

# **Draft Proposal for designation of a Selective Licensing scheme for Scarborough South**

## **Consultation Summary**

**Public consultation: 20 January 2020 to 31 March 2020**



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## **1. Summary**

Scarborough Borough Council is proposing to designate parts of the Weaponness and Ramshill ward of Scarborough as a selective licensing area under Section 80 of the Housing Act 2004. This consultation document invites comments and views on the proposals for designation of the Selective Licensing area, which will be known as “Scarborough South”. The area of designation is set out in the map at the end of this document. A full list of streets, which are included in the proposed designation can be found in Section 7 of this document. A map of the proposed area is also include at the end of this document.

The consultation period will run for a period of 10 weeks from 20 January 2020 to 31 March 2020.

Following the consultation period, a full report on the findings and outcomes of the consultation will be presented to the Council’s full Council in July 2020. Should the Council approve the scheme then it will be presented to the Secretary of State for approval. Should the Secretary of State approve the scheme then the designation will commence on 1 February 2021 following a period of public notice. The designation will last for 5 years in accordance with the legislation. If the designation is approved then all privately rented properties within the designated area will be required to apply to the Council for a licence to be able to rent out their property.

## **2. What is Selective Licensing?**

Selective Licensing is a discretionary licensing scheme, which requires all landlords operating within a designated area to license any privately rented property within that area.

Selective Licensing was introduced within the Housing Act 2004 under Part 3, Section 80 and allowed local housing authorities to designate areas suffering from either significant and persistent anti-social behaviour and/or low housing demand.

However in March 2015 the Government expanded the criteria for selective licensing to cover areas experiencing “poor property conditions, large amounts of inward migration, a high level of deprivation or high levels of crime.”

The period of designation lasts for 5 years and will include mandatory and discretionary conditions aimed at ensuring licensed properties are safe, meet basic standards and they are managed in a satisfactory way. Draft licensing conditions for the Scarborough South designation can be found in section 6 of this document.

## **3. Why are we proposing a Selective Licensing Scheme?**

The private rented sector has grown considerably within Scarborough Borough over the last 15 years. In 2001 there were 6,340 privately rented households across the whole Borough. By 2011, this has risen to 9,640 privately rented households, an increase of over 50%. The Sub Regional Housing Market Assessment (SHMA) for Scarborough undertaken calculated that the number had risen to almost 11,000 in 2015 representing just over 21% of the total housing stock of the Borough.

Whilst private rented housing is spread across the whole Borough, with some rural locations as well as urban areas having relatively high proportions of private rented housing, the highest concentrations of

private rented stock are within the inner urban area of Scarborough with parts of the Castle, North Bay (now within Northstead ward), Central and Weaponness and Ramshill wards having over 50% of their households privately renting. These 4 wards alone had 4114 privately rented households in 2011, representing over 40% of the total number of private rented households in the Borough.

There are a significant amount of privately rented properties, which are of a poor quality and are poorly managed. The impact of poor quality and badly managed accommodation can be very negative on the local neighbourhood. Problems such as anti-social behaviour, high rates of crime and low demand will blight the area and lead to low property values and lack of investment in the area.

We see Selective Licensing as one of the key tools to tackle the problems of poor quality and poorly managed accommodation in the private rented sector and also address anti-social behaviour in a neighbourhood. Ultimately it will also be important in assisting to uplift and regenerate the inner urban area of Scarborough, and in de-risking current and future investment in the residential, commercial and leisure sectors in the locality.

#### **4. What are the benefits of Selective Licensing?**

The introduction of Selective Licensing can bring widespread benefits to the local community. In particular it will ensure that all private rented property within the designated area are managed to a satisfactory standard. Other benefits would include:

- Higher standards of management
- Improved housing conditions
- Reduction in anti-social behaviour
- Improved rental and property values
- Improved image and perception of the area

#### **5. Fee Proposal**

The Council will need to charge a fee to cover the running costs of the scheme. In order to meet the scheme running costs, the Council will be looking at a base cost for a single household property in the region of £550 per licence. Extra charges will be levied for multiple household properties. The licence fee will cover the full 5 year period of designation.

The Council is also proposing to offer a range of discounts to landlords where certain circumstances apply:

These will include:

- **Discounts for Accredited Landlords** (applied where a landlord is a Member of a recognised landlord association)
- **Early Bird Discounts** (applied to all applications received with all completed documentation received within 3 months of the date of commencement of the scheme.)
- **Multiple Property Discount** (applied to all second and subsequent licence applications).

Levels of discount to be offered will be finalised following the consultation process and shall depend on the scale and scope of the overall scheme.

The Council is also proposing a charge to find landlords who fail to apply for a licence. This will be known as a **Finders Fee** and will only become liable after a period of time following commencement of the designation.

## **6. Licensing Conditions**

There will be a range of conditions attached to each licence which will relate to the management of the property. There are some mandatory conditions, which we are required by law to place on the licence.

The licensing conditions for the scheme will be a mix of mandatory conditions, which are applicable to mandatory HMO licensing and a range of discretionary licensing conditions, which will be for the Selective Licensing scheme.

### **Mandatory Conditions Schedule 4 of the Housing Act 2004**

#### **1 Gas**

If gas is supplied to the house, the licence holder must provide to Scarborough Borough Council a Gas Safety Certificate issued within the previous 12 months at the time of the application and thereafter annually or on demand.

#### **2 Electrical Appliances**

Where appliances are provided with the tenancy an annual Portable Electrical Appliances (PAT) Report must be issued by an 'approved electrical contractor' and be in accordance with the Institute of Electrical Engineers Code of Practice for In-Service Inspection and Testing of Electrical Equipment. A signed PAT certificate declaration is required with your licence application and annually thereafter.

