

Scarborough Borough Council

Proposal for designation of a Selective Licensing scheme for “Scarborough North”

CONSULTATION REPORT
September 2016



A great place to live, work & play

1. Overview:

In April 2016, approval was given by the Cabinet of Scarborough Borough Council to undertake formal consultation on the proposal to designate parts of the Castle and North Bay wards of Scarborough as a selective licensing area under Section 80 of the Housing Act 2004. This is the first of 3 separate areas that the Council is looking to designate for Selective Licensing over the next 3 years. The proposed area has been called "Scarborough North" to distinguish it from the other areas for possible future designation.

This report provides details of the results of the formal consultation and also provides information on the consultation programme and how it was undertaken.

The consultation commenced on May 2nd 2016 and ran for a period of 12 weeks up to July 24th 2016. The consultation consisted of the following:

- A resident and business questionnaire, which was hand delivered to 2000 households and businesses within the proposed area
- A landlord questionnaire, which was sent out to 640 landlords operating in the Borough
- A series of community drop in events within the proposed area
- A series of stakeholder events and meetings with individual stakeholders

263 completed questionnaires were received from residents and businesses, representing a response rate of 13%. In addition, 89 completed landlord questionnaires were received, representing a response rate of 14% for the landlord's questionnaires. A combined total of 352 completed questionnaires were received out of 2640 representing an overall response rate of 13.3%.

172 (65.4% of completed questionnaires) of the residents/business respondents either strongly agreed or agreed with the proposal that the Council should introduce a Selective Licensing scheme for privately rented properties within the proposed area, whilst 53 (20.1%) either disagreed or strongly disagreed. The remaining 38 respondents (14.5%) neither agreed nor disagreed or did not answer the question.

21 (23.6% of completed questionnaires) of landlords either agreed or strongly agreed with the proposal that the Council should introduce a Selective Licensing scheme for privately rented properties within the proposed area, whilst 57 (64.0%) either disagreed or strongly disagreed. The remaining 11 (12.4%) respondents neither agreed nor disagreed or did not answer the question.

2. The Consultation Programme

Part 3, Section 80 (9) of the Housing Act 2004 states that before considering making a designation for Selective Licensing the local housing authority must:

- a) Take reasonable steps to consult persons who are likely to be affected by the designation: and
- b) Consider any representations made in accordance with the consultation and not withdrawn

The procedural document for selective licensing: *Approval steps for additional and selective licensing designations in England* published by the Department of Communities and Local Government (DCLG) sets out the following requirements for the consultation:

“LHAs will be required to conduct a full consultation. This should include consultation of local residents, including tenants, landlords and where appropriate their managing agents and other members of the community who live or operate businesses or provide services within the proposed designation. It should also include local residents and those who operate businesses or provide services in the surrounding area outside of the proposed designation who will be affected. LHAs should ensure that the consultation is widely publicised using various channels of communication.

During consultation, LHAs must give a detailed explanation of the proposed designation, explaining the reasons for the designation, how it will tackle specific problems, the potential benefits etc. For example, in the case of selective licensing, LHAs must be able to demonstrate what the local factors are that mean an area is suffering from low demand and/or anti-social behaviour, how those factors are currently being tackled, and how the selective licensing designation will improve matters. Affected persons should be given adequate time to give their views, and these should all be considered and responded to.

Once the consultation has been completed the results should then be published and made available to the local community.”

The consultation programme was therefore based on meeting the requirements set out by the DCLG guidance and to ensure that it was as robust and meaningful as possible.

As mentioned previously the consultation commenced on May 2nd 2016 and ran for a period of 12 weeks up to July 24th 2016. This exceeded the minimum period required for consultation by DCLG, which is 10 weeks.

The consultation took the following format:

All local residents and business premises within the proposed area: A total of 2000 questionnaires were hand delivered to every household and business premise within the proposed area, complete with a proposal document and prepaid return envelope to encourage a high response rate.

A number of community drop-in sessions were also held at various locations within the designated area, which enabled local residents to find out more about the

proposal. Details of the drop-in sessions were provided with the consultation documentation.

All private landlords, letting agents and estate agents who own and manage properties within the proposed area: A total of 640 questionnaires were sent out to all private landlords, letting agents and estate agents on the Council's database by direct mail. This also included details of the proposal and prepaid return envelope to encourage a high response rate.

A presentation on the proposed scheme was also undertaken at the Scarborough Landlords Forum on 23 May 2016. All landlords were invited to the Forum. Landlords were also invited to any of the community drop-in sessions. Details of the drop-in sessions were provided with the consultation documentation.

Local Community and Voluntary Groups: Presentations were given to a number of community and voluntary groups based in the area as follows:

Castle Ward Tenants and Residents Association
Residents and Friends of Trafalgar Square
North Bay, Northstead and Central Community and Police (CAP) Group

Key Stakeholders: Individual meetings were held with particular key stakeholders who would be most affected or may have an involvement in the scheme, as follows:

National Landlords Association (NLA)
North Yorkshire Police
North Yorkshire fire and Rescue Service

Other stakeholders: Other local stakeholders were invited to attend a stakeholder consultation session, which was held on 20th May 2016.

Presentations were also given at the local Homelessness Forum and local Financial Inclusion Forum, which are regularly attended by a wide range of local stakeholders.

All stakeholders were also contacted to make any comments regarding the proposal.

Council Members: The local members for the Castle and North Bay wards were consulted with on the proposal through both direct meetings with some members and members attending consultation events.

Local MPs: The Member of Parliament for Scarborough and Whitby, Robert Goodwill and the Member of Parliament for Thirsk and Malton (which includes the Filey part of the Borough), Kevin Hollinoake, were both consulted with on the proposal and. A meeting was held with Robert Goodwill MP.

Other Scarborough Council Services: Key internal council services that may be affected in some way by the proposal were invited to comment on the proposals. These included Safer Communities, Environmental Health, Environmental Protection, Planning, Economic Development, Housing Benefits, Cleansing etc.

Other means of consultation: The main means of consultation was via the questionnaires to residents, businesses and landlords and also via the various consultation sessions and presentations.

In addition the consultation and both resident and landlord questionnaires were also published on the consultation page of the Council's website for the duration of the consultation period. Respondents were able to complete the questionnaire on-line.

Communication

The main forms of communication of the consultation were through the questionnaires to residents, business and landlords and also via the various consultation sessions and presentations.

Other means of communication were as follows:

Scarborough Borough Council website: A press release was issued on the Council's website at the commencement of the consultation. Details of the consultation, community drop-in sessions and how to respond remained on the website during the duration of the consultation period. In addition regular twitter alerts were put on the website advising of community drop-in sessions and consultation deadlines.

Posters/Leaflets: Posters and leaflets were produced advertising details of community drop-in sessions, where to find more information on the proposal and how to respond to the proposal. Posters were placed at prominent locations within the proposed area and posters and leaflets were also provided for local stakeholders, community groups and other agencies for display and to pass on to persons with an interest.

As there is a large Polish community residing within the proposed area, discussions were held with Polander, a local Polish information and support group on ways of reaching the Polish community. Posters and leaflets for the community drop in sessions were translated into Polish and were put on display in a number of the local Polish shops in the area.

Members of the Polander also attended two of the community drop in sessions to act as translators should any members of the Polish community attend the sessions.

3. Resident and Business Questionnaire Responses

Overall 263 resident and business completed questionnaires were received over the course of the consultation period out of 2000 issued representing a 13% response rate. Of these 254 were completed on the hand delivered forms and 9 were completed on-line.

The responses to each of the questions are outlined below. In most cases, the number of responses to each question added up to either more or less than the overall number of completed questionnaires. This was due to two reasons as follows:

- i. Not all respondents answered every question
- ii. For some questions more than one answer was given

Question 1: Are you a?

Type Household	Number of responses	% of responses
Private Tenant	66	24.2%
Housing Association Tenant	20	7.3%
Owner Occupier	128	46.9%
Business	30	11.0%
Landlord	25	9.1%
Other	4	1.5%
Total	273	100%

Almost half of the responses came from owner occupiers (46.9%), whilst almost a quarter (24.2%) were from private tenants. This contrasts with the household profile of the area, which is 55% privately rented and just 24% owner occupied.

Just over 20% of responses were from non-residential (businesses and landlords) respondents.

Question 2: What type of property do you live in?

