy landlords who saw the writing on the wall. Long-established, long-suffering residents of Charlestown breathed sighs of relief and they described 'feeling and being empowered' by SL legislation for the first time ever.
- 2) A stark difference exploded when the first tranche of SL ran its course after 5 years. There came a worrying hiatus until the second tranche of SL was shoehorned into life. In the interim, many PRS landlords shirked their responsibilities to control the number of renters in each house. The almost immediate outcome was the similar street by street chaos I'd seen 5 years before. This was despite valiant efforts of stalwart residents, neighbourhood beat officers and PCSO's knocking doors and dropping advisory leaflets. Rubbish remained piled high in the streets, followed by large, discarded household items frequently strewn in the gated 'dog-poo' alleyways.

Needless to say, nightly ASB was also of concern to residents who'd been enjoying the peace, security and prosperity that the 5-year SL scheme had provided. That peace had been brought about by Salford Council assiduously applying 'leverage' to the often absent or careless landlords of houses where nightly ASB disturbed the peace, where police were rarely called nor seen. Who would dare 'dob-in' a drug using or abusive neighbour, or provide a crucial witness statement. No one sane!

I as a hands-on landlord of HMOs in M6, also had concerns about frequent ASB, deliberate littering of alleyways and vehicle stripping happening on residential streets. I also witnessed malicious damage to front doors, discarded mattresses, many piles of black bin bags - and builder's rubble discarded on street corners, posing risk to children. It was obvious these issues had NOT been prevalent in the past 5 years - only because of the effective tool of SL landlord leverage.

My own concerns listed above were listened to sympathetically by Salford Council officers and duly addressed asap, albeit slower OUT of the SL period when useful leverage could not be easily applied to PS landlords. My confidence in Salford Council's sterling efforts to re-introduce SL never wavered. And I was pleased to pay my dues when SL was [I think] introduced yet again 4 years ago now.

- 3) Now for a useful example comparison between a non-licensed authority and a SL authority I write this. I have a family 'let' in Tameside SK14 and to highlight the practical benefits SL brings to tenants, home-owners, neighbours and local community, I describe appalling circumstances,[ allowed to happen and continue]

to my long-suffering tenant in Tameside - sadly still without a SL scheme in force.

My tenant endured: extreme ASB; nightly prostitution; daily substance abuse; a threatening environment; drug paraphernalia on the pavement; wheelie bins overflowing with booze- bottles and condoms; 10-hours of raucous daily noise from a next-door neighbour who Tameside Council had housed in an adjoining semi, in a small cul-de-sac. The daily disturbances to every resident in the small block were disastrous. As an experienced capable and competent landlord, I gathered evidence and frequently reported the issues described to a deaf Tameside Council. This is not a complaint at their utter apathy or failure to take responsibility by using their existing - if severely limited powers. My point is that the above was typical of the ASB and/or criminal behaviour I witnessed in M6 prior to SL first being applied. SL served to clean up the area, empower all parties to complain which gave them confidence that they'd be heard and dealt with efficiently. That meant they were then able to pass on the good news to their close-knit family and friends – and morale skyrocketed.

SL is indeed a powerful tool to: change inappropriate behaviours; instil responsibility in careless landlords; encourage dignity; educate; empower moral agents; inform, warn, support and raise morale in a 'challenged' locality. The financial benefit is that [certainly in my experience], SL brings optimistic sustained investment into an area, or into a locality. This is good news for PS landlords as it increases the value of investment properties, not least because it bolsters local amenities.

To the extent that these nuanced positives happened: shops subtly extended opening hours; shops cosmetically looked more customer-friendly because metal grating was removed; medium-sized shops took on paid staff; an 'earning' family then needed nursery care or child-minder hours; commerce took an interest because more upwardly mobile renters moved into the area and needed their morning coffee; public transport routes improved due to user demand.

In addition to these benefits, local schools saw an increase in their rolls. And the dismal sea of 'to-let' signs disappeared because estate agents had lists of eager clients on their books. Large retail outfits then looked afresh at sites for new satellite corner-shop convenience stores often converting previously vandalised, weed-infested, graffiti adorned buildings, into successful retail outlets.

My own experience tells me that from those tiny acorns, oak trees - euphemistically of course have grown. All because Salford Council took the decision to introduce SL many years ago. That Authority has more recently introduced Article 4 planning restrictions and additional licencing requirements -layered on top of historical mandatory licensing for HMOs.

Leaving it to 'basic common-sense' doesn't work, because many private sector landlords need educating about effective tenant-selection and AST management. Also, landlords don't like to part with their cash when they can't easily see the long-term benefits. I'd be happy to help allay those fears of 'waste of time and money',

because SL guarantees that the very opposite happens.

I'm a huge fan of Landlord Licensing because it's a valuable lifeline for like-minded people to cling to, similar to an authoritative Highway Code for landlords AND their customers and for all parties whose lives and whose mental health are severely affected by anti-social behaviour, or other criminal activity happening in poorly-managed rentals.

Many motorists or pavement-users don't need to read the Highway Code. But law-enforcers agree that many more motorists do need to learn those vital rules to stay safe and protect the vulnerable in society. I believe that SL is a similar valuable set of rules for landlords and renters to accept and abide by. The Highway Code and Selective Licencing both have the capacity to save lives and save communities from those that either deliberately, or unwittingly, spread harm, threat and low expectations.

You'll have guessed correctly that I'm an ardent fan and supporter of locally-agreed enforcement schemes. Therefore, I wish Manchester Council every success with endeavours to improve the living conditions, improve the environment, improve refuse-bin usage and help empower communities to demand higher environmental standards in rented-houses going forward.

Do not hesitate to ask for more telling examples of comparisons and please use my comments in support of the landlord licencing schemes. Those nominated areas need SL implementing to be able to thrive and prosper and so that higher standards in managing private sector[ PS] rentals become an industry norm. Thank you for this opportunity to make an informed and relevant contribution to the debate.

Issue raised via letter via email

## **RESPONSE**

### **Support for Selective Licensing scheme**

We are pleased that you are in support of licensing. The Council believes that Selective Licensing will improve neighbourhoods and the standard of homes which people live, it will:

- Increase the professionalism in which privately rented properties are managed
- Reduce crime and antisocial behaviour
- Increase the demand for properties, leading to the area becoming a more attractive place to live
- Lower the turnover of tenancies and improve sustainability within the areas
- Reduce vacancy periods, maximising rental potential.
- In turn this should mean increases in rental values and property prices

In the longer term, licensing is intended to raise the overall management standards in the private rented sector and therefore have a positive effect on rent levels and capital values. This will encourage investment in the area and allow the private rented sector to thrive.