#### **3 Furniture and Furnishings**

The Licence Holder must ensure that furniture and furnishings supplied by them are compliant with the Furniture and Furnishings (Fire) (Safety) Regulations 1988 (as amended 1989 and 1993) and must provide a declaration as to their safety at the time of application and thereafter on demand.

#### **4 Smoke Alarms**

The Licence Holder must ensure that smoke alarms are installed on each storey of the house on which there is a room used wholly or partly as living accommodation. A declaration as to the positioning of such alarms must be provided to Scarborough Borough Council on demand.

The Licence Holder must ensure that the smoke alarms are kept in proper working order. A declaration as to the proper working order of the alarms must be supplied to the Council on request.

#### **5 Carbon Monoxide Alarms**

The Licence holder must:

- ensure that a carbon monoxide alarm is installed in any room in the house which is used wholly or partly as living accommodation and contains a solid fuel burning combustion appliance;
- keep any such alarm in proper working order; and
- supply the authority, on demand, with a declaration by him as to the condition and positioning of any such alarm.

For the purposes of this condition, a bathroom or lavatory is to be treated as a room used as living accommodation.

And also, for the purposes of this condition “room” includes a hall or landing.

#### **6 Tenant references**

The licence holder must demand references from persons who wish to occupy the house and must provide evidence of pre-let reference checks undertaken to the Council upon request.

#### **7 Terms of Occupation**

The Licence Holder must supply to the occupiers of the house a written statement of the terms on which they occupy the property. A copy of the terms will be provided to the Council on demand.

#### **Additional Conditions of Licence imposed by Scarborough Council**

The Council also has discretion to attach a range of local conditions. We are proposing local conditions based on the following areas. Full details of these conditions can be found on the Council’s website at [www.scarborough.gov.uk/consultation](http://www.scarborough.gov.uk/consultation) and will be made available at consultation events.

Energy Performance	Anti-Social Behaviour
Tenancy Deposits	Change of Circumstances
Property Management	Training
Security	Safeguarding
External Areas, Refuse & Waste	Compliance Inspections

## 7. What streets will be subject to Selective Licensing?

The proposed Scarborough South Selective Licensing scheme covers parts of the Ramshill and Weaponness ward within Scarborough. The area is located immediately to the south of Scarborough town centre and overlooks the South Bay and South Cliff area of Scarborough and it forms an important gateway into the town. The proposed area covers the following streets:

Albion Crescent
Albion Road
Alga Terrace
Cambridge Terrace
Carlton Terrace
Craven Street
Cromwell Gardens
Cromwell Parade
Cromwell Road
Cromwell Terrace
Crown Close Back Road
Crown Crescent
Crown Terrace
Filey Road (up to Queen Margaret Road junction)
Fulford Road (nos. 1-3 only)
Greenfield Road
Grosvenor Crescent
Grosvenor Road
Montpellier Terrace
Oliver Street
Prince of Wales Terrace (apart from Prince of Wales Apartments)
Princess Royal Terrace (2-10 evens only)
Ramshill Road
Royal Avenue
Royal Crescent
Royal Crescent Lane
South Street
St Martins Avenue
St Martins Place
St Martins Road
St Martins Square
Trinity Road
Valley Road (evens only)
West Street (up to Prince of Wales Terrace junction)
West Terrace
Westbourne Grove

## **8. How to comment on the proposal?**

Your views are important to us and we are looking to obtain the views of all those who could be affected by the proposed scheme.

Please complete the enclosed questionnaire and return it to the Council in the pre-paid envelope by **31 March 2020**

We will also be holding a number of public drop-in sessions where landlords, residents and anyone else interested can find out more about the proposed scheme. The drop-in sessions will take place at various venues and will be on the following dates:

**Tuesday 28<sup>th</sup> January: Community Drop in Event: 2.00 pm to 5.00 pm: Town Hall, St Nicholas Street, Scarborough, YO11 2HG**

**Wednesday 29<sup>th</sup> January: Landlords and Stakeholder Drop-in Event: 2.00 pm to 5.00 pm: Town Hall, St Nicholas Street, Scarborough, YO11 2HG**

**Friday 7<sup>th</sup> February: Community Drop in Event: 2.00 pm to 5.00 pm: St Andrews Church Hall, Ramshill Road, Scarborough, YO11 2LN**

**Friday 28<sup>th</sup> February: Community Drop in Event: 1.00 pm to 5.00 pm: South Cliff Methodist Church, Filey Road, Scarborough, YO11 2SF**

Further information on the proposed scheme, including the Business Case and Licensing Conditions will be available at the consultation events.

Respondents will also be able to comment on the proposals via the Council's website at [www.scarborough.gov.uk/consultation](http://www.scarborough.gov.uk/consultation). Full details of the proposed scheme can also be found on this website.

## **9. How and when will we report on the consultation?**

At the end of the consultation period a full report will be produced on the outcomes of the consultation. The report will provide details of all the consultation responses and will be split into 4 parts as follows:

1. Resident/business questionnaire responses
2. Landlord questionnaire responses
3. Feedback from all consultation events
4. Individual stakeholder meetings and responses

The report will detail the results of the consultation and will include any specific comments made by respondents. Personal details of any individual respondents making comments in the questionnaire or at a consultation event will not be disclosed.

The consultation findings will be reported to Cabinet in May 2020 and will include a copy of the consultation report. The consultation report will be published and placed on the Council's website.

Proposed Selective  
Licensing Area