Property type	Number of responses	% of responses
House or Bungalow	107	42.8%
Flats or Bedsit	140	56.0%
Room in Shared House	1	0.4%
Other	2	0.8%
Total	250	100%

Virtually all respondents lived in either a flat or bedsit (56%) or a house or bungalow (42.8%). This contrasts slightly with the actual property composition for the area, which are almost 80% flats or bedsits.

Question 3: What street do you live on?

Street	Number of Responses
North Marine Road	41
Blenheim Terrace	28
Trafalgar Square	21
Marlborough Street	17
Queen Street	16
Eastborough	14
New Queen Street	10
Castle Road	7
Friarsway	7
St Sepulchre Street	6
Clark Street	5
Longwestgate	5
Other Streets (4 or less responses)	58
Totals	235

Note that 28 responses were either not answered or were from outside the proposed area

The table shows all those streets where there were more than 5 responses received. The 4 streets with the highest number of responses (North Marine Road, Blenheim Terrace, Trafalgar Square and Marlborough Street) are all located in the North Bay ward. A total of 107 responses were received from these 4 streets and represent 45.5% of all responses which provided the name of the street.

132 responses (56.2%) were received from the North Bay ward and 103 responses (43.8%) were received from the Castle ward. All together responses were received from 42 of the 48 streets included in the proposed area. The only streets where there was no response were all streets with a very small number of properties (residential and business).

Question 4: Have you had any problems with privately rented properties in your area in the last 2 years?

Yes	166	66.9%
No	82	33.1%
Totals	248	100%

Around two thirds of all respondents had experienced problems with privately rented properties in the last 2 years. The streets with highest number of respondents experiencing problems were North Marine Road (29 responses), Blenheim Terrace (21 responses), Marlborough Street (15 responses) and Trafalgar Square (13 responses). In total 78 respondents from these streets had experienced problems, which represented just over 72% of the responses from these streets.

Question 5: If yes (to Q4), what problems have you experienced?

Type of problem	Number of responses	% of total responses (263)
Nuisance and anti-social behaviour (including noise)	134	51.0%
Poor condition of properties	113	43.0%
Poorly managed properties	93	35.3%
Rubbish dumping	137	52.1%
Empty properties	50	19.0%
Other	21	8.0%

Over 50% of all respondents had experienced problems with both nuisance and ASB and with rubbish dumping from privately rented properties. A significantly high proportion had also experienced problems with poor condition of properties (43%) and poorly managed properties (35%).

On a street by street basis, the highest number of responses are listed below. The final column refers to the percentage of the number of respondents from that particular street.

Nuisance:

Street	Number of respondents	% of total respondents from the street
North Marine Road	25	61.0%
Blenheim Terrace	16	57.1%
Marlborough Street	11	64.7%
Queen Street	10	62.5%
Trafalgar Square	9	42.9%

Poor Condition of Properties:

Street	Number of respondents	% of total respondents from the street
North Marine Road	22	53.6%
Blenheim Terrace	17	60.7%
Marlborough Street	11	64.7%
Queen Street	7	43.8%
Trafalgar Square	7	33.3%
Eastborough	7	50.0%

Poorly Managed Properties:

Street	Number of respondents	% of total respondents from the street
North Marine Road	23	56.1%

Blenheim Terrace	12	42.9%
Marlborough Street	10	58.9%
Queen Street	6	37.5%
Trafalgar Square	5	23.8%
Eastborough	5	35.7%

Rubbish Dumping

Street	Number respondents	of	% of total respondents from the street
North Marine Road	21		51.2%
Blenheim Terrace	20		71.4%
Marlborough Street	14		82.3%
Trafalgar Square	12		57.1%
Queen Street	9		56.2%

Empty Properties

Street	Number respondents	of	% of total respondents from the street
North Marine Road	18		43.9%
Blenheim Terrace	7		25.0%
Eastborough	4		28.6%

Note that all other streets had 3 or less respondents for empty properties

If other was ticked on the questionnaire, respondents were asked to specify. The list of comments in the response is listed in Appendix 3 of this report.

Question 6: If you are a tenant of a privately rented property do you have any concerns regarding any of the following?

Concern	Number of respondents	% of private tenants responding
Lack of basic amenities	1	1.5%
Inadequate fire safety	6	9.1%
Overcrowding	0	0%
Poor management of property	10	15.1%
Poor state of repair of property	10	15.1%

The number of respondent to this question was very low, partly due to the fact that only 66 private rented tenants had responded to the questionnaire in total.

Question 7: Do you agree or disagree with the proposal by SBC to introduce Selective Licensing for privately rented properties in the proposed area?

	Number of respondents	% of respondents
Strongly Agree	131	49.8%
Agree	41	15.6%
Neither Agree nor Disagree (or not answered)	38	14.5%
Disagree	13	4.8%
Strongly Disagree	40	15.3%
Totals	263	100%

65.4% of respondents either strongly agreed or agreed with the proposal, whilst 20.1% either strongly disagreed or disagreed with the proposal.

The following table shows the breakdown for all streets with more than 10 responses.

Street	Number of responses	Strongly Agree	Agree	Neither Agree nor Disagree	Disagree	Strongly Disagree
North Marine Road	41	26	7	4	0	4
Blenheim Terrace	28	17	5	2	2	2
Trafalgar Square	21	10	3	0	2	6
Marlborough Street	17	15	1	1	0	0
Queen Street	16	8	2	4	1	1
Eastborough	14	3	3	4	1	3
New Queen Street	10	4	1	3	0	2
Totals	147	83 (56.5%)	22 (15.0%)	18 (12.2%)	6 (4.1%)	18 (12.2%)

Across the streets with more than 10 responses, 71.5% of respondents strongly agree or agree with the proposal whilst 16.3% of respondents strongly disagree or disagree with the proposal.

Over 70% of respondents from Marlborough Street (94.1%), North Marine Road (80.5%) and Blenheim Terrace (71.4%) strongly agreed or agreed with the proposal.

The table below shows the analysis by ward.

	North Bay	Castle	Out of area or not stated
Strongly Agree	85	38	8
Agree	17	19	4
Neither Agree nor Disagree	15	16	5
Disagree	4	4	5
Strongly Disagree	17	18	5
Totals	138	95	27

74% of respondents from the North Bay ward either strongly agreed or agreed with the proposal whilst 15% of respondents either strongly disagreed or disagreed with the proposal.

60% of respondents from the Castle ward either strongly agreed or agreed with the proposal whilst 23% of respondents either strongly disagreed or disagreed with the proposal.

Question 8: Do you think that Selective Licensing will improve management standards?

Yes	181	73%
No	67	27%
Totals	248	100%

Over 70% of respondents thought that Selective Licensing would improve management standards. The streets with highest number of respondents who thought that Selective Licensing would improve management standards were North Marine Road (36 stated yes), Blenheim Terrace (20 yes), Marlborough Street (16 yes) and Trafalgar Square (13 yes) and Queen Street (13 yes).

Almost 80% of respondents from these 5 streets thought that Selective Licensing would improve management standards.

Where respondents stated no to Question 8, they were asked to state why not. The responses to this question are listed in Appendix 3 of this report.

Question 9: Do you think that Selective Licensing will improve the condition of properties?

Yes	179	72%
No	70	28%
Totals	249	100%

Over 70% of respondents thought that Selective Licensing would improve the condition of properties. The streets with the highest number of respondents who thought that Selective Licensing would improve the condition of properties were North Marine Road (34 stated yes), Blenheim Terrace (19 yes), Marlborough Street (16 yes), Trafalgar Square (14 yes) and Queen Street (14 yes).

79% of respondents from these 5 streets thought that Selective Licensing would improve the condition of properties.

Where respondents stated no to Question 9, they were asked to state why not. The responses to this question are listed in Appendix 3 of this report.

Question 10: Do you think that Selective Licensing will reduce anti-social behaviour and nuisance in the area?

Yes	170	68.5%
No	78	31.5%
Totals	248	100%

Just under 70% of respondents thought that Selective Licensing would reduce anti-social behaviour and nuisance in the area. The streets with the highest number of respondents who thought that Selective Licensing would reduce anti-social behaviour and nuisance in the area were North Marine Road (35 stated yes), Blenheim Terrace (19 yes), Marlborough Street (16 yes), Queen Street (14 yes), Trafalgar Square (12 yes)

78% of respondents from these 5 streets thought that Selective Licensing would reduce anti-social behaviour and nuisance in the area.

Where respondents stated no to Question 10, they were asked to state why not. The responses to this question are listed in Appendix 3 of this report.

Question 11: Do you think that Selective Licensing will improve the area?

Yes	180	72%
No	70	28%
Totals	250	100%

Over 70% of respondents thought that Selective Licensing would improve the area. The streets with the highest number of respondents who thought that Selective Licensing would improve the area were North Marine Road (36 stated yes), Blenheim Terrace (20 yes), Marlborough Street (17 yes), Queen Street (14 yes) and Trafalgar Square (13 yes).

81% of respondents from these 5 streets thought that Selective Licensing would improve the condition of properties.

Where respondents stated no to Question 11, they were asked to state why not. The responses to this question are listed in Appendix 3 of this report.

Question 12: Do you have any further comments on the proposed Selective Licensing scheme?

122 respondents provided further comments on the proposed scheme.

38% (46 comments) of the comments came from 3 streets: North Marine Road, Trafalgar Square and Blenheim Terrace.

62 (51%) comments were received from owner occupiers, 28 (23%) were received from private tenants and 20 (16%) were from landlords.

74 (61%) making comments either strongly agreed or agreed with the proposal, whilst 38 (31%) either strongly disagreed or disagreed with the proposal.

A full list of the comments received is included in Appendix 3 of this report. Included with this are a number of comments and suggestions made by other local residents outside of the questionnaires.

4. Landlord Questionnaire Responses

Overall 89 completed landlords questionnaires were received over the course of the consultation period out of 640 issued representing a 14% response rate. Of these 61 were completed on the printed forms sent out to landlords and 28 were completed on-line.

The responses to each of the questions are outlined below. As with the resident and business questionnaire, for most of the questions the number of responses to each question added up to either more or less than the overall number of completed questionnaires. This was due to two reasons as follows:

- i. Not all respondents answered every question
- ii. For some questions more than then one answer was given

Question 1: Are you a?

Type	Number of responses	% of responses
Landlord	80	86.0%
Managing Agent and/or Estate Agent	9	9.7%
Other	4	4.3%
Total	93	100%

The overwhelming majority of responses (86%) were from landlords with just under 10% coming from managing agents and/or estate agents.

Question 2: Do you own or manage privately rented property within the proposed area for Selective Licensing?

Yes	54	62.1%
No	33	37.9%
Totals	87	100%

Almost two thirds (62%) of respondents owned or managed privately rented property within the proposed area.

Question 3: What type of property do you own/manage?

Property type	Number of responses	% of responses
House or Bungalow	40	44.0%
Flats or Bedsit	44	48.3%
Shared House	7	7.7%
Total	91	100%

The split between flats/bedsits and house/bungalows that are owned or managed by landlords is almost equal, which is in contrast to the property types within the proposed area where there are an overwhelming high proportion of flats.

However, of those landlords who owned or managed privately rented property within the proposed area, 57% owned or managed flats or bedsits and 34% owned houses/bungalows, which is closer to the stock profile for the proposed area

Question 4: Do you think there are problems with privately rented properties in the proposed area?

Yes	32	43.2%
No	42	56.8%
Totals	74	100%

A higher proportion of landlords (56%) think there are no problems with privately rented properties in the proposed area.

There was a similar proportion of landlords who owned or managed properties in the proposed area with 46% stating there were problems and 54% stating there were no problems.

Question 5: If yes (to Q4), what are those problems?

Type of problem	Number of responses	% of total responses (89)
Nuisance and anti-social behaviour (including noise)	26	29.2%
Poor condition of properties	26	29.2%
Poorly managed properties	21	23.6%
Rubbish dumping	22	24.7%
Empty properties	13	14.6%
Other	8	9.0%

Just under 30% of all respondents thought that there were problems with nuisance and anti-social behaviour and with poor condition of properties in the proposed area. Just under a quarter of respondents also thought that there were problems with poorly managed properties and rubbish dumping in the proposed area.

The pattern was very similar for those landlords whom owned or managed properties in the proposed areas, apart from nuisance and anti-social behaviour where 41% of landlords said was a problem in the proposed area.

If other was ticked on the questionnaire, respondents were asked to specify. The list of comments in response is listed in Appendix 4 of this report.

Question 6: Do you agree or disagree with the proposal by SBC to introduce Selective Licensing for privately rented properties in the designated area?

	Number of respondents	% of respondents
Strongly Agree	10	11.2%
Agree	11	12.3%
Neither Agree nor Disagree (or not answered)	11	12.3%
Disagree	8	9.0%
Strongly Disagree	49	55.2%
Totals	89	100%

Almost two thirds (64.2%) of all respondents either strongly disagreed or disagreed with the proposal to introduce Selective Licensing for privately rented properties in the designated area, whilst just under a quarter (23.5%) either strongly agreed or agreed with the proposal to introduce Selective Licensing for privately rented properties in the proposed area.

For landlords who owned or managed properties in the proposed area, a slightly higher proportion of 72% strongly disagreed or disagreed with the proposal, whilst 20% either strongly agreed or agreed with the proposal.

Question 7: Do you think that Selective Licensing will improve management standards?

Yes	26	30.5%
No	59	69.5%
Totals	85	100%

Almost 70% of landlords do not think that Selective Licensing will improve management standards.

For landlords who owned or managed properties in the proposed area, a slightly higher proportion of 76% thought that Selective Licensing would not improve management standards, whilst 24% thought it would.

Where respondents stated no to Question 7, they were asked to state why not. The responses to this question are listed in Appendix 4 of this report.

Question 8: Do you think that Selective Licensing will improve the condition of properties?

Yes	27	32.1%
No	57	67.9%
Totals	84	100%

Just over two thirds (67.9%) of landlords do not think that Selective Licensing will improve the condition of properties

For landlords who owned or managed properties in the proposed area, a slightly higher proportion of 70% thought Selective Licensing would not improve the condition of properties, whilst 30% thought it would.

Where respondents stated no to Question 8, they were asked to state why not. The responses to this question are listed in Appendix 4 of this report.

Question 9: Do you think that Selective Licensing will reduce anti-social behaviour and nuisance in the area?

Yes	16	20.2%
No	63	79.8%
Totals	79	100%

Almost 80% of landlords do not think that Selective Licensing will reduce anti-social behaviour and nuisance in the area.

There was a similar ratio for landlords who owned or managed properties in the proposed area with 81% who do not think that Selective Licensing will reduce anti-social behaviour and nuisance in the area.

Where respondents stated no to Question 9, they were asked to state why not. The responses to this question are listed in Appendix 4 of this report.

Question 10: Do you think that Selective Licensing will improve the area?

Yes	22	27.5%
No	58	72.5%
Totals	80	100%

Over 72% of landlords do not think that Selective Licensing will improve the area.

For landlords who owned or managed properties in the proposed area, a slightly higher proportion of 79% thought Selective Licensing would not improve the area, whilst 21% thought it would.

Where respondents stated no to Question 10, they were asked to state why not. The responses to this question are listed in Appendix 4 of this report.

Question 11: What support and/or incentives do you think could be provided to landlords to ensure they manage their properties to a high standard?

61 comments, representing 68.5% of respondents were received by landlords on what support and/or incentives could be provided to landlords to ensure they manage their properties to a high standard. These are all listed in Appendix 4 of this report.

Question 12: Do you have any further comments on the proposed Selective Licensing scheme?

40 further comments, representing 45% of respondents, were received by landlords on the proposed scheme.

65% of the responses were from landlords who owned or managed privately rented properties in the proposed area.

60% of the responses were from landlords who either strongly disagreed or disagreed with the proposal, whilst 30% were from landlords who either strongly agreed or agreed with the proposal.

All the comments are listed in Appendix 4 of the report.

Other Landlord comments

In addition to the Landlord questionnaires, a number of other landlords also commented separately on the proposed scheme. These comments have been included in Appendix 4 of this report.

5. Community Consultation Events

A number of community consultation events were held in the proposed area. The outcomes of each of these consultation events are outlined below as follows:

North Bay, Northstead and Central Community and Police (CAP) Group: A briefing on the proposed scheme and the forthcoming consultation programme was given to the group at their quarterly meeting on 12th April 2016. This was attended by approximately 15 persons including 3 Local Members, North Yorkshire Police officers, a Safer Communities officer and a number of local residents. Questions asked and issues raised were as follows:

How will it be enforced without specific funding for enforcement?

Why was this area specifically chosen?

Castle Ward Tenants and Residents Association: A briefing on the proposed scheme and the forthcoming consultation programme was given to the group at their meeting on 26th April 2016. The meeting was attended by approximately 40 persons including Cllr Janet Jefferson, Inspector Mike Fenton from North Yorkshire Police and local residents. Questions were asked on the following:

- Why are we penalising all the good landlords? It's the bad landlords that we should be going after
- Will the licence fee be annual as it could see my rent going up?
- Will it just continue after the 5 years ends?
- How will anti-social behaviour be tackled? Have had problems with neighbours for the past 6 years
- The Social Landlords need to vet their tenants properly as well. 80% of the rubbish in the area comes from YCH and Sanctuary tenants

Residents and Friends of Trafalgar Square (RAFTS): A briefing on the proposed scheme and the forthcoming consultation programme at the meeting of the group on 28th April 2016. The meeting was attended by approximately 15 residents, including some landlords. There were generally a lot of concerns raised about the impact of the proposed scheme. Specific questions and issues raised by the group were as follows:

- The proposed licence fee of £750 is far too high and could put landlords out of business
- The scheme will penalise the good landlords who are doing everything all right already

- The Council should be able to identify the “bad” landlords and target them and leave the good landlords alone
- Why doesn't Selective Licensing apply to social landlords as well? There are on-going major anti-social behaviour problems with the Foundation property on North Marine Road.

Community Drop in Session: The Base, Cross Street: This was the first of 3 community drop in sessions held during the consultation period. The drop in session took place on 24th May 2016 and was attended by 9 persons as follows: 1 resident, 7 landlords and 1 business owner

A wide variety of questions were asked and issues raised, which are outlined below:

- What enforcement would you take against landlords where exterior of properties is poorly maintained; e.g. rotting windows
- Property on Queens Terrace has had scaffolding up for about 4 years and looks like it's about to fall down
- How did you arrive at the decision to look at this area?
- Will there be action to tackle the condition of communal areas? For example the paths and alleys up from Foreshore Road to Eastborough are a terrible state. If the area is going to be invested in then these should be a priority too.
- Why can't the Council inspect the bad properties and leave the good properties alone?
- It should be everywhere not just this area
- What happens after the 5 years? Will there be another fee to pay in 5 years' time?
- Risk that the fee will push rents up
- Feels like we are constantly being squeezed for money.
- The only problems on street where I have property are caused by Housing Association properties, which are exempt
- How are we going to find all these private rented properties? They won't come forward, so will they just get away with it?
- Do we honestly think it can make a difference?

- YCH properties are the problem. Worst part of the area is Cross Street.
- Can sort out the bad landlords with existing powers
- Good landlords being penalised for the bad landlords
- Had to pay £250 for property on North Marine Road to be registered over 15 years ago. What was that used for?
- If legislation was enforced then Landlords would not be asked for £750.
- Rogue landlords don't even live in Scarborough. They should be targeted along with YCH
- I've rented properties for 25 years and they've never been inspected
- If the fee was going to pay for enforcement officers then could be persuaded to part with cash.
- Would it reduce the fee if other areas were included?
- What made us pick the Castle ward first?
- Can the fee be paid instalments rather than upfront? E.g. annual direct debit
- All the ones of the properties surveyed are paying for the few that haven't been surveyed
- I have a HMO License already. Do I need a selective license as well?
- What if people don't apply?
- No mention of insurance in the conditions?
- Will the scheme work?
- Any reason why we picked the specific areas?

Community Drop in Session: The Rainbow Centre, Castle Road: This was the second community drop-in session held in the proposed area. The drop in session was held on 8th June 2016. 4 persons attended the session of which 2 current landlords (one with partner) and 1 former landlord, now just resident. Questions and comments raised at the session were as follows:

- Ex-landlord of property, now living there alone and not let out: does it apply to me?

- Landlord with one property and with limited personal income and rental income: concerned over cost affecting her business
- How will it be possible to enforce this on absentee landlords who are adept at avoiding regulation and compliance and are not willing to engage
- Concerns that more properties will be closed, which will result in tenants being evicted and becoming homeless. How will the Council deal with that situation? Could end up with higher crime as a result as well
- Concern over hotels taking on private lets outside the season. Will have detrimental impact on tourism business
- General concern that good landlords are being penalised and having to pay high licence fees when doing everything by the book already
- Major concern over bins being left out on the street by tenants/residents on narrow residential street in town centre. Has a detrimental impact and creates environmental nuisance.

Community Drop in Session: Scarborough Bowls Centre: This was the third and final community drop-in session held in the proposed area. The drop in session was held on 21st June 2016 and was attended by 9 persons, of which 6 were residents/businesses, 2 were letting agents and 1 was a landlord. The following questions were asked and comments raised at the session.

- Is Durham Street within the designated area?
- Does it just apply to residential properties?
- Constant problems with dumping of rubbish on Durham Street especially in rear alleyways
- Concerns about rubbish and over flowing bins on North Marine Road
- Concerns about empty boarded up property on North Marine Road
- Concerns over state of 2 properties on Blenheim Terrace and Blenheim Street
- Can't see how the Council will be able to enforce the scheme
- Abandoned cars a problem in area
- Unfair on landlords who are already complying

Castle Ward Tenants and Residents Association: An update on the consultation programme to date was made to the group on 28th June 2016. The meeting was attended by approx. 30 persons including Cllr Janet Jefferson, Inspector Graeme Knyman from NY Police and local residents. Questions were asked and concerns were raised on the following:

- Concerns about the fee for a landlord who just owns one single flat which will require licensing
- Concern over fees being passed on to tenants through increased rents

6. Stakeholder Consultation Events

A number of specific stakeholder events were held and presentations made to various stakeholder groups and forums as follows:

Financial Inclusion Forum: A briefing was given to the Forum at their quarterly meeting on 19th April 2016 on the proposed scheme and forthcoming consultation programme. The meeting was attended by 10 members of the Forum.

The main issue raised at the Forum was whether it would lead to some of the more marginal landlords going out of business, which could then lead to more tenants being made homeless.

Homelessness Forum: A presentation on the proposed scheme and consultation programme was provided at the Homelessness Forum on 13th May 2016. The Forum was attended by 14 people, with representatives from local agencies involved in homelessness, housing associations and SBC Housing Benefit and Housing Options Team.

The main issues and questions raised at the Forum were as follows:

- Have seen some dire conditions in the private rented sector – would be good to have details/pictures of the conditions to take round the community sessions and to show Councillors.
- What sort of things did Blackpool see improved?
- How long have Blackpool been running their scheme(s)?
- Was there a percentage reduction in the amount of ASB in Blackpool?
- Absence – is this in relation to absentee landlords?
- When it goes to full Council, will members have to declare an interest?

Note: The questions referring to Blackpool were due to the fact that officers and members had visited Blackpool to see how Blackpool Council's Selective Licensing scheme worked in practice.

Stakeholder Event: This was the main stakeholder event for the consultation. Over 100 local stakeholders were invited to the event, which was held on 20th May 2016. A formal presentation was done at the event followed by a question and answer and discussion session. 19 people attended the event from the following organisations:

SBC: Housing Benefits
SBC Members from Castle ward and North Bay ward
Coventry University (Scarborough Campus)
Stonham Housing
South Yorkshire Credit Union
North Yorkshire Fire and Rescue
Home Safe Scheme

National Landlords Association
Citizens Advice Bureau
North Yorkshire County Council: Prevention Childrens and Families
Polander (local Polish community group)
York Housing Association

The following questions and issues were raised at the event:

- On other Selective Licensing schemes is there evidence that fees have been passed down to tenants through rent increases?
- In the case of absent landlords, who is responsible for the licence; the owner or management agent
- Who at the end of the process is accountable?
- Concerns over displacement of problem tenants. This will only push the problem around and would not solve the problems. This is not mentioned in the consultation
- The income generated from the fees will only pay for 2 Licensing Officers. There will be wider costs arising from the scheme in terms of the displacement, evictions etc. which will cost the Council more money. Are the Councillors going to commit to put money in and ring fence money to make this work?
- Been involved in a large number of Selective licensing schemes. Only licensing schemes that work are those that think out of the box. This is more of a traditional licensing scheme and won't fix the problems.
- Important for agencies to share information. Support to be put in at early stages with vulnerable families. A lot of work we do with families are due to poor accommodation and mental health issues caused by accommodation
- Challenge is to solve the problem not move it. Good landlords will suffer. Criminals will prosper. Problem needs solving now and not to be sat here in 2 years' time again extending the scheme
- Concern for impact of the rent increase on tenants already in poverty. £2 per week rent increase not much but it is if you haven't got a lot of money.
- Do we know what percentage of workers/tenants in private rented properties are EU nationals?
- Concern that with that new licensing officers would not be able to explain to Polish nationals what is happening with their property when they visit due to the language barrier. Tenants may not understand that the officers could be there for a good reason and to help improve the property.

Private Landlords Forum: A formal presentation on the proposed scheme and the consultation programme was provided followed by a question and answer and discussion session at the Private Landlords Forum held on 23rd May 2016. All private landlords on the Council's private landlord database (640 in total) were invited to the Forum and 81 private landlords attended the event. Representatives from the National Landlords Association, North Yorkshire Police and North Yorkshire Fire and Rescue also attended plus a number of SBC local members.

The following questions and concerns were raised at the event:

- Will there be support from the Council for landlords to tackle anti-social behaviour?
- Concern that the scheme will cause displacement of tenants and they will move to other areas
- How many landlords have the Council prosecuted in the last year?
- We are being asked to pay for dealing with the bad landlords. How is that fair?
- Rogue landlords need to be tackled first. You know who these are so go after these first.
- Should stop paying out housing benefit to rogue landlords
- How is licensing all landlords going to help with dealing with the rogues?
- You are not here to dictate how to run our businesses?
- How many people have you taken to court in the last 12 months?
- You have the powers to do the job and aren't doing it
- Good landlords are being asked to fund a whole new department just to tackle the bad landlords
- It's creating a new department within SBC to inspect hundreds of decent properties to catch the odd few when the powers are there to tackle the bad landlords
- You should go public on the ones that you close down or prosecute and that would send a message out to the bad landlords
- You know the nightmare properties so shut them down

- You can't make landlords do things which they are not legally required to do
- Can you stop people receiving housing benefit when there is a problem with the property?
- 60% of landlords don't have gas safety certificates and electric safety certificates. You should be reporting these to the Council
- What happens if a landlord does not apply for a licence when they should
- I have a licensed HMO already; do I have to pay twice?
- Is the fee a one-off fee or is it an annual fee?
- If the area doesn't improve over the 5 years, will we get a refund?
- Is this the same as a government backed scheme introduced by the Council about 25 years ago, which brought in DHSS tenants? If it was then that is what actually brought the area down
- Why not target all landlords across the Borough. This would reduce the fee and the income raised can be used to target the bad landlords
- The £750 fee will affect the viability of many landlords businesses as many are quite marginal already and have to meet high costs already
- There are problems in many "supported" housing accommodations. These should also be targeted.
- It will just displace difficult/problem tenants to other areas. Where will these people go?
- All rogue landlords are getting away with it. There should be prosecution.
- Do you have to wait for a tenant to make a complaint before going into a property?
- What powers are there to improve the property with the new licence application? They may have certificates, but the tenants are still causing problems, what new powers will there be to deal with this?
- Tenant lifestyles won't change
- No one has a problem with the scheme. It's the cost which is the issue, especially for the good landlords

- East Yorkshire have had an accredited scheme, which was free, and the good landlords all signed up to it
- We are all good landlords here and no one is going to vote for this scheme. The rogue landlords aren't going to vote for it. So who is going to vote for it?
- In the first year you should prosecute the bad landlords. Get 5 or 6 of them in court.

7. Key Stakeholder Responses

Formal responses were held with a number of key stakeholders following individual meetings as follows:

National Landlords Association (NLA): A meeting was held with Gavin Dick, National Policy Officer for the NLA on the 14th April. A general discussion of the proposed scheme took place. This included discussion on the strengths and weaknesses of other Selective Licensing schemes nationally and consideration of alternative forms of Selective Licensing.

A formal response to the consultation was provided by the NLA, which is included in full in Appendix 4 of this report. The main issues raised by the NLA in their response are outlined in the Executive Summary of their response below:

Executive Summary:

Having considered the evidence presented and undertaken its own evaluation of the circumstances faced by the residents of Scarborough, the NLA can summarise its position in the following brief points:

- *The current proposal does not take into consideration displacement of problem tenants.*
- *Landlords have very limited authority to deal with matters of ASB – licensing has provided no additional influence.*
- *Lessons from the previous scheme not being fully run cannot be incorporated.*
- *Discretionary licensing is not an appropriate reaction to the cited issues as it provides no further facility or powers to deal with criminal activity.*

The consultation's conclusion fails in providing a complete resolution to the problems that it has identified. The council fails to provide a roadmap of how the council will resolve the tenants and residents that are causing the anti-social behaviour, in conjunction with selective licensing. Without a structured plan to solve all three components, the council runs the risk of displacement of problems and further blight to Scarborough.

The NLA also has concerns about the proposed extension of the current proposal into different areas without proper analysis of the successes and failures of the first scheme being provided. This appears naive and foolhardy, as well as a waste of taxpayers' money. Any scheme should be analysed so that improvements can be made and better delivery can take place.

North Yorkshire Police: A meeting was held on 29th March with Superintendent Alasdair Day and Chief Inspector Lindsay Stamp from North Yorkshire Police to discuss the Selective Licensing proposal and forthcoming consultation.

A formal response was provided to the consultation by North Yorkshire Police as follows:

North Yorkshire Police are fully supportive of the Selective Licensing initiative for the targeted areas within Scarborough. Not only will this support the work of the Community Impact Team, by improving quality of life for residents in the town, but will also contribute to raising the standards of the housing stock that is available

*Chief Inspector 945 Lindsey Stamp
Deputy Commander – Scarborough & Ryedale*

North Yorkshire Fire and Rescue Service: A meeting was held on 30th March with Andy Blades, Scarborough Station Manager from North Yorkshire Fire and Rescue Service to discuss the proposal and forthcoming consultation.

A formal response was received from the North Yorkshire Fire and Rescue Service as follows:



NORTH YORKSHIRE FIRE & RESCUE SERVICE

Mr J Burroughs
Housing Strategy and Development Officer
Environmental Services
Scarborough Borough Council
Town Hall
St Nicholas Street
Scarborough
YO11 2HG

North Yorkshire Fire & Rescue Service,
Headquarters,
Thurston Road,
Northallerton,
North Yorkshire, DL6 2ND

Tel: 01609 780150
Fax: 01609 788520
Email:

Dear Mr Burroughs

I am writing on behalf of the North Yorkshire Fire and Rescue Service (NYFRS) in response to the consultation document that has been provided by Scarborough Borough Council explaining the selective licensing proposal.

The information has been subject to analysis and evaluations by staff that work in the technical fire safety (protection) and operational (response) departments and has responsibility for the Scarborough district.

Additionally, staff have attended a 'Landlords' forum held on Monday 23rd May 2016 at the Spa, Scarborough.

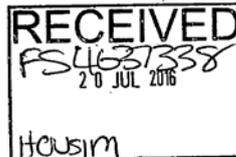
The information provided indicates a proactive approach to implementing a range of options which have the potential to improve health, safety and welfare of occupants living in privately rented accommodation. Specifically, there is an opportunity to assure that adequate arrangements are in place, maintained and reviewed in terms of fire safety.

It is the understanding of this service that details such as the inspection, administration and management of the proposal are not yet confirmed. This detail is important to establish if NYFRS staff will have the capacity to support council officers e.g. for inspection and enforcement activities, should that be requested.

In summary, North Yorkshire Fire and Rescue Service consider the selective licensing proposal to be an initiative which will contribute to improving the safety of members of the community who live within the designated licensing area. The service has no objections at this stage of consultation and is in support of the principals of the proposal.

Yours sincerely

Stuart Simpson
Group Manager Prevention and Protection



www.northyorksfire.gov.uk

125ALIVE
DRIVING US FORWARD THE NEXT 125 YEARS. WE CAN DO IT.

INVESTORS
IN PEOPLE

Scarborough Borough Council Safer Communities Team: Discussions have been on-going with the Safer Communities Team at the Council throughout the development of the proposal.

A formal response to the consultation was provided by the Customer, Communities and Partnership Manager, responsible for the overall management of the Safer Communities Team as follows:

From a Community Safety perspective we support the introduction of measures which raise the standard of housing in the area and which encourage effective management of properties. We recognise the correlation between poor housing conditions and poor landlord management and associated problems with anti-social and criminal behaviour, which affects the quality of life for residents across the area. The Council's approach to community safety is through effective partnership working with a range of partners including Police, Fire and RSLs. We recognise the need for any successful selective licensing scheme to be delivered in partnership, as part of a broader strategy to tackle complex, interrelated problems in areas of high need.

*Jo Ireland
Customers, Communities and Partnerships Manager
Scarborough Borough Council*

Robert Goodwill Member of Parliament for Scarborough and Whitby: A formal response to the consultation was received from Robert Goodwill, whose constituency includes the proposed area.

ROBERT GOODWILL M.P.



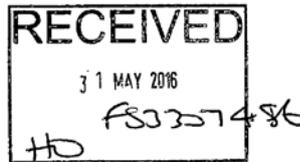
HOUSE OF COMMONS
LONDON SW1A 0AA



Ref: RG/SFB

27 May 2016

Mr. J. Burroughs,
Housing Strategy & Development Officer,
Scarborough Borough Council,
Environmental Services,
Town Hall,
St. Nicholas Street,
Scarborough. YO11 2HG



Dear Mr. Burroughs,

Thank you very much indeed for your letter regarding the selective licensing of private rented accommodation in Scarborough. Unfortunately I will not be able to attend any of the meetings being organised due to Parliamentary commitments, but I do support any moves to improve the standards within housing stock in the area.

As someone who has rented accommodation in the Redcar area I am a member of their Approved Landlord Scheme. This voluntary scheme does enable landlords who want to maintain very high standards to participate and indeed there are benefits flowing from that in terms of vetting of tenants and ensuring they can work closely with the Council.

I would therefore suggest as part of this consultation that the Council might look at widening the voluntary scheme outside the areas where selective licensing is taking part, so that responsible landlords can participate and demonstrate that they are keen to maintain the highest standards. I believe this would be very important as more students come to Scarborough and we are looking at having good quality housing stock available.

Cont ...

Member of Parliament for Scarborough and Whitby

Please reply to the address indicated beneath:

- Westminster Office: House of Commons, London SW1A 0AA Tel: 020 7219 8268
- Constituency Office: 6 Albemarle Crescent, Scarborough, North Yorkshire YO11 1XS Tel: 01723 365656
- Email: robert.goodwill.mp@parliament.uk

Other Stakeholders: A number of formal responses were also provided by other stakeholders in response to the consultation, as follows:

National Approved Letting Scheme (NALS): A comprehensive response was received from NALS. The full response is contained within Appendix 4 of this report. The principal points of the response are reproduced below:

Proposed Licensing Area

We welcome the targeted nature of the licensing proposals, as we believe that, in some other localities around the country, the implementation of licensing has moved far beyond what the government originally intended when the legislation was introduced.

Fee Structure

Although we are generally supportive of the licensing scheme and the proposal to discount fees for members of the NLA's accreditation scheme, we would urge Scarborough Borough Council to consider extending fee discounts to:

- Agents who are members of NALS or a similar recognised body (where the agent is the actual or de-facto licence holder)*
- Landlords who engage agents that are members of NALS or a similar recognised body (where the landlord is the licence holder)*

CONCLUSION

To sum up, NALS would welcome a collaborative approach with Scarborough Borough 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 NALS members would be a significant incentive to positive engagement by agents. In return, the Council would experience reduced administration and compliance costs

Home Safe Scheme: The Home Safe Scheme is a privately run scheme based in Doncaster, which was initially set up to work with Doncaster MBC in the delivery of their Selective Licensing scheme for the Hexthorpe area of Doncaster. The scheme works on the basis of co-regulation for private landlords in conjunction with Doncaster MBC.

The response to the proposal from the Home Safe scheme is provided below. The response also provides a brief overview of how the Home Safe Scheme operates.

Response from The Home Safe Scheme Ltd to the Proposal to designate the Scarborough North area as an area subject to Selective Licensing

This document is a response to the proposal to implement a Selective Licensing scheme in the Scarborough North area. We would ask that it is included in the formal consultation response report and circulated amongst the elected members who will be making the decision on the implementation of this scheme.

Summary

The Home Safe Scheme Ltd (www.thehomesafescheme.org.uk) is a private sector organisation that was set up as a result of the implementation of a Selective Licensing regime in the Hexthorpe area of Doncaster. Following on from the responses to the public consultation on this scheme Doncaster Metropolitan Borough Council (DMBC) agreed to modify their scheme to enable a “Co-regulation” regime to operate in the area as opposed to the usual version of Selective Licensing. The Home Safe Scheme Ltd (Home Safe) is the “Co-regulation” partner with which DMBC is working in the Hexthorpe area for the 5 year term of the Licence period.

Home Safe is now also the “Co-regulation” partner of West Lindsey District Council in the operation of the Selective Licensing scheme in the South West ward of Gainsborough (which received its licensing designation in April 2016).

We agree, from the information provided by Scarborough Council in the course of their Consultation, that there is a problem in affecting the Private Rented Sector in the North area and commend them for taking action to deal with this problem but would like to propose an alternative (and innovative) solution to that problem. Unlike many other landlord groups or associations we are in full agreement that the current system in the Private Rented Sector is failing in many areas nationally, that the private rental market is in a state of flux and that there are deep rooted issues throughout the sector that need to be addressed by all stakeholders.

We understand that Councils have limited tools and, therefore, also understand the attraction of using Selective Licensing as one of those tools to try and deal with the problems evident in the sector. Our position, however, is that Selective Licensing, in its raw form, is ineffective but that it can be quantifiably effective if deployed via the mechanism of “Co-regulation” as defined by The Home Safe Scheme.

We at Home Safe believe that we are the founders (along with DMBC) of this alternative and innovative approach, already operational in Doncaster (and to be operational in Gainsborough from July 2016), and that we can offer Local Authorities the ability to deliver Selective Licensing without opposition from and with the active co-operation of the sector. The sector can see itself as a participant rather than as a disparate collection of passively regulated individuals. Landlords can have a stake in their own development and in improving the sector both in a given area and across a Borough as a whole.

Since the inception of the Home Safe Scheme in the Hexthorpe area of Doncaster there has been a phenomenal increase in the levels of engagement from the area’s private sector landlords (which can be evidenced both by Home Safe and DMBC) and Managing Agents. For example, we can show that every landlord who is a member of Home Safe has a property or properties that have all the relevant up to date valid certifications or are having works carried out in order to provide these. All Managing Agents nominated by Home Safe landlords to manage properties in the scheme area are providing evidence of their Fit & Proper Person status and are members of an approved Redress Scheme. This has freed the Council to focus on pursuing those landlords who have shown no interest in engaging or complying with the Scheme and enabled them to commence prosecution cases against those landlords within 9 months of the scheme going live. Thus, to date, the Council has

been able to focus on commencing in excess of 60 prosecutions against non compliant landlords in Hexthorpe.

With regard to property inspections we create a compliance baseline, from the very beginning, of all stock within a scheme area by deploying our team of HHSRS inspectors to inspect all scheme properties. Following that, members are offered training in order for them to facilitate their own inspection regime. It's worth noting that in the Hexthorpe area all accessible properties were inspected by Home Safe within 6 weeks of the inspection phase beginning and we see landlords actively engaging with the scheme.

Thus, we believe that a similar scheme to that in place in Doncaster and Gainsborough would be of great benefit to the residents and landlords (both private and public sector) in the North area of Scarborough as well as to the Council and, more generally, all of Scarborough's residents.

Home Safe's alternative scheme will enable Scarborough Council to use their existing powers and resources more effectively and in a more targeted manner allowing them to focus those resources directly against the willingly bad, un-cooperative and non complying landlords.

We would, therefore, welcome the opportunity to discuss working with the Council in developing a "Co-regulation" scheme for the designated area and believe that we can garner the support of local landlords in so doing.

If it is of interest we would be happy to arrange a series of workshops in order to explore how the Home Safe scheme can be tailored specifically for your area.

Foundation Housing: The following response was provided by Foundation Housing who are a Housing Association providing supported housing throughout Scarborough including the proposed area.

Thanks for the invite last week, I thought it was informative and the debate was interesting! Having reflected on the information I would like to pass on the following comments for your survey.

If the scheme is properly funded and rogue landlords are made to comply I think SL is a great idea. It will eventually improve areas and accommodation.

I do have some reservations about rogue landlords who are forced to comply with SL moving away from housing vulnerable groups or selling up as an alternative to paying for essential work. Both of these would impact on available stock for our client group.

Currently we have a small number of landlords who are willing to rent to our client group for the simple reason that they cannot rent to working people because the accommodation is not of a sufficient standard. The accommodation isn't horrendously bad (we binned those landlords!) but it most likely would not comply with SL requirements. If accommodation was brought up to standard and therefore made more attractive to working people, landlords may move away from our client group to a less chaotic group!

Also there will always be an element who will persist in being anti-social regardless of the quality of their accommodation. These people have to live somewhere and currently we do have landlords who will accommodate this client group. We may lose this as an option if SL comes in.

The impact on already unaffordable rents is also a concern, particularly for our client group the under 25's, as most landlords will simply pass on renovation and licensing costs to the tenant.

I think if we can work to develop quality affordable shared accommodation using SL as a tool it would certainly benefit our client group. All said, I am in favour of anything which will improve standards in accommodation as long as it remains available to our clients and other vulnerable groups!

Anne Rivers
*Project Manager
22 Victoria Road
Scarborough
YO11 1SD*

8. Summary of key issues arising from the consultation

The following section provides a summary of the key issues raised by residents, businesses, landlords and stakeholders over the course of the consultation, through the questionnaires, drop in sessions, events and formal responses.

Key issues raised by residents/businesses

Whilst the majority of residents are in support of the proposal, there were a number of key issues raised by residents, which need to be considered as follows:

Will lead to increased rents: There was a concern amongst a lot of residents that the licence fee would be simply passed on by landlords to their tenants through increased rents. In an area of deprivation with a lot of tenants on very low incomes this could have a very adverse effect on vulnerable tenants and could potentially result in some tenants being made homeless.

Lack of enforcement: Some residents had concerns that the scheme would not be effectively enforced, and that the Council should use existing legislation and powers to tackle “bad” landlords.

Won't stop anti-social behaviour: Concern was expressed that the scheme would do little or nothing to stop anti-social behaviour in private rented properties and that it was really the job of the Police and other agencies to tackle anti-social behaviour rather than individual landlords.

Concerns were also expressed that anti-social behaviour was mainly caused by social housing tenants, including “halfway house” properties in the proposed area. As Selective Licensing did not extend to social housing tenants, then they could not see the scheme being able to effectively tackle anti-social behaviour in the proposed area.

Comments were also made that most anti-social behaviour was caused by visitors to the area, either holidaymakers or people passing through the area at night, and that Selective Licensing wouldn't stop this problem.

Rubbish/bins overflowing: This was a major concern raised by a significant number of residents and businesses with over 50% of respondents citing it as a problem from privately rented properties on the questionnaire. The problem was a particular concern in the North Bay area with almost 60% of respondents citing it as a problem.

Residents mentioned a variety of problems including overflowing bins out on the streets, rubbish being dumped, fly tipping (particularly in rear alleyways) and general littering by residents and visitors to the area.

Extend to other areas: Some residents felt that the scheme should be extended to adjoining streets and areas of Scarborough or even to the whole Borough.

It was stated by a number of respondents that Durham Street (located off North Marine Road) should be included in the scheme as it experienced similar problems to the nearby streets within the proposed area.

Other Issues: Other issues mentioned by residents included that it was merely a money making scheme for the Council to raise revenue; there was a risk of more properties becoming empty in the area as a result and that planning laws should be relaxed in the conservation area to support property improvements.

Key Issues raised by Landlords: As the majority of landlords disagreed with the proposal, there were a wider range of concerns and issues raised by landlords. These are outlined below as follows:

Fee Issues: Landlords raised a number of issues in respect of fees. Principally that the proposed license fee at an average of £750 per licence was far too high, especially for smaller properties.

Many landlords pointed out that they are already subject to a wide variety of operational costs including high management costs and maintenance costs and the added cost of the licence could have a significant impact on the viability of their business. A number of landlords stated that rents within the proposed area are low and have stagnated in recent years whilst costs have increased and the licence fee could end up putting them out of business.

As with residents, many landlords saw the only option would be to pass the licence fee on to their tenants by increasing the rent.

Another concern was that the licence fee was too much to pay at once and could it be staggered over the period of the licence to minimise the impact.

Many landlords also felt that this was merely a money making scheme for the Council, which would create new jobs just to administer the scheme and not to enforce it.

Blanket Approach: Penalising the good landlords: This was also an issue raised by a large number of landlords. The feeling was that the good landlords were being asked to pay for dealing with the bad landlords.

The view of many landlords was that the Council should know who the bad landlords are, and which the problem properties in the area are, and that the Council should concentrate their resources on tackling the rogue landlords and leave the good landlords alone.

Enforcement: Allied to the above issue, many landlords stated that the Council should concentrate on the enforcement and prosecution of bad landlords. Concerns were expressed at the Landlords Forum and through the questionnaires that the Council were not doing enough enforcement and prosecution of bad landlords and if this was done more it would do away with the need to introduce Selective Licensing.

Many landlords also stated that there is existing legislation and powers to deal with bad landlords and the Council should make full use of current legislation and powers.

Won't solve anti-behaviour: It was a major concern of many landlords that Selective Licensing would not solve anti-social behaviour. It was felt by many landlords that whilst many tenants did cause anti-social behaviour and nuisance, it was not necessarily the role of landlords to tackle anti-social behaviour and that landlords were not at fault.

The powers for tackling anti-social behaviour were seen as being in the hands of the Police/Council/Courts and other agencies and these organisations were in the best position to tackle anti-social behaviour as opposed to landlords.

As with residents there was also concern that the scheme won't extend to social housing tenants, which was seen as the source of a lot of anti-social behaviour within the proposed area.

Concern was also expressed that tenant's references could not necessarily be trusted and a good reference wasn't always an indication of a good tenant.

Extra burden/red tape for landlords: Many landlords pointed out that they were already required to comply with a wide range of legislation and regulatory requirements. These had increased considerably in recent years and were becoming more burdensome for private landlords.

Licensing was seen as just adding to the regulatory burden and in some cases was seen as duplicating a lot of the work they were doing already.

No real benefits to landlords: Many landlords did not see the scheme as being of any real benefit to landlords. As stated above, many saw it as being an extra burden and extra cost but with nothing of any real benefit in return for landlords.

Scheme won't achieve anything: Another concern was that the scheme won't actually achieve anything and won't solve any problems or improve the area. This is borne out in the response to Question 10 of the landlords questionnaire where over 70% of respondents stated that Selective Licensing would not improve the area.

Scheme should include social landlords: Many landlords saw it as unfair that social landlords were exempt from the scheme and that it was not a level playing field. As stated previously, landlords saw a lot of anti-social behaviour emanating from social landlords and felt that they were being unfairly penalised.

Should be wider than just this area: As with residents, some landlords felt that the scheme should include adjoining areas where there were similar problems or should cover the whole Borough, as then it would be a level playing field.

Potential displacement of tenants to other areas: Related to the above issue, there was concern that by just targeting the proposed area, it could lead to displacement of tenants to adjoining areas and a potential displacement of problems as a result.

Designated areas will be blighted and lenders will be less willing to invest: Concern was expressed that targeting this area alone could well blight it as good landlords may well end up selling their properties in the area and moving out. As a result, this could lead to a number of consequences, including reduction in property values in the area, less investment and more empty properties.

Key Issues raised by Stakeholders:

There were a number of key issues raised by stakeholders principally through the formal responses provided by individual stakeholders, but also at the Stakeholder event. The key issues raised are as follows:

Displacement of tenants: This was raised at the stakeholder event and within the formal response by the National Landlords Association (NLA). The concern was that Selective Licensing may result in displacement of problem tenants and push problems out into other areas.

Landlord's ability to deal with anti-social behaviour: This was also raised by the NLA in their formal response, which states that landlords have very limited authority to deal with ASB and licensing would have no additional influence.

National Approved Lettings Scheme (NALS) in their response also noted that it would be unreasonable *"to expect agents and landlords to play a disproportionately large part in tackling them"* (i.e. ASB).

NALS also stated that it would be unreasonable to expect smaller landlords to comply with the proposed licensing condition *"to provide a written action plan to Scarborough Council outlining procedures for dealing with anti-social behaviour at the time of application"*. Their recommendation is that written action plans aimed at tackling ASB should instead be developed by the Council and its partner agencies.

Selective Licensing fails to provide a complete resolution to the problems that have been identified: An issue again raised by the NLA in their formal response and related to the previous two issues above. The concern was expressed that there was no clear structured plan in place to resolve the problems of ASB and that Selective Licensing alone was not the solution.

Extension of the proposal into further areas: This was also highlighted by the NLA in their formal response. The concern was that the scheme would be extended into other areas without any proper analysis of the success and failure of the initial scheme.

Fee Discounts: This was raised by the National Approved Letting Scheme (NALS) who suggested that any fee discounts should be extended to both agents who are members of NALS or a similar recognised body and also landlords who engage agents that are members of NALS or a similar recognised body.

Explore alternative options: This was raised primarily by the Home Safe Scheme who works in conjunction with Doncaster MBC and West Lindsey Council as a “co-regulation” partner for Selective Licensing schemes in those Councils.

Consideration of alternative schemes was also raised by the NLA in their response who suggested the Council explore both the Home Safe scheme in Doncaster and SEAL in Southend as possible alternative means of delivering Selective Licensing.

Possible loss of landlords: This was raised by Foundation Housing in their formal response who were concerned that Selective Licensing could result in the loss of landlords who provided for some of their client groups.

9. Recommendations

Taking all the consultation responses into account including the questionnaire responses, consultation events and formal stakeholder responses, there are a number of recommendations that can be made as follows:

Recommend the designation for the proposed area (Scarborough North) for Selective Licensing

The majority of resident and business respondents (65%) support the proposal to designate the proposed area for Selective Licensing. In addition, key local stakeholders such as North Yorkshire Police, North Yorkshire Fire and Rescue Service, Safer Communities Team and Foundation Housing also support the proposal.

By contrast the majority of private landlords who responded (64%) were opposed to the proposal to designate the proposed area for Selective Licensing.

The overall view of the key landlord bodies falls between the two opposing viewpoints. The National Landlords Association (NLA) acknowledges that problems exist within the area, but that the proposal in its proposed format may not resolve those problems. This is a view shared by the Home Safe Scheme, which offers an alternative approach. The National Approved Lettings Scheme (NALS) is broadly supportive of the proposal but with certain caveats in respect of the fee proposals and ASB issues.

In view of this and the issues raised by all parties the report makes a number of further recommendations

Recommend a wider range of fee options to minimise the impact to landlords and tenants

The cost of the proposed licence fee was a major issue raised primarily by landlords but also by some residents who feared that it would mean an increase in rents. It was also raised by some stakeholders. Within the proposal a number of options were put forward for fee discounts, which included Discounts for Accredited Landlords, Early Bird Discounts and Multiple Property Discount.

Other options which could be explored in order to minimise the impact to landlords and tenants include:

- Extending the fee discounts to landlords and agents with other nationally recognised landlord bodies such as NALS and the Residential Landlords Association
- Have fee discounts as a % of the “standard” licence fee rather than a fixed amount. This would mean that the discount for a larger property would be more in cash terms than a smaller property and would be more equitable.

- Offer the option to have staged payments, for example payment by annual direct debit or possibly 2 payments such as 50% on issue of licence and the remaining 50% partway through the licence period

Explore the benefits of alternative schemes

The intention with the scheme has always been for it to be a Council run Selective Licensing scheme, and the option to look at alternative models of delivery was not a consideration at the onset of the consultation.

However, alternative models such as the Home Safe scheme in Doncaster and West Lindsay or SEAL in Southend should be included in an Options Appraisal to be considered as part of the policy decision for the final scheme designation.

Without prejudicing the outcome of the options appraisal, an alternative model may not be the preferred option of the Council; however, some of the benefits that are offered by these alternative models should be explored in more detail and could be incorporated to some degree in the final design of the scheme.

Ensure there are sufficient resources to undertake effective enforcement

It was a major concern of residents and landlords alike that the scheme would lack effective enforcement and that the “bad” landlords would not be sufficiently dealt with. As the income generated from the license fees can only be used for the administration and running of the scheme and not for enforcement, then there was a fear that enforcement would not be carried out effectively.

A Selective Licensing scheme without effective enforcement would effectively be a waste of time, effort and resources for everyone concerned. A number of steps are being taken that will support a robust and effective approach to enforcement as follows:

- A comprehensive inspection programme of all licensed properties to be undertaken in the first year of the licensing period, which will identify properties requiring enforcement action
- A restructure is currently being undertaken of Environmental Services department, which will see the creation of a new Residential Regulation Team and provide more resources within the team for housing enforcement.
- The scheme will be delivered in conjunction with the multi-agency Community Impact Team, based in Safer Communities at the Council and includes representatives from North Yorkshire Police and North Yorkshire Fire and

Rescue Service. Where required joint inspections with the Police and the Fire and Rescue Service will be undertaken of certain properties. In addition, the Community Impact team will be able to utilise a wider range of powers, such as Community Protection Notices, which will augment the housing enforcement approach.

Ensure there is a co-ordinated approach to tackling anti-social behaviour and nuisance throughout the proposed area

Another major concern raised by both residents and landlords was that the scheme would not solve anti-social behaviour. There was particular concern from many landlords that they have little influence over their tenant's behaviour and ability to control anti-social behaviour by their tenants.

Selective Licensing in itself is not the panacea to reducing anti-social behaviour in the proposed area. However, Selective Licensing has an important role to play in tackling anti-social behaviour in the area as part of a co-ordinated approach involving all partners.

The partnership with the Community Impact team, mentioned previously, will be crucial to tackling anti-social behaviour. This will include joint inspections of some licensed properties and any other joint approach and/or information sharing on problems identified in licensed properties.

Support for landlords is also crucial in helping to tackle anti-social behaviour in the area. Proposed new discretionary licensing conditions include a range of measures in respect of anti-social behaviour and the management of properties. Partners have a role to play in supporting landlords to meet these conditions, including the provision of specific advice and training where required for landlords on dealing with anti-social behaviour.

Other partners also have a role to play in tackling anti-social behaviour throughout the proposed area. Concerns were raised by respondents that much of the anti-social behaviour in the proposed area is caused by social housing tenants. The importance of social landlords, including Yorkshire Coast Homes, Sanctuary and Foundation Housing, working with and being part of the Community Impact team, is crucial to demonstrating that anti-social behaviour is being effectively tackled across all tenures in the area.

Ensure there is effective monitoring and review of the scheme once it is implemented

The high profile nature of Selective Licensing means that it will be subject to a high degree of scrutiny from a wide range of parties and interests including landlords and landlord bodies, residents, SBC members and others.

Strong and robust monitoring mechanisms need to be put in place once it is implemented, which will monitor the effectiveness and impacts of the scheme (both

positive and negative) and enable changes to the scheme to be made during the licence period as and when required.

Key performance indicators will need to be established and agreed upon for the scheme and regular monitoring reports produced, both for SBC members and for other interested parties.

In addition, the monitoring of the scheme can then feed into the development and delivery of the further Selective Licensing schemes, which are proposed for the other areas of Scarborough as identified in the initial Business Case.

Establish a Steering Group consisting of key stakeholders to monitor and review the scheme once implemented

In relation to the above, it is also recommended that a Steering Group, made up of key partners, be set up as part of the monitoring and review mechanisms.

The role of the Steering Group would be to provide feedback to the Council on how the scheme is operating from a partner perspective and report on any particular problems they may have come across, take reports on the running of the scheme (including performance indicators), and advise and recommend any changes to the scheme. This could also feed into the development and delivery of any future schemes.

It is envisaged that the Steering Group would consist of the following partners: landlords and landlord bodies, key stakeholders such as the Police, Fire and Rescue and Safer Communities, and also SBC members.

Include Durham Street and Durham Place within the designated area

Some respondents (both residents and landlords) had suggested extending the scheme to other areas or across the whole Borough. There would be no justification for extending this particular designation to other areas of Scarborough as some areas will be included in future designations. Extending the scheme Borough wide could not be justified as most of the Borough does not meet the criteria for Selective Licensing.

However, a number of respondents had specifically identified Durham Street, which is located off North Marine Road, to be included within the designated area. A number of responses had been received from residents on Durham Street, some of which were in favour of the scheme. In addition, similar problems with privately rented properties to adjoining streets in the proposed area had been identified by respondents from Durham Street.

The inclusion of Durham Street and the adjoining Durham Place, which is also located off North Marine Road, would have little impact on the overall resourcing of the scheme and their inclusion would fit with the profile for the proposed area